Dilemmas of Multiculturalism:

Finding or Losing Our Way?

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ABSTRACT

At present we are witnessing a backlash against Multiculturalism Policies (MCP) together with the aggressive promotion of old or presumed new alternatives like liberal or republican assimilationism and policies of diversity. In defending MCP it is more convincing to address the moral conundrums and the many practical dilemmas all incorporation policies are confronted with than to repeat cherished principles. To achieve this, an institutional turn is required in political theory. In this paper, some policy dilemmas are sketched and alternative solutions are presented for the 'immigration/welfare paradox' as one example of how to rethink MCP in order to find new ways better adapted to recent changes in global contexts and socio-economic and political opportunity structures.

Multiculturalism (MC), as is well known, means many things. It is used to designate culturally diverse societies, a specific set of policies and institutions, and their respective legitimation in public talk by a plurality of actors like politicians, administrators and judges, as well as (political) philosophers (see Vertovec 2004:4-7). In all respects MC has been contested right from the start, but the same charges have been raised much more loudly and aggressively since 9/11.[1] We see something like a "general backlash against difference" (Grillo 2004), against multiculturalism policies (MCP) and institutions in particular. Pressures to avoid implementing MCP are increasing all over the globe, though clearly not in the same way in all countries, in all fields, and to the same degree.[2] MC is dead or dying, so we are told.

In this paper, I take it as a plain fact that living in *culturally diverse societies is without any alternative.* Like migrants, cultural diversity is 'here to stay' whether we like it or not and whatever politics we may adopt. It may remain an open question, however, whether ethno-national and religious diversity inside the state increases as a result of immigration, or whether it decreases on a global scale and eventually also internally as a result of 'MacWorld'-globalization. Not only are *MCP and institutions* as well as their *political and theoretical* legitimation increasingly under siege, but it is said that old or renewed *liberal assimilationism* (LA, see Brubaker, Joppke/Morawska, Trevor Phillips) *and/or republican assimilationism* (RA, see Hollinger, Lind, Schnapper, Kepel) and *policies of diversity* (D)[3] are better alternatives in the sense that they are both morally superior – or even stronger, that they are the only options compatible with liberal democratic constitutions – and realistically superior.

Before discussing these claims, we have to indicate the *differences between these alternatives:* (i) MC claims that *cultural inequalities* are a special problem that has to be addressed instead of being neglected by an exclusive focus on socio-economic, legal and political inequalities characterizing LA, RA and D. (ii) The diversity and, more importantly, the unequal treatment of cultural practices requires some form of *public recognition* (MC) and should not be individualized or confined to a so-called 'private' or non-political 'civil' society opposed to a presumed culturally neutral 'public sphere' and the state. (iii) Ethno-religious diversity cannot be sufficiently accommodated by special exemptions only (LA, D)[4] as it also requires specified and circumscribed forms of *collective political representation and rights* (MC). (iv) MC claims that a fair treatment of some (ethno-national and religious) minorities requires a variable amount of *institutional autonomy and institutional pluralism* whereas RA is fiercely opposing this and LA and D are at best extremely reluctant.

Here, I take it for granted that philosophical defenders of liberal MC like Kymlicka 1995 (opposed to communitarian or conservationist MC) are able to refute moral criticism by egalitarian liberals like Barry. I am even convinced that egalitarian-liberals should not reject but rather endorse liberal MC as soon as they clearly realize cultural inequalities in all their consequences (Bader 2004). Refuting the general philosophical charges against MC does, however, not entail ignoring the *serious moral and legal tensions,* the difficult trade-offs and the *unintended negative consequences* known from debates on affirmative action (Bader 1998:444ff) long before MCP were launched at the end of the 1970s. Undifferentiated and imprudent MCP may impose involuntary 'ethnic categories' on all individuals; contribute to 'ethnicize' or 'religionize' minorities, to 'reify', 'purify', or 'conservatize' and 'essentialize' culture and ethnicity; facilitate undemocratic organization and leadership of minorities; freeze existing institutionalized relationships of interest-intermediation and exclude new organizations and (second generation) leaders; make minority-organizations dependent upon public money and make

minorities depend on welfare; 'balkanize' societies, and so on.[5] Even if MCP would have morally permissible, 'good intentions', they would inevitably include such counter-productive consequences, so it is said.

My intention cannot be, and has never been, to ignore the existence of serious moral and legal dilemmas and difficult trade-offs or to debunk unintended effects of MCP. What I claim is, first, that not only MCP but all possible policies of immigration and incorporation are faced with these problems. In this regard, critics of MC should be more honest and also scrutinize their own preferred institutional and policy options. Secondly, recognizing these dilemmas, trade-offs and unintended consequences may help to find ways to deal with them that are morally and prudentially superior. In particular, it may contribute to the design of more balanced, flexible, context-sensitive policies of MC. In order to achieve this, an institutional turn in political theory is required.

Dilemmas of immigration and incorporation policies

Processes of immigration and incorporation depend on structural, contextual, conjunctural variables and on institutional and field-specific 'logics' that are, to start with, beyond the direct or immediate influence of any policies. For this reason alone, 'politics' cannot determine the course and outcome of immigration and incorporation. Still, politics matters. Yet all policy options, whether MC or RA, LA, or D, are confronted with a veritable mine field of dilemmas:[6]

(1) If policies of *first admission* are fairly open and non-restrictive, this puts pressure on fair incorporation processes in all its dimensions, particularly on welfare arrangements (see below for this immigration/welfare paradox). If they are strongly restrictive they may be morally indefensible and create intended or unintended stereotypes about 'foreigners' backfiring on the integration of resident immigrants.

(2) If policies of *legal incorporation* are fair and inclusive (safe and secure denizenship status and easy naturalization) they may serve as important 'pull' factors for immigration (in all forms). If they are restrictive and exclusionary they may be morally indefensible and they seriously hinder integration processes in all other dimensions.[7]

(3) If policies of *socio-economic integration* are weak (neoliberal) or absent, they contribute to the development of ethnic under-classes, ghettoization, structural educational under-achievement, crime, and so on, thereby reinforcing ethnic stigmatization. If they are strong – either *general* 'republican' or 'socialist' policies of equalizing socio-economic opportunities or *affirmative action* policies – they tend to reinforce restrictive immigration policies or dramatize the dilemmas of affirmative action: as *morally* unjust or *legally* suspect (undermining equality before and in the law); 'essentialist' categorization and stigmatization, bureaucratization, undermining social cohesion, stimulating 'ethnic' conflicts, and so on.[8]

(4) If policies of *cultural integration* are strongly assimilatory they are morally illegitimate and create or stimulate much resistance. In addition, they reinforce stereotypes of immigrants as 'unwelcome' and 'unadaptable'. If they are pluralist they may be conceived as obstacles to 'integration', as a threat to 'our common culture', 'our shared values' etc.[9]

(5) If integration policies have a strongly *unitarian institutional* bias (RA) they may be in conflict with important freedoms (of education, of association and organization) and they may reinforce the overload of state-run public services. If they allow for a fair amount of institutional separation they may be perceived as a threat to minimally required political unity, social cohesion and stability, and they may stimulate the unchecked strategic particularism of 'ethno-politics'.[10]

(6) If policies regarding the predominant *public or political culture* are open and accommodating, stressing its civil or political character (like in LA and Associative Democracy) they may reinforce ethnocentric or nationalist reactions (the recent constructions of German, Dutch or Australian '*Leitkultur*' defended by RA). If they are outright ethno-nationalist and assimilationist they create 'fundamentalisms' on both sides.

Whatever (mixes of) policy options one chooses, one is confronted with hard *trade-offs* and serious *policy dilemmas* that have to be clearly recognized and then confronted, though in different ways, by moral and political philosophers, by political theorists, by social scientists, and by politicians and civil servants.

Finding our Way

Finding new ways out of these dilemmas is very difficult for at least three reasons: *Firstly,* we have to recognize that both the absence and the presence of determined, culturally sensitive minority policies may cause and stimulate *right wing populism and extremism;* the former by not fighting high unemployment of (second generation) immigrants, ethnic ghettoes, educational underachievement, high crime rates, and so on; the latter by creating backlashes against decent immigration policies, against equal rights for 'foreigners' and certainly against 'more than equal opportunities for foreigners', by nursing 'balkanization' claims ('their' own schools or even political parties), by nursing claims that determined attempts to transform predominant ethno-religious public cultures into more civic-political directions would undermine 'our shared norms and values'. As long as societal and cultural racism and ethnocentrism are strong, we have to expect that even successful immigration and incorporation policies may stimulate, in the short term, these backlashes. In such a context, all policies depend crucially on determined efforts to build broad public acceptance and political legitimacy (Bauböck, this volume).

Secondly, the recent context of skillfully managed *security-emergency and of economic zero-sum games* is, obviously, inimical to cultural pluralism and toleration, and also for chances to develop varieties of democratic institutional pluralism. As a sociologist I am afraid that the windows of opportunity for retaining existing and, particularly, for developing new forms of MC-institutions and policies is rapidly closing for some time to come.

Thirdly, such skepticism does not mean that 'politics don't matter'. The hope of political philosophers and all

political actors is that we can shape processes of migration and incorporation and also, eventually, the structural and institutional conditions of contexts that are now beyond our reach. The biggest bottleneck in this regard, in my view, lies in the fact the we (as political theorists) have not been imaginative enough to *design new institutions and policies that provide 'third ways'* out of the outdated and counterproductive opposition between old and renewed versions of RA or LA and fixed, rigid, *corporatists models of MC*-institutions and policies like the 'pillarized' Dutch model. Instead of inventing or selling new buzzwords like the increasingly fashionable 'diversity-policies' we should now confront this demanding task head on. The proposals in the tradition of associative democracy are at least a good start: they provide such a 'third way' and are highly contextual, resisting all claims that one definite institutional model or one set of policies would fit all minorities in all circumstances, countries, and fields.

In conclusion, I sketch the outlines of such alternatives with regard to one dilemma only, the '*immigration/welfare paradox*' (Brochmann 1999:15). To start with, this paradox only arises if countries follow immigration policies selecting migrants that are – or are perceived to be – a burden to the welfare state (as is the case in most European states with their post-colonial and, particularly guest-worker regimes and their long-term consequences).[11] More in general, there seems to be an *elective affinity* between relatively *open immigration* and deregulated labor markets, *liberal welfare regimes,* and quasi-autonomous incorporation trajectories (no specific incorporation-policies) on the one hand, and *restrictive immigration* policies and regulated labor markets, *social-democratic/corporatist welfare-regimes, and active incorporation policies,* on the other hand. There is a serious tension between protection for insiders and fair chances for outsiders. Are we, again, confronted with 'tragic choices' or can we think of smart institutional solutions? "How to combine openness and protection?" (Engelen 2003)

All immigration countries have at least some experience with a *stepwise, temporally differentiated regime of legal incorporation* of immigrants at the 'three gates of entry'- first admission, temporary or permanent residence (denizenship), naturalization (full citizenship or dual/ multiple citizenship). Immigrants have guaranteed civic rights, and increasingly acquire specified social and political rights, the full package of rights (and the corresponding legal duties) normally reserved for full citizens.[12] These practices already presuppose multi-dimensional (citizenship as a bundle of different statuses, rights, and duties), multi-layered, and multi-level models. Engelen applies such models to the trajectories of *economic incorporation,* accepting that many smaller trade-offs (e.g. between transparency and effectiveness) are unavoidable, and that the balancing of the involved "moral costs" may be easier if one compares the lower standards in terms of payment, working conditions, etc. from the perspective of migrants with those in the sending countries.

Differentiated inclusion is defined by an "emphasis on upward mobility and empowerment, both in the traditional socio-economic sense and in the sense of providing a stairway of citizenship rights" and, at least in theory, clearly opposed to differential exclusion of guest-worker regimes (low threshold, dead-end markets and jobs, blocked mobility and blocked naturalization). *Economic* empowerment by means of differential treatment of migrants may combine the creation of empowerment zones (in order to stimulate immigrant self-employment) with empowering forms of affirmative action (in order to stimulate employability and upward mobility on labor markets). Differentiated *social* inclusion is much easier in mixed welfare-regimes like the Dutch (Engelen 2003). Regime-pluralism, in this like in other cases, provides the building blocks for new versions of differentiated, inclusionary citizenship better equipped to find intelligent ways to tackle the big trade-off between inclusion and motivation. Exclusively universal welfare regimes generally know higher levels of redistribution than contributory ones. The stronger solidarity required has been very difficult to achieve and uphold even for 'co-nationals', and it may be even more difficult to extend to all residents (see Bird, this volume, for the solidarity/ diversity divide in Denmark). Exclusively contributory regimes do not provide a fair minimum of subsistence even for 'compatriots' but they may create stronger solidarity among contributors, immigrants amongst them. The combination of universal and contributory elements in mixed regimes "might allow states to keep the required solidarity at a minimum"(25).

Instead of inventing or selling new buzzwords like the increasingly fashionable 'diversity-policies' we should now confront this demanding task head on. The proposals in the tradition of associative democracy are at least a good start: they provide such a 'third way' and are highly contextual, resisting all claims that one definite institutional model or one set of policies would fit all minorities in all circumstances, countries, and fields.

Though the proposed regimes of differential inclusion and empowerment as well as proposals for positive 'flow management' (Veenkamp et al. 2003) are clearly demarcated against old and new guest-worker regimes of differential exclusion and disempowerment recently gaining new prominence in Australia, Austria, Germany and the Netherlands, and against the malign trap of thoroughly restricted immigration that only continues to select the 'wrong immigrants', it is ironic and highly instructive that both proposals have

been picked up in politics in the old, wrong and unfeasible way.[13]

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Notes

1 I can't discuss changes in context, general socio-economic and political opportunity structure, that are used to explain this presumed 'general backlash against difference', against MC in particular: (i) *economic* downturn and crises, high rates of unemployment. Zero- or negative sum games and pressure on all redistributive policies, but particularly on those seen to defend 'particularist' privileges for targeted minorities. (ii) *Neo-liberal policies* and contradictory processes of de-regulation. (iii) *Migration-pressure and restrictive immigration- and asylum policies* backfiring against MC policies (or explicitly combined with internal assimilation policies). (iv) Organization and *mobilization of minorities* and counter-mobilization by 'threatened silent' majorities stimulated by right-wing populism. (v) *Terrorist attacks and declared wars against terrorism.* Situations of (perceived) *emergency* put a premium on unity and social cohesion of 'the nation' against all external and internal enemies (MC amongst them).

2 As Kymlicka (this volume) shows: issues, fields, countries matter. Obviously, countries respond differently to similar pressures. Some countries, like the Netherlands recently, engage in rhetorical and, increasingly, practical rejection of their institutionalized MC-policies, others revise them, like Australia, and at least one country, Canada, is resisting these pressures (see Hiebert et al. (2003) for an interesting explanation of the Canadian exceptionalism).

3 D is the new buzzword not only in 'management of corporate diversity' but increasingly at the level of municipal (e.g. in Amsterdam) and national policies (e.g. in Norway, see Lithman). The common core of these alternative options is 'integration into one universalized citizenship' and into presumedly neutral 'common institutions'.

4 French RA combines aggressive secularism with institutional unitarianism and vigorously opposes exemptions that are allowed by Anglo-Saxon LA.

5 See my criticism of the myopic anti-elitism of these critics: Bader 2001a: 264ff, see 2003 for a more general treatment of realist concerns.

6 For a more disaggregate model of fields of incorporation see Bader 1997, 1998a.

7 Stepwise, temporally differentiated regimes of legal incorporation are in place in almost all immigration-states. Achieved results like fairly save denizenship and dual nationality, however have to be vigorously defended against recent attempts to subsume them again under 'security', 'loyalty' and 'restrictive immigration' policies (see Guiraudon/Lahav 2000, Bird (this volume) for Denmark).

8 See my six rules of thumb for flexible and wise policies of affirmative action: Bader 1998:462ff. The recommended *general* policies to fight structural disadvantages of 'minorities' in an indirect way depend on well-functioning welfare-arrangements that, paradoxically, are recently under attack, under ´reconstruction´ or in serious decline in all European states without viable powerful alternatives. Without such safe institutional backings it is incredibly difficult to prevent strategies of *divide et impera* particularly under conditions of negative sum games

9 States are obliged to *strong anti-discrimination policies* by their national laws and constitutions, by EU-law and regulations, and by international covenants. They have to be *combined with instead of opposed to flexible MC- policies* to address all cases of serious cultural inequalities.

10 In this regard, *associative democracy* provides a flexible alternative to the opposite models of unitary republicanism and old-fashioned, rigid (neo-) corporatism that is responsible for much of the unintended effects of MCP mentioned above (see Hirst/Bader 2001, Bader 2003). Here we are faced with another, fairly general dilemma: The most common tension and the most often recognized trade-off exists between *policies of equal socio-economic opportunities* – even if the egalitarianism is moderate and minimalist – on the one hand, and actual *cultural recognition and institutional pluralism,* on the other hand. Egalitarian policies seem to demand a fairly strong and unitary state and fairly thick national commitments and solidarities inimical to institutional pluralism and wide ethno-religious cultural diversity (see however Banting/Kymlicka in this volume). This trade-off is either neglected or simply 'resolved' by defenders of RA and LA in favor of the former policies only.

11 See Kymlicka (this volume) and my introduction. Canada had 'good geo-political luck' (a good hand) together with fairly good policies (plaid well).

12 See Bader 1995 and 1999b.

13 Differential exclusion policies are proposed by the VVD and even the CDA in NL. See Tony Blair's and Buttiglione's proposals (also defended by Schilly) for EU *detention-centers* in Northern Africa in order to keep migrants of all sorts out. Buttiglione has not been rejected as European commissioner for this proposal!