

October 16, 2002

LEVEL: 11

[Chapter 6]

Getting Along with Each Other

[URL: GettingAlongWithEachOther]

SECTIONS (& perhaps subsections):

- I The Ways of Relating Perspective on Mediation and Litigation (with Dr. Maria Stalzer Wyant Cuzzo)
 - II Restorative Justice
 - III Getting Along with Other Cultures
 - IV Comparing *Satyagraha* and the U.S. Peace and Justice Movement in Terms of the Ways of Relating Perspective
 - V Our Need for a Structure of Reconciliation
-

I The Ways of Relating Perspective on Mediation and Litigation (with Dr. Maria Stalzer Wyant Cuzzo)

xx

II Restorative Justice

xx

III Getting Along with Other Cultures

“... although race has no real basis in biology, and although racial pride is, in itself, socially divisive, the only way to overcome social divisiveness was to foster racial pride—to encourage the different ethnic groups in American society to take satisfaction in their different cultural practices.”

— Louis Menand (1997:xxviii), discussing Alain Locke’s views on diversity

Some basic questions:

- Within a single polity; the issue of minority rights:
 - Do we compromise with each other on our cultures, or is one culture entitled to outvote / repress another, as some English-speakers are trying to do through

- making English the official language of the United States?
- Are we entitled to preserve a (sub)culture, like the Quebecois?
- Between countries; the issue of immigration:
 - Are we entitled to exclude other cultures altogether?
 - Are we entitled to distinguish among other cultures or people as they seek to immigrate? If so, are any distinctions permissible, e.g., nationality, culture, language, ideology, skin color, HIV status, age, etc.?

The two-moments perspective can be applied to a number of theoretical and practical issues. One such application is to "generalized immigration policy" issues. These include not simply states' controls over immigrants but more broadly (i.e., "generalized") any formal or informal policy or social practice that regulates contact between different cultures. This would therefore cover the treatment of minorities in a majority culture, including the secession and independence of culturally distinct regions. The two-moments perspective also usefully illuminates the process of the creation of new cultural identities.

“From the perspective of the recipient society, the problem of immigration raises the question of legitimate conditions of entry. Ignoring the intermediate stages, we can focus on the act of naturalization, with which every state controls the expansion of the political community defined by the rights of citizenship. Under what conditions can the state deny citizenship to those who can advance their claim to naturalization? Aside from the usual provisions (as against criminals), the most relevant question in our context¹ is in what respect a democratic constitutional state can demand that immigrants assimilate in order to maintain the integrity of its citizens' way of life.

¹[SPC: One wonders to what extent Habermas's thinking and approach here is a result of his specific concern with Germany's immigration problems. He may not be trying to put forward a complete, abstract theory of citizenship.]

Philosophically, we can distinguish two levels of assimilation:

“(a) assent to the principles of the constitution within the scope of interpretation determined by the ethical political self-understanding of the citizens and the political culture of the country; in other words, assimilation to the way in which the autonomy of the citizens is institutionalized in the recipient society and the way the “public use of reason” is practiced there;

“(b) the further level of a willingness to become acculturated, that is, not only to conform externally but to become habituated to the way of life, the practices, and customs of the local culture. This means an assimilation that penetrates to the level of ethical cultural integration and thereby has a deeper impact on the collective identity of the immigrants’ culture of origin than the political socialization required under (a) above” (Habermas 1994:138).

Habermas goes on to say that a constitutional state has the right to require (a), including opposition to any fundamentalist movements that undercut the basic constitutional structure of the state,² but it does not have the right to require (b). In my language (and maybe his too), he is saying that the state can concern itself with the Right but not with controlling individual (or collective) conceptions of the Good.

Do I agree with this? I don’t think I do, because of the agreement problem.³ If we didn’t have to worry about lack of agreement, then the Right and the Good would/could indeed remain separate. And his distinction is useful in that we need to clarify possible philosophical positions. But since we can’t be absolutely sure what the Right is, we have to recognize that this clear

²Just as it has the right to do that with similar movements in existing citizen groups, e.g., white power movements.

³It’s significant that this is where our differences lie, obviously.

distinction may be a worthy goal but it is not clear in practice how to distinguish the two. So back we go to the second and then possibly the third moment.

Works to read that bear on this:

- Wellmer (1993/1998:145) on the consequences of contingency for a liberal culture.
The discussion appears to bear on my 2nd moment idea.
- Young (1990:ca.118)

IV Comparing *Satyagraha* and the U.S. Peace and Justice Movement in the Ways of Relating Perspective

xx

V Our Need for a Structure of Reconciliation

“In nonviolence, the masses have a weapon that enables a child, a woman, or even a decrepit old man to resist the mightiest government successfully. If your spirit is strong, mere lack of physical strength ceases to be a handicap.”

— Gandhi

xx

[Note xx’s work on the South African Truth & Reconciliation Commission]