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Making Corporations Responsible
Joseph E. Stiglitz

Wittingly or unwittingly, individuals do things that injure other individuals. For society to function, it must provide individuals with incentives not to do so, through rewards and punishments, regulations and fines. By polluting the air, one harms anyone who breathes. The legal system has an important role here. If I injure you, you should be able to sue me.

Of course, individuals have a moral responsibility not to injure others. Indeed, this is perhaps the central moral imperative—do unto others as you would have them do unto you, and do not do unto others as you would not have them do unto you.

Immanuel Kant, with his categorical imperative, provided the philosophical foundations for those who wanted an alternative basis for ethics than that provided by religious aphorisms. But modern society cannot and does not simply rely on individuals doing the “right” thing. It provides carrots and sticks.

Motivating corporations to do the right thing is even more difficult. After all, corporations don’t have a conscience; it is only the conscience of those who run the corporation, and as America’s recent corporate scandals have made all too clear, conscience often takes a backseat to profits.
America’s legal system makes sure that firms that produce a defective, and particularly an unsafe, product are held liable for the consequences. Firms are in a far better position than consumers to assess the safety of their product; we all benefit from knowing that our legal system has provided corporations with incentives to pay attention to the safety of what they produce.

Similarly, environmental laws make firms liable for their toxic wastes, and many countries, including the United States, have enshrined the principle that “polluters pay,” that is, companies must pay for the damage they cause. It is a matter both of incentives and social justice.

In other realms, however, we are only beginning to think about what corporate responsibility should mean for our legal system. In World War II, German corporations were all too willing to profit from the slave labor of those in concentration camps, and Swiss banks were happy to pocket the gold of Jewish victims of Nazi terror. Recent suits have made them at least pay back some of what they took. More recently, oil companies have demonstrated little conscience in providing money that feeds guerrilla movements—so long as their own interests are preserved. When, in Angola, one brave firm, BP, wanted to do the right thing by trying to make sure that oil royalties actually went to the government, rather than to corrupt officials, other oil companies refused to go along.

The profits of mining companies helped the late President Mobutu of Zaire, now the Congo, maintain power for decades—enabling him to pillage his country, allegedly facilitated by the secret bank accounts that are the specialty of countries like Switzerland, the Cayman Islands, and Cyprus. World Bank and IMF money also helped sustain Mobutu. These institutions knew, or they should have known, that their loans and aid were not going to help the country’s desperately poor people. It would only leave them deeper in debt.

Today, we believe that individuals, corporations, and institutions should be held accountable for their actions. But what should that mean, if it is to be more than rhetoric? For a start, it means debt forgiveness: international lenders may not be able to compensate fully for the damage caused when their money helps maintain odious
autocrats in power, but at least the victims should not be burdened by a disastrous financial legacy.

In South Africa, it was arguably the economic pressure brought by sanctions which eventually brought down the racist Apartheid system; but by the same token, it was economic support from the outside—including loans from multinational banks—which kept the system going for so long. Much the same may be true about Iraq during the 1990s.

Those who contributed to maintaining Apartheid—and especially those who did not adhere to the sanctions after the United Nations approved them—should be held accountable. The Truth and Reconciliation process may or may not work to heal South Africa’s wounds, but if corporations are to be provided with incentives to do the right thing, they must now pay the price for the profits that they reaped from that abhorrent system.

If corporations had a conscience, they would act, without being forced to do so: they would estimate their profit from the Apartheid system and pay it back to the country, with interest. For Apartheid’s demise has not solved the country’s deep economic problems, including an unemployment rate in excess of 25 percent.

So far, there appears to be no rush to make amends in South Africa, and, as elsewhere, the evidence is meager that the corporate conscience runs very deep. But it is to be hoped that the West’s legal systems will provide an alternative recourse, one that will not only partially redress past injustices, but provide incentives for corporations to think twice before profiting from brutal regimes in the future.
Bill Gates believes that one of the problems with America’s high schools is that they are too big to allow for meaningful connections.

Putting his Microsoft-generated money where his mouth is, he announced in September, 2003 a $51.2 million effort to create 67 small high schools in New York City. These smaller schools, he said on National Public Radio, will improve both learning and graduation rates, because they will be more focused, more responsive, and will provide more personal and emotional connections between students and faculty.

The Commission on Children at Risk must be hugely gratified. The commission (a creature of the YMCA of the U.S.A., Dartmouth Medical School, and the Institute for American Values) had just issued a major report—“Hardwired to Connect”—in which it argued that the loss of connectedness is devastating America’s youth.

The symptoms include “major depression, suicide attempts, alcohol abuse, and a wide variety of physical ailments, including asthma, heart disease, irritable bowel syndrome, and ulcers”—not to mention crime, delinquency, and the dropout problem that prompted the effort in New York of the Bill & Melinda Gates Foundation. One in five American youngsters, the report says, is at serious risk of emotional problems.

And what has connectedness got to do with it?

The commissioners, many of them physicians and mental health professionals, say they believe that human beings have an inborn need for connections, first with their parents and families, then with larger communities. It is, they say, the weakening of the connections between children and their extended families and communities that is producing a virtual epidemic of emotional and behavioral problems.

Mental health professionals have been treating individuals—as schools treat the “learning-disabled” and as doctors might once have
treated victims of black lung disease—as though the problem resides in the victim and not the environment. The commission aims to improve the environment.

How? The answer is in the report’s subtitle: “The New Scientific Case for Authoritative Communities.” That’s authoritative, not authoritarian. As the principal investigator, Kathleen Kovner Kline of Dartmouth, said on ABC’s Good Morning America, that children are too often left to their own devices to figure out their place in the world. “What we need,” she told Diane Sawyer, “is a particular form of engagement that is both warm and loving and also has expectations and limits. We think it works best when there are a number of generations involved. You know, parents, aunts and uncles, friends, neighbors—what we call an authoritative community—working together to provide that structure of support, nurturing, affection, and moral and spiritual meaning.”

The commissioners believe human beings may be hard-wired for transcendent connections as well for an interest in ultimate meaning. And they are certain that our sense of right and wrong rises from our “biologically primed need to connect to others.”

To put it another way, good behavior is at least as much the result of relationships as of rules. The relationships are the source of the thing we call conscience, without which rules are only as strong as the ability of rule-makers to enforce them. Relationships are key.

And to repeat the essence of both the Gates approach and the commission’s analysis, the relationships are deteriorating. The “village” is in eclipse, while we focus on economics and individualized treatment.

Without question, America has some good, strong, “authoritative” communities. It is true as well that some children seem to do well even with a minimum of connectedness. But in too many cases, weak communities are producing vulnerable children.

The miners who once used canaries, with their fragile respiratory systems, to warn of toxicity in the mines understood that it wasn’t enough to distribute gas masks to individuals but that it was important to do something about the environment in which those individuals labored.
Our focus, unfortunately, has been on providing artificial respiration for gasping canaries.

Letting the People Decide?
Francesca Polletta

New Yorkers are not known for their calm deliberative style. And yet, in July 2002, some 4,300 of them gathered in a midtown convention center to discuss how to rebuild the site of the former World Trade Center. Seated in groups of 10, with professional facilitators and networked computers projecting tallies of their opinions onto giant screens, they discussed rebuilding plans and development priorities. By the end of the day, they had agreed that the preliminary plans they were asked to review were inadequate, and they identified features they wanted to see in a new plan for the site. And they were sold on deliberation. In follow-up interviews, participants told me how exhilarated they had been by the give-and-take. They came to appreciate different views and often to rethink their own. Over and over again, they referred to the reflective and respectful tone of their discussions. People didn’t “rant,” participants told me; the event wasn’t “political.” “I broadcast this to everyone I knew,” one woman reported. “I said, ‘the most amazing thing happened, I was in this town meeting and no one argued, and I was listened to, and it was a great day.’”

New Yorkers aren’t the only ones sold on deliberation. In the last decade, hundreds of thousands of Americans have participated in citizen forums, summits, and assemblies, visioning workshops, and online deliberative polls. Discussing often controversial issues in carefully structured settings, without the sound byte polemics that characterize much of contemporary political discourse, citizen deliberators have been able to forge areas of unanticipated consensus. For proponents, such exercises are the best hope for combating Americans’ political apathy and distrust. And my interviews with
participants in Listening to the City—the forum on the World Trade Center—suggest that some of that enthusiasm is warranted. People really did deliberate. But the glowing comments I just quoted also point to a dilemma. For public deliberation to be more than a feel-good exercise with little impact on decision makers may require just the kind of pressure politics that deliberative democracy’s champions often eschew.

Nothing on the scale of the $2 million-plus Listening to the City has been attempted before but it is the highest-profile example of a style of civic dialogue that has taken hold in diverse policy arenas. Collaborative planning exercises, for instance, bring together competing stakeholders—developers and preservationists, say, or residents and small business owners—to preempt costly battles over development projects. The “deliberative polls” designed by political scientist James Fishkin recruit a demographically representative sample of the population to discuss issues like abortion, immigration policy, and campaign financing, first in small groups and then with candidates for political office. “Visioning” workshops invite residents to craft long-term plans for their regions. Online forums are becoming a popular way for federal and state agencies to solicit public input on energy, health, and transportation policy. And foundations and civic groups now sponsor hundreds of “study circles” and “issues forums,” in which ordinary citizens debate hot-button political issues.

The scale, format, and even purposes of these efforts vary. Some are oriented primarily to civic education, others to policy input, still others to conflict resolution. What unites them is the belief that improving the character of public conversation yields public decision making that is better informed, less polarized, and more in tune with citizens’ priorities. Giving people the opportunity to reason together in an informed way in an atmosphere of mutual respect opens up new possibilities for forging areas of agreement. Even if participants don’t reach consensus, the logic goes, they often gain an appreciation for views that are different from their own. That, in turn, makes them more likely to be satisfied with whatever decisions are eventually reached, even if they don’t match their preferences exactly. In planning contexts, say proponents, deliberation can help avoid the familiar experience of gridlock, with interest groups dug into inflexible
positions. In civic life more generally, participation in citizen forums can increase citizens’ trust in their political institutions and their levels of political engagement.

The 60 Listening to the City participants whom I interviewed with my Columbia colleagues were almost all enthusiastic about their experience, and it was the deliberative character of the discussions that hooked them. The forum was sponsored by the Civic Alliance, a coalition of civic and environmental groups, in partnership with the chief rebuilding organizations: the Lower Manhattan Development Corporation (LMDC) and the Port Authority of New York and New Jersey. The sponsors hired AmericaSpeaks, a Washington-based nonprofit that runs high-tech “electronic town meetings,” to organize the event, and they, in turn, hired a recruiting firm to ensure that participants were demographically diverse. The LMDC and Port Authority provided some funding and weighed in on the forum’s agenda, but they made no commitment to doing more than listen to its findings. AmericaSpeaks usually insists that decision makers commit to acting on forums’ recommendations, but in a context in which it was unclear just who would make the final decisions about ground zero, that endorsement was deemed sufficient.

When they signed up for Listening to the City, many of our interviewees expected a more conventional public hearing, in which people line up behind a microphone to speak for three minutes and then sit down. Instead, they said, they found something very different: people with competing stakes in ground zero listened to each other, their discussions were thoughtful, and no one was “campaigning.” Thirty percent of our interviewees identified the “civility” of the forum as what they appreciated most about it.

Deliberative democrats will also be heartened by this: many of the people we interviewed rethought their opinions about what should be built at ground zero. One person, who described herself as from a “higher income family than some of the people at the table,” talked about coming to see the importance of affordable housing at the site. “You can’t ignore it when there is someone in front of you rather than just a statistic.” Another reflected that, “after a couple of minutes of seeing where someone was going, it opened my mind to a different point of view, and perhaps a more valid point of view than what I was holding.”
New York’s citizen planners were by no means naive about Listening to the City’s likely impact on the rebuilding process, however. They wanted the Civic Alliance and AmericaSpeaks to force LMDC and Port Authority representatives to make a firmer commitment to honor their recommendations—to “strip them bare,” as one man put it. “They were still wearing their skivvies when they walked out,” he complained.

Forum participants’ wariness was not without basis. Granted, by the day’s end, they had decisively rejected the preliminary plans for the site and had called for reducing the amount of office space to be built there. By the following week, rebuilding officials had announced that they were in fact shelving the original plans. They launched a new design process, which yielded nine plans, another round of public comment, and the selection of a plan by architect Daniel Liebeskind. But subsequent news reports suggest that the selection process was affected less by public input than by the governor’s personal agenda and particular architects’ willingness to alter their designs to satisfy the Port Authority’s original objectives. Even after the Liebeskind design was selected, revisions were undertaken that made it uncomfortably similar to one of the plans that had been so roundly rejected by Listening to the City participants.

So was Listening to the City mere window dressing for decisions made behind closed doors? The question is a familiar one to champions of deliberative democracy, as critics fault them for failing to spell out just how citizen forums fit into the policymaking process. Before abandoning traditional mechanisms of citizen input—like legally mandated public hearings and, ultimately, litigation—critics say we must guarantee that citizen forums come with mechanisms for holding decision makers accountable. Indeed, it is hard to imagine that participants would feel more confident in government—one of the touted benefits of citizen forums—if they felt that government was ignoring their joint recommendations. “If they back off and let them maneuver and manipulate this situation,” one Listening to the City participant said of rebuilding planners, “what we did will be null and void.”

Yet, it is equally hard to imagine that decision makers would commit in advance to honoring whatever came out of a forum unless
they defined its agenda very narrowly. In that vein, critics complain that the urban “visioning” plans that have been launched with great fanfare have too often ended with a set of vague, if admirable, principles, calls for more meetings, and a return to business as usual. By providing the spectacle of democracy—the impressive numbers of people and the electronic tabulations of preferences—forums like Listening to the City risk restyling democracy as consultation. The people speak but there is no guarantee that anyone is listening.

But that conclusion may be simplistic. There are other ways to be heard besides swaying the hearts and minds of decision makers. Ironically, deliberative democracy may work best when it is backed up by precisely the pressure politics that its defenders sometimes criticize. For example, when Oregon held a series of community meetings in 1990 to solicit public input on health care priorities, the exercise produced not only a new health care plan but a coalition of health care reformers and citizens dedicated to protecting the plan. By the 1990s, while other states were narrowing Medicaid coverage, Oregon expanded its coverage.

In New York City, the Civic Alliance began by trying to be a neutral broker between the public and rebuilding authorities. But it soon became frustrated with authorities’ dithering about shelving the six preliminary plans and by their unwillingness to consider alternative programmatic options for the site. And when the group made its criticisms public, it did so armed with the media club of Listening to the City. Another forum, Imagine New York, has become a kind of ongoing referendum on the rebuilding process, soliciting public comment every time authorities are set to make a major decision—whether authorities have asked for public comment or not.

It is not only the sponsors of deliberative forums who can use “what the people want” as leverage with authorities. Advocacy groups can also bid to shape deliberative forums’ agendas and to interpret their results. Several such groups managed to have an organized presence at Listening to the City: small businesspeople, Chinatown residents, and a group lobbying for rebuilding the towers. They came to get media coverage as well as to raise public consciousness about their concerns, and they were effective in doing so. In the following months, they invoked the forum’s findings to promote their agendas.
In short, the more deliberative forums become a part of the political landscape, the more contentious they are likely to be. When Washington D.C.’s mayor arrived at a citizen summit held recently to discuss budget priorities, he was met outside by demonstrators protesting his housing and education policies. The story published in *The Washington Post* on the summit devoted half of its column to the protesters. After they got their message out, the protestors accepted the mayor’s invitation to join the deliberators inside.

The rub, of course, is that developments like these are likely to inject into public forums precisely the “politics” that my interviewees found so unappealing. This is the real challenge facing deliberative democrats. The idea of a space for political discussion that is removed from the rough and tumble of pressure group politics is attractive but virtually guarantees its irrelevance. The question is how to open deliberative forums to as broad a spectrum of the public as possible, including those with passionate stakes in the issues, without allowing any particular groups to hijack the proceedings. The task is to restore civility to public debate without quashing contention.
I hope I have made somewhat clear what I mean by the dynamic of exclusion in democracy. We might describe it as a temptation to exclude, beyond that which people may feel because of narrow sympathies or historic prejudice; a temptation which arises from the requirement of democratic rule itself for a high degree of mutual understanding, trust, and commitment. This can make it hard to integrate outsiders, and tempt us to draw a line around the original community. But it can also tempt us to what I have called “inner exclusion,” the creation of a common identity around a rigid formula of politics and citizenship, which refuses to accommodate any alternatives, and imperiously demands the subordination of other aspects of citizens’ identities.

It is clear that these two modes are not mutually exclusive. Societies based on inner exclusion may come to turn away outsiders as well, as the strength of the Front National, alas, so well illustrates;

*Part I of this essay appeared in The Responsive Community, Volume 13, Issue 4 (Fall 2003).
while societies whose main historical challenge has been the integration of outsiders may have recourse to inner exclusion in an attempt to create some unity amid all the diversity.

Now the obvious fact about our era is that first, the challenge of the new arrival is becoming generalized and multiplied in all democratic societies. The scope and rate of international migration is making all societies increasingly “multicultural;” while second, the response to this challenge of the “Jacobin” sort, a rigorous assimilation to a formula involving fairly intense inner exclusion, is becoming less and less sustainable.

This last point is not easy to explain, but it seems to me an undeniable fact. There has been a subtle switch in mind-set in our civilization, probably coinciding with the 1960s. The idea that one ought to suppress one’s difference for the sake of fitting in to a dominant mold, defined as the established way in one’s society, has been considerably eroded. Feminists, cultural minorities, homosexuals, religious groups, all demand that the reigning formula be modified to accommodate them, rather than the other way around.

At the same time, possibly connected to this first change, but certainly with its own roots, has come another. This is an equally subtle change, and hard to pin down. But migrants no longer feel the imperative to assimilate in the same way. One mustn’t misidentify the switch. Most of them want to assimilate substantively to the societies they have entered; and they certainly want to be accepted as full members. But they frequently want now to do it at their own pace, and in their own way, and in the process, they reserve the right to alter the society even as they assimilate to it.

The case of Hispanics in the United States is very telling in this regard. It’s not that they don’t want to become Anglophone Americans. They see obvious advantages in doing so, and they have no intention of depriving themselves of these. But they frequently demand schools and services in Spanish, because they want to make this process as painless as they can for themselves, and because they welcome such retention of the original culture as may fall out of this process. And something like this is obviously in the cards. They will
all eventually learn English, but they will also alter somewhat the going sense of what it means to be an American, even as earlier waves of immigrants have. The difference with earlier waves is that Hispanics seem to be operating now with the sense of their eventual role in co-determining the culture, rather than this arising only retrospectively, as with earlier immigrants.

The difference between the earlier near-total success of France in assimilating Eastern Europeans and others (who ever thought of Yves Montand as Italian?), and the present great difficulty with Maghrébains, while it reflects a whole lot of other factors—e.g., greater cultural-religious difference, and the collapse of full employment—nevertheless must also reflect, I believe, the new attitude among migrants. The earlier sense of unalloyed gratitude towards the new countries of refuge and opportunity, which seemed to make any revendication of difference quite unjustified and out of place, has been replaced by something harder to define. One is almost tempted to say, by something resembling the old doctrine which is central to many religions, that the earth has been given to the human species in common. A given space doesn’t just unqualifiedly belong to the people born in it, so it isn’t simply theirs to give. In return for entry, one is not morally bound to accept just any condition they impose.

Two new features arise from this shift. First, the notion I attributed to Hispanics in the United States has become widespread, vis-a-vis the idea that the culture they are joining is something in continual evolution, and that they have a chance to co-determine it in the future. This, instead of simple one-way assimilation, is more and more becoming the (often unspoken) understanding behind the act of migration.

Secondly, we have an intensification of a long-established phenomenon, which now seems fully “normal,” that is, where certain immigrant groups still function morally, culturally, and politically as a “diaspora” in relation to their home country. This has been going on for a long time—think, for instance, of the “Polonia” in all the countries of exile. But whereas it was frowned on, or looked askance at, by many people in the receiving society, or where toleration for it depended on sympathy for the cause of the home country (the Poles
were lucky in this respect); whereas people muttered darkly in the past about “double allegiance,” I believe now that this kind of behavior is coming to be seen as normal. Of course, there are still extreme variants of it which arouse strong opposition, as when terrorists use the receiving countries as a base for their operations. But that is because these manifestations shock the dominant political ethic, and not because of the intense involvement in the country of origin. It is becoming more and more normal and unchallenged to think of oneself and be thought of as, say, a Canadian in good standing, while being heavily involved in the fate of some country of origin.

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The upshot of the above discussion could be expressed this way: democracies are in a standing dilemma. They need strong cohesion around a political identity, and precisely this provides a strong temptation to exclude those who can’t or won’t fit easily into the identity which the majority feels comfortable with, or believes alone can hold them together. And yet exclusion, besides being profoundly morally objectionable, also goes against the legitimacy idea of popular sovereignty, which is to realize the government of all the people. The need to form a people as a collective agent runs against the demand for inclusion of all who have a legitimate claim on citizenship.

This is the source of the malady; what are the remedies? These are a lot harder to find. But I believe that an important first step is to recognize the dilemma. For this allows us to see that it can very often only be dealt with by struggling towards a creative redefinition of our political identity. The dilemma after all arises because some often historically hallowed definition can’t accommodate all who have a moral claim to citizenship. And yet the reaction to this is all too often to render this original identity even more absolute and unchallengeable, as though it somehow belonged essentially to a certain people with its territory and history that it be organized under this and no other identity.

This appeal to the origins can occur in both “republican” and “national” registers. In the first case, the particular features of our
republican constitution are made absolute and sacrosanct, in face of all evidence that they may be impeding the search for a new common ground. Thus there is a certain “Jacobin” fundamentalism which comes to the surface in France, in reaction to certain demands to accommodate the growing Muslim minority. The wearing of head scarves in school by Muslim teenagers is judged to infringe on the principles of “laïcité,” as laid down in the French republican tradition. The general principle of state neutrality, indispensable in a modern diverse democracy, is metaphysically fused with a particular historical way of realizing it, and the latter is rendered as nonnegotiable as the former.

As a panic reaction, this is understandable even if disastrous. Faced with the unfamiliar and disturbing, one reaches for the age-old sources of common identity. But the reaction is facilitated by the belief that this original constitution was meant to resolve the issue of political identity once and for all, that somehow it precluded in advance any need for illegitimate exclusion.

This amounts to a denial that the potential for the dilemma is built into democracy itself. It cannot be conjured once and for all by the ideal constitutional settlement. Even if this perfectly suits the population at the time of founding (and what constitution ever has?), the shifts in personal identity over time, through migration and moral or cultural change, can bring the established political identity out of touch with the people who are supposed to live within it. This kind of fundamentalism attempts to deny history.

We are more familiar with this reaching back to sources in the national register; its destructive consequences are more immediately evident. The claim is that a certain territory belongs as of right to a certain historical ethnic, or cultural, or linguistic, or religious identity, regardless of what other people are living there, even if they’ve been there for centuries....

The reflex of many people in liberal societies to this kind of thing is to blame “nationalism” and not democracy. But this is to take too quick a way with it. To start with, “nationalism” has many senses. The original idea, for instance in its Herderian form, was a liberating
one, and highly consonant with democracy. We don’t have to force ourselves into an artificial homogeneity in order to live together in peace. We can recognize different “national” (Volk) identities, even give them political expression, because each in this act of recognition acknowledges that it is not universal, that it has to coexist with others which are equally legitimate.

What this pushes us towards is the idea which I believe is the key to facing the dilemma of exclusion creatively, the idea of sharing identity space. Political identities have to be worked out, negotiated, creatively compromised between peoples who have to or want to live together under the same political roof (and this coexistence is always grounded in some mixture of necessity and choice). Moreover, these solutions are never meant to last forever, but have to be discovered/invented anew by succeeding generations.

The idea of nationalism which creates bitter trouble is the one defined by Gellner: the “political principle, which holds that the political and national unit should be congruent.” According to this idea, the problem of how to share identity space can be solved by giving each nation its territory, on which it can erect its sovereign state. The utopian, even absurd nature of the proposal immediately strikes the eye. Quite apart from the thousands of groups which can claim the status of “nation,” even giving each its parcel of land would still leave each pocket handkerchief state with national minorities, so inextricably mixed are the world’s peoples. The utopian scheme could only be carried through by massive ethnic cleansing.

It is clear that this idea will only “work” by making certain nations more equal than others. These are to get their states, and the rest are to live in their shadow as minorities, if they are allowed to live at all. This idea of nationalism can only be applied by negating its own universalist ethical basis.

It is this distorted idea which justifies the claim by historical national identities to monopolize control over “their” territory. In the worst cases, this ends in a Yugoslav scenario. In the best cases, as with the Parti Québécois, and the more liberal wing of the B.J.P., minorities are to be guaranteed their rights, but the idea of sharing identity
space, actually negotiating some compromised political identity with them, is vigorously rejected.

Just as with “republican” forms of constitutionalism above, the unreal idea of a definitive solution to the problem of democratic coexistence is blinding people to the effective situation on the ground in almost all democratic states. The hope is once again to arrest history, to fix it in some original moment when our people attached themselves to this territory. And similarly, what offers itself as a solution to the democratic dilemma can only exacerbate it to the point of bitter conflict.

But the belief that the problem here is “nationalism” sans phrase can accredit another utopian solution, that of a political identity grounded purely in “republican” elements, without any reference to national or cultural identities.

In the face of the prospect of having to bring together so many differences of culture, origin, political experience, and identity, the temptation is natural to define the common understanding more and more in terms of “liberalism,” rather than by reference to the identities of citizens. The focus should be totally on individual rights and democratic and legal procedures, rather than on the historical-cultural reference points, or the ideas of the good life by which citizens define their own identities. In short, the temptation is to go for what Sandel calls the “procedural republic”....

What does the procedural republic have going for it? A number of things, some of them tendencies in our philosophical tradition, about what can and cannot be known and proved, and about the nature of freedom. They have been much discussed, debated, and often refuted by philosophers. But there is a political argument. Regardless of who is ultimately right in the battle between procedural ethics and those of the good life, we could conceivably be convinced on political grounds that the best political formula for democratic government of a complex society is a kind of neutral liberalism. And this is where the argument has mainly gone today. The shift between Rawls I and Rawls II is a clear example of this. His theory of justice is now presented as “political, not metaphysical.” This shift perhaps
comes in part from the difficulties that the purely philosophical arguments run into. But it also corresponds to the universal perception that diversity is a more important and crucial dimension of contemporary society. This comes, as I argued above, partly from the actual growth in diversity in the population, through say, international migration; and partly from the growing demand that age-old diversities be taken seriously, put forward for instance, by feminists.

So the issue now could be: what conception of freedom, of equality, of fairness, and of the basis for social coexistence are, not right in the abstract, but feasible for modern democratic societies? How can people live together in difference, granted that this will be in a democratic regime, under conditions of fairness and equality?

The procedural republic starts right off with a big advantage. If in your understanding of the citizen’s roles and rights, you abstract from any view of the good life, then you avoid endorsing the views of some at the expense of others. Moreover, you find an immediate common terrain on which all can gather. Respect me, and accord me rights, just in virtue of my being a citizen, not in virtue of my character, outlook, or the ends I espouse, not to speak of my gender, race, sexual orientation, etc.

Now no one in their right mind today would deny that this is an important dimension of any liberal society. The right to vote, for instance, is indeed accorded unconditionally; or on condition of certain bases of citizenship, but certainly in a way which is blind to differences of the range just mentioned. The question we have to ask is whether this can be the only basis for living together in a democratic state, whether this is the valid approach in all contexts, whether our liberalism approaches perfection the more we can treat people in ways which abstract from what they stand for and others don’t.

Now it can look right off, that whatever other reasons there might be for treating people this way, at least it facilitates our coming together, and feeling ourselves to be part of a common enterprise. What we do all have in common is that we make choices, opt for some things rather than others, want to be helped and not hindered in pursuing the ends that flow from these options. So an enterprise that
promises to further everyone’s plan, on some fair basis, seems to be the ideal common ground. Indeed, some people find it hard to imagine what else could be.

But this retreat to the procedural is no solution to the democratic dilemma. On the contrary, it very often itself contributes to activating it. We can readily see this in two ways.

First, the condition of a viable political identity is that people must actually be able to relate to it, to find themselves reflected in it. But in some cases, the preservation of an historical cultural identity is so important to a certain group that suppressing all mention of it in our answer to the “what for?” question cannot but alienate that group.

Second, the procedural route supposes that we can uncontroversially distinguish neutral procedures from substantive goals. But it is in fact very difficult to devise a procedure which is seen as neutral by everyone. The point about procedures, or charters of rights, or distributive principles, is that they are meant not to enter into the knotty terrain of substantive difference in way of life. But there is no way in practice of ensuring that this will be so.

The case of the Muslim teenagers wearing the head scarf in school in France is eloquent in this regard. “Laïcité” is supposedly a neutral principle, not favoring one religion or worldview over another. On this basis the head scarves were refused, but other French girls often wear, for example, a cross around their necks, and this was unchallenged. In a “secular” society, this is presumably often just a “decoration.” The presumption is valid enough, but the religious “invisibility” of the cross reflects France as a “post-Christian” society, following centuries of Christian culture. How can one expect to convince Muslims that this combination of rulings is neutral?

The mistake here is to believe that there can be some decision whose neutrality is guaranteed by its emerging from some principle or procedure. This breeds the illusion that there is no need to negotiate the place of these symbols, and hence to confront the actual substantive differences of religious allegiance in the public square. But no procedure can dispense from the need to share identity space.
Something similar holds for the American case. What is meant to be a procedural move, neutral between all parties, the separation of church and state, turns out to be open to different interpretations, and some of these are seen as very far from neutral by some of the important actors in the society. The school prayer dispute is a case in point. One could argue that insistence on a procedural solution—in this case a winner-take-all constitutional adjudication—is exactly what will maximally inflame the division; which indeed, it seems to have done.

Moreover, as against a political solution, based on negotiation and compromise between competing demands, this provides no opportunity for people on each side to look into the substance of the other’s case. Worse, by having their demand declared unconstitutional, the losers’ program is delegitimated in a way which has deep resonance in American society. Not only can we not give you what you want, but you are primitive and un-American to want it.

In short, I would argue that the current American Kulturkampf has been exacerbated rather than reconciled by the heavy recourse in that polity to judicial resolution on the basis of the constitution.

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My argument here has been that a full understanding of the dilemma of democratic exclusion shows that there is no alternative to what I have called sharing identity space. This means negotiating a commonly acceptable, even compromise political identity between the different personal or group identities which want to/have to live in the polity. Some things will, of course, have to be nonnegotiable: the basic principles of republican constitutions—democracy itself and human rights among them. But this firmness has to be accompanied by a recognition that these principles can be realized in a number of different ways, and can never be applied neutrally without some confronting of the substantive religious-ethnic-cultural differences in societies. Historic identities can’t be just abstracted from. But nor can their claims to monopoly status be received. There are no exclusive claims to a given territory by historic right.
What does this mean in practice? I don’t have space to go into this here (phew!). But also there are not too many things that one can say in utter generality. Solutions have to be tailored to particular situations. But some of the political mechanisms of this sharing are already well known, e.g., various brands of federalism, as well as the design of forms of special status for minority societies, such as we see today in Scotland and Catalonia, for instance. But many other modalities remain to be devised for the still more diverse democratic societies of the twenty-first century.

In the meantime, it will have helped, I believe, if we can perceive more clearly and starkly the nature of our democratic dilemma, since the hold of unreal and ahistorical solutions over our minds and imagination is still crippling our efforts to deal with the growing conflicts which arise from it. If this paper contributes a little to this end, it will have been worth the writing.

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Citizenship Begins At Home: A New Approach to the Civic Integration of Immigrants

Peter Skerry

For some time now, the debate over U.S. immigrant policy (which addresses the needs of immigrants already residing here, as opposed to immigration policy, which concerns how many and which immigrants should be admitted) has been stuck in an unproductive and divisive pattern. On one side are immigrant advocates, a relatively well-defined and cohesive coalition of civil rights organizations, immigrant activists, minority spokesmen and elected officials, human rights activists and civil libertarians, religious and church groups, and most recently labor unions—all of whom have been pushing for increased programmatic benefits and expanded rights for immigrants. On the other side are the immigrant-policy skeptics, a diffuse and disparate lot of fiscal conservatives, cultural conservatives, and business interests, who tend to embrace high levels of immigration but are not very enthusiastic about programs to support immigrants once they are here. What these skeptics share is the pervasive laissez-faire ideology that today’s immigrants, just like yesterday’s, can and do fend for themselves in taking advantage of the opportunities America affords them. In other words, immigrants do not need or merit any special help to become part of American society.

Both perspectives have strengths and weaknesses. Advocates are not wrong to focus on the material needs of immigrants, but as advocates tend to be, they are insufficiently attentive to the concerns of the broader political community. Moreover, the advocates’ em-
emphasis on immigrant rights may place their demands squarely within the American political tradition, but nevertheless it reduces the array of obstacles confronting immigrants to a monocausal preoccupation with racial discrimination. While this perspective affords immigrant advocates the considerable moral capital of the civil rights movement, it fails to address the need for the structure and order that most of us—but especially economically marginal and geographically uprooted immigrants—need.

For their part, immigrant-policy skeptics tend to ignore the material deprivations and institutional barriers with which many immigrants struggle—even while they take advantage of the genuine opportunities available to them in this country. Many skeptics ignore what increasing numbers of observers now understand to be greater gaps in skills and education between immigrants and native-born Americans today than was true in our past. Moreover, the skeptics’ emphasis on the importance of communal values and the duties and obligations of immigrants is important, but by itself becomes a tone-deaf recitation of high-minded principles that neglects day-to-day realities in immigrant families and neighborhoods.

While typically presented as alternatives, a synthesis of these two perspectives is both desirable and possible. For while immigrants need specific rights and programmatic benefits, these would be of greatest help if provided within the context of communal and institutional settings providing the structure and guidance that we all need to make intelligent use of the choices—whether as consumers or as citizens—that material resources and rights afford us. Yet precisely because immigrant communities are characterized by mobility and transience, such institutional guidance is often lacking, even nonexistent. Moreover, the unfolding of American individualism has weakened or destroyed many of the institutions that in the past aided immigrant advancement. For example, urban political machines—however imperfectly—used to serve this function. In a different way, settlement houses similarly provided authoritative guidance to immigrants making their way in our cities. Labor unions were another such locus of institutional guidance. Unlike the machines and settlement houses, unions are resurgent among today’s immigrants, but they remain embattled. Similarly, community organizations building
on the work of the legendary Saul Alinsky struggle to provide such support to today’s immigrants.

The problem here has been highlighted by Christopher Jencks:

America’s laissez-faire economy is unusually productive, but its laissez-faire culture produces an unusually high level of short-sighted, anti-social, and self-destructive behavior… while unskilled immigrants seem able to benefit from America’s economy without succumbing to the social ills that afflict other poor Americans, these immigrants’ children do not enjoy the same kind of immunity.

As a Mexican immigrant activist, a veteran of neighborhood controversies between immigrants and non-immigrants in metropolitan Chicago, once declared to me: “I wish to hell someone would make it clear how we’re supposed to act here!” Or as Lawrence Mead, architect of 1990s welfare reform, has put it, the poor and welfare-dependent need both “aid and structure...help and hassle.” So, too, do unskilled, poorly educated immigrants and their children.

To succeed in the United States—to make their way through the thicket of choices that they and their children encounter—immigrants need some sort of institutional guidance. This assertion may raise hackles, because while immigrants obviously bring certain values with them, they must invariably adapt those values to their new circumstances. While some social scientists still refer to this process as assimilation, others find the term misleading or objectionable. I will use integration to denote this process, in order to emphasize that it is not necessary—and in fact not desirable—for immigrants to rid themselves of many aspects of the cultures they bring here with them.

As Mead emphasizes, the native-born poor who need “help and hassle” typically accept conventional values, but have difficulties closing the gap between those values and their daily lives. Precisely because immigrants are less attached to conventional American values, their need for “help and hassle” is arguably greater. Such guidance might conceivably come from the media or other impersonal means of communication. But a more reliable source would be the face-to-face interactions where immigrants live and work—the same primary group relationships, embedded in transnational networks,
that enable immigrants with few resources and little worldly knowledge to traverse long distances, find jobs and shelter, and then move back and forth between America and their countries of origin.

A more balanced approach to immigrant policy can and should be pursued under the rubric of “civic integration.” Properly understood, such an approach would address the strengths and weaknesses of both perspectives in the immigrant-policy debate. To the advocates, it holds the promise of addressing immigrants’ material needs and self-interest, while also taking into account their broader responsibilities to the political community, even if they are not citizens. To the skeptics, it takes advantage of those institutions which are already self-consciously committed to the inculcation of values. In particular, religious and faith-based institutions seem well suited to promote the civic integration of immigrants.

This essay will scrutinize a faith-based organization that unselfconsciously embodies the civic integration synthesis just described. After examining the organization and its programs, I will explore how this model of civic integration is different from and preferable to one that focuses narrowly on naturalization.

The Resurrection Project

The Resurrection Project (TRP) is a community organization based in 14 Catholic parishes in the heavily Latino neighborhoods of southwest Chicago: Pilsen, Little Village, and Back of the Yards. Founded in 1990, TRP now has an annual budget of about $2.3 million. Its leaders originally focused on reducing crime but soon shifted to the more manageable goal of improving the stock of neighborhood housing. Since its founding TRP has built over 140 new, owner-occupied homes for low- and moderate-income families; renovated 12 buildings to create 156 rental units that it owns and manages; helped to close almost 300 housing-related loans; became involved in commercial real estate development projects, through which it provides employment opportunities to local workers and community contractors; founded the Resurrection Construction Cooperative to help local contractors develop their own firms; and claimed credit for having generated more than $70 million in community investment. Like many outfits with roots in Alinsky organizing,
TRP is wary of getting embroiled in the provision of social services. As a result, it has partnered with more experienced agencies that actually operate TRP’s programs—including one for homeless single mothers; another called Esperanza Familiar (Family Hope) which helps immigrant parents improve their child-rearing skills; and finally, two family community centers providing day-care for over 400 children, as well as an after-school program, and an arts center. TRP’s latest venture is a community-based college dormitory for area youth.

Described thus, TRP sounds like an admirably successful but perhaps unexceptional community development corporation. But it is more than that, because along with “help,” it does provide “hassle.” The organization’s roots are in the Alinsky tradition, which means that TRP is wary of getting drawn into the mere provision of services. As long-time executive director Raul Raymundo puts it, TRP is not merely a builder of bricks and mortar but also “a builder of leaders.” Or as a pastor working with TRP observes:

The biggest challenge is forming people and [their] critical consciousness….When we serve somebody, we want that person to be involved. And we have to have the structure for the involvement, we have to have a formation so they understand [what we’re about] and get committed….If they just come for a basket of food and they get the basket and they go away….what difference have we made?

Worthy sentiments, to be sure, but how does TRP act on them? Well, in addition to helping people become home owners, the organization maintains a network of block clubs to sustain a sense of neighborhood. In Raymundo’s words, “When our residents buy one of our houses, they are buying part of our community.”

At the most basic level, TRP’s housing programs use creative financing to lower costs to clients, while providing mortgage information to immigrants with little knowledge of such matters. But again, that is not all. Staff members emphasize that they must also “create a market for our own products.” Much time, energy, and thought is devoted to persuading neighborhood residents that the risks and burdens of home-ownership are worth it. Based on their experiences in Mexico, many residents are wary of the prospect of substantial long-term debt, and are reluctant to submit to TRP’s admittedly time-consuming and complicated procedures. Notably,
TRP succeeds in attracting them in part because priests in its member parishes tout the program from the pulpit, encouraging parishioners to “have faith” and to take the plunge.

Indeed, such efforts are part of a broader attempt to “change the psychology of the neighborhood.” Not only do staff consciously teach residents about “planning ahead and thinking about savings and budgeting…and saving for their kids to go to college so that they will take care of them in their old age,” they also “teach our people to discipline themselves.” Through intensive counseling sessions and months-long courses on personal finance and credit, home-ownership, refinancing and home improvement, home maintenance, and property taxes, TRP accompanies useful information with guidance in “how to be responsible tenants and home owners.”

And the ratio of hassle to help is even higher in TRP’s rental units. The organization thoroughly screens all applicants. TRP staff explain that community residents have come to expect little of landlords—and of themselves. So, again, the goal is to change attitudes and values. TRP relies on home visits to monitor tenants and enforces a zero tolerance policy for vandalism and abuse of its property. Staffers acknowledge that many tenants resent these procedures—until they realize that if others submit to them as well, then the buildings will need less maintenance and everyone’s rent will be lower.

Citizenship on a Small Scale

In classic Alinsky fashion, TRP uses material self-interest to teach broader lessons about community and the public good. While hardly on a grand scale, these lessons have real meaning and tangible consequences often missing from the lofty abstractions taught in formal citizenship classes. This perspective is similar to that of Jane Addams, who according to Jean Bethke Elshtain saw “the domestic arena…as a springboard into wider civic life rather than an inhibition to matters civic.” As Addams well knew, the terrain between the private realm of face-to-face, primary group relations and the public domain of secondary, instrumental ties is particularly daunting for poor, uneducated immigrants. Similarly, political scientist Michael Foley describes how the bonding social capital that holds immigrant communities together differs from the bridging kind that facilitates
entry into the wider society. Indeed, the strength of the former typically inhibits the growth of the latter.

But one way or another, bridges do get built. In their study of immigrant home-ownership patterns, David and Barbara Listokin cite the role of “cultural brokers” who “both understand how credit agencies and underwriters think and also understand the applicant’s language, culture, and situation.” Cultural brokers can play a positive role by anticipating misunderstandings that typically arise between lenders and immigrant clients. But such brokers have a downside, as the Listokins also explain:

Because ethnic and family networks are so insular, fewer competitive market forces are at work. Therefore, the broker often demands outlandish fees, points, interest rates, and the like, adding thousands of dollars to the cost of obtaining a home loan and keeping families from realizing home-ownership.

The lack of alternative sources of information in these communities also means that cultural brokers often trade in misinformation that can in turn thwart home-ownership.

Hence the importance of religious and faith-based institutions. The “faith factor” can of course be elusive, but it is clear that the bond of trust and moral authority that the Catholic Church enjoys among Latino immigrants, while not limitless or completely unchallenged, helps an organization like TRP displace cultural brokers by being an honest broker. It does so by acting as an intermediary between the informal, face-to-face relations that characterize immigrant communities and the formal, instrumental relations that characterize bureaucratic actors in institutions like the U.S. mortgage market. Before the emergence of today’s highly efficient secondary mortgage market, local lenders with direct ties to their communities were well positioned to judge applicants on other than formal criteria. Today, lenders are often deprived of such “local knowledge,” with the result that struggling immigrant families who are worthy applicants and good risks but fail to meet rigidly applied formal criteria get rejected. Programs such as TRP provide just such local knowledge by tapping into the dense networks that characterize their member congregations.
And this brokering works both ways. Just as immigrant networks help employers to find responsible employees, so does TRP serve a vetting function for lending institutions seeking likely minority candidates. Once TRP clients have passed through 12- to 15-week programs on all aspects of mortgages, home finance, and home-ownership, they are good prospects for lenders eager to increase the number of mortgages to minority households.

Beyond Racial Discrimination

It is of course important to note that lending institutions feel political pressure to increase mortgages in minority neighborhoods. Racial discrimination in lending markets has clearly been the premise behind the Community Reinvestment Act. And undeniably, this legislation has made lenders more willing to cooperate with organizations like TRP. But while TRP does not reject racial discrimination as one explanation for the myriad social problems confronting its immigrant clients, it does not share the immigrant-advocate propensity to regard it as the only explanation. From the conversations I have had at TRP and other such organizations, it is clear that racial discrimination is only part of a larger complex of factors resulting in low home-ownership among immigrants. In addition to being on target analytically, the TRP approach resonates with deeply held American notions of fairness and opportunity. In brief, it has political legs.

At the same time, TRP avoids the individualistic fallacy typical of those who argue against affirmative action and other race-conscious policies. Many conservatives now regard all expressions of racial and ethnic group consciousness, identity, or interests as suspect, even “un-American.” Yet this position is plainly contradicted by our ethnic history. Immigrants have typically entered American society less as individuals than as members of ethnic groups. Indeed, it can be argued that ethnic group consciousness—as an Italian American or a Polish American, for example—has been a way-station on the way toward integration into the mainstream.

Here again, TRP’s faith-based orientation helps. Forty years ago Will Herberg noted that in America religion was a more acceptable basis of group identity than ethnicity or race. Today it is clearly less provocative for a community organization to pursue its interests as
an affiliate of the Catholic Church than as a Latino organization. That religion can take the edge off the assertion of racial and ethnic group interests is well understood by the Bush administration, which has sought to reach out to African Americans and Hispanics not through established minority group channels but through faith-based organizations. Though not without its own problems, this strategy permits the administration to engage in racial and ethnic group politics without acknowledging it.

**Civic Integration vs. Naturalization**

The usual approach to the civic integration of immigrants is, of course, to urge them to declare their allegiance to the United States by naturalizing and becoming citizens. The obvious question is how does naturalization compare with the process of civic integration exemplified in The Resurrection Project. In particular, does the latter reduce a strong, clear conception of citizenship to one that is thin, vague, and venal?

I think not. The idea of citizenship embedded in TRP’s housing programs is not only more meaningful to immigrants than naturalization, it also avoids certain problems. For example, a citizenship initiative focusing on naturalization might well degenerate into a frustrating and divisive debate over the nature and content of the naturalization exam. And as the Clinton administration’s experience suggests, any such initiative would get evaluated in terms of numbers of new citizens, or of new voters—goals that, however laudable, would soon be politicized and perverted. Compared with the understanding of citizenship embodied in TRP’s programs, this would represent an unfortunate operationalizing and narrowing of our civic aspirations.

Paradoxically, this diminished vision would be partly the result of unrealistically high expectations. Unlike refugees, most immigrants come to America not to become citizens or even “Americans,” but to make as much money as possible and then return home. To be sure, after much travail and moving back and forth, most end up staying. But given such tentative and evolving commitments, urging citizenship on immigrants is bound to be disappointing.
There is also a mismatch between the middle-class bias of most citizenship initiatives, which emphasize civic and political participation, and the raw economic motives driving most immigrants. Unlike Jane Addams, who understood that enticing immigrants into the public square had to begin with their own quotidian concerns, many of her fellow Progressives were so outraged by the pandering of machine politicians that they drew a clear, bright line between the private and the public. And ever since, this high-minded dualism has predominated. Political machines were weakened, voter registration requirements were implemented, and abuses of the naturalization process were eliminated. The Progressives sought to purge the public domain of petty private interests, and they largely succeeded. Unfortunately, when corruption was reduced, so was immigrant political participation. Next came coercive “Americanization” measures, a crackdown on further immigration, and until the New Deal, the effective exclusion of immigrants from the public domain.

Today’s situation is similar. Indeed, by expecting too much of immigrants, we are risking disappointment and overly harsh judgment of them. In the 1990s, when noncitizens were denied eligibility for various government programs, naturalization rates shot up. To many immigrant-policy skeptics, this meant that the noble ideal of citizenship had become simply a self-interested scramble for social welfare benefits. As for immigrant-advocates, they did in fact reduce naturalization to a bureaucratic hurdle to be overcome. Needless to say, both perspectives are wide of the mark. Immigrant advocates aim too low, focusing solely on the perquisites of citizenship; their skeptical opponents aim too high, overlooking the vital link between private preoccupations and the public good. That is why TRP stands as a model program exemplifying a middle path between narrow instrumentalism and high-minded civic-mindedness.

**Long-Term Goals**

It is not my intention to deny the importance of citizenship and participation. Elsewhere I have argued that one dilemma facing contemporary American politics is that the interests of immigrants are typically articulated not by immigrants themselves but by advocates who are seldom accountable to those on whose behalf they claim to speak. So the sooner immigrants are organized politically,
the better for everyone. Yet such necessarily long-term goals should not crowd out the more immediate, day-to-day concerns of immigrants, such as housing. Nor should we overlook the potential usefulness of such immediate concerns in drawing immigrants into the wider civic realm. As TRP’s housing initiatives suggest, “citizenship can begin at home.”

Another problem with narrowing down citizenship to naturalization is that it makes it more difficult to appreciate and take advantage of churches that benefit immigrant communities even though they shun civic involvement. For example, many of the evangelical and fundamentalist congregations that continue to attract substantial numbers of Latino immigrants provide all variety of supports and services to their members, but also tend to discourage participation in the broader civic arena. Should we overlook or denigrate their good works simply because they do not conform to more ambitious conceptions of citizenship? Indeed, is it not possible, perhaps likely, that such churches, despite their disavowals, contribute to civic engagement?

Finally, too narrow a focus on citizenship as naturalization draws attention away from what is clearly the most daunting challenge posed by immigration: the civic integration of the second and third generations. For the most part, these individuals are U.S. citizens. Indeed, the American-born children of immigrants automatically become so. But this does not mean we can ignore the enormous problems some of them face, or take for granted their civic integration. Programs like TRP, which establish authoritative structures in immigrant communities, send critical messages to youth about what is expected of them as Americans.

It is important to note that TRP is not an isolated example. In Miami a similar program is run by the Little Haiti Housing Association. In New York City, the Faith Center encourages and supervises such programs in mostly African-American congregations around the country.

One obvious pitfall of the TRP approach is that by focusing on the rejuvenation of inner-city neighborhoods, it goes against the tide of geographical mobility out to the suburbs. An even trickier aspect is how this kind of civic integration effort can be sold to a broader
audience. I am struck that in all the materials I have read about TRP and similar programs, there is a definite tendency to omit descriptions of the “hassle” part of what these organizations actually do. Resorting to terms like “empowerment,” supporters gloss over the ways in which community residents are taught the basic lessons of neighborhood responsibility. After all, the mainstream does not like the idea of immigrants—or anyone—being told what to do. That message, too, is absorbed by today’s immigrants, usually with negative consequences. We can hope that efforts like TRP serve to counteract it. But only time will tell.
If three children go hungry in a community, the members of many such communities are more distressed than if thousands starve in some far-away country. Moreover, people not only care more about members of their own communities, but they maintain that they are justified in doing so, that one has a higher level of obligation to one’s “own kind” than to all others. Are such particularistic obligations justified, and on what grounds?

This question has been the subject of an immense amount of deliberation, which is not reviewed here. This exploration is limited to an examination of communitarian justifications for particularistic obligations, and only to those in a societal rather than political context. That is, it concerns the obligations of members of communities, not those of citizens of states.

Constitutive Arguments: Obligations We Owe Our Makers

Arguably the strongest communitarian argument in support of particularistic obligations is that they are an essential part of that which constitutes us. On closer examination, one notes that there are a couple of arguments that shade into one another but are distinct.

(a) Community is essential for our composition

For the purpose of this essay, I take for granted that particularistic relationships such as friendship, neighborliness, and love are good in
themselves. (Note that I do not assume that these values trump all others, including universal obligations.) As already suggested, these valued relationships bestow a measure of moral legitimation on the obligations that these relationships entail. However, before arguing that communities also accord such legitimation to particularistic obligations, one cannot take it for granted that communities per se are good. Indeed, many liberals view them rather critically as being ascribed (membership being predetermined at birth and hence at least initially involuntary), authoritarian, and oppressive. Hence, the value of communities—and which kinds of communities are valuable—and the normative obligations that follow need to be carefully scrutinized. To proceed, one must first define community. The definition of community here has two characteristics: first, a web of affect-laden relationships among a group of individuals, relationships that often crisscross and reinforce one another (rather than merely one-on-one or chain-like individual relationships); and second, a measure of commitment to a set of shared values, norms, and meanings, and a shared history and identity—in short, to a particular culture.

One should note that there is a strong tendency to think about communities as if they were what social scientists call a dichotomous variable rather than a continuous one, one which can vary greatly in its thickness rather than merely being present or absent. Mountains of data was recently reviewed and augmented by Robert Putnam and Francis Fukuyama, and long before them by Robert Bellah and his associates, and scores upon scores of other sociologists from Ferdinand Tönnies, Emile Durkheim, and Martin Buber on. It all shows that when there is little or no community, people suffer physically (e.g., are more prone to have a great variety of major illnesses including heart attacks, ulcers, and high blood pressure, as well as recover from illness more slowly) and psychologically (e.g., are more prone to be depressed, have low self-esteem, or be disoriented). The absence of sufficient communal bonds is also a major reason why people feel detached, alienated, and powerless and either withdraw or act out in antisocial ways including joining gangs and militias (to find community) or abusing drugs and alcohol or each other.

One may object: Are there not fully functional individuals who are not members of any communities? The well-documented social science response is that when people are truly isolated, cut off from a
fabric of bonds of affection and shared values, they are deeply diminished. Indeed, it is the mark of the modern self that its development is stunted and truncated, that it shows the ill effects of deficient connectedness as well as moral anomie. Others have noted that modern loneliness makes people neurotic, selfish, or narcissistic.

In short, communities are essential for our full constitution. We can *survive* without them, but we can neither achieve nor sustain a full measure of what is considered a “fully functioning” human being without some measure of community. And thicker communities bode well for our constitution, although excessive community causes ills of its own.

**(b) Identity is particularistic**

Identity is profoundly tied to communities, and thus to particularistic obligations. As Joseph de Maistre put it, “There is no such thing as *man* in the world. In the course of my life I have seen Frenchmen, Italians, Russians etc.; I know, too, thanks to Montesquieu, *that one can be a Persian*. But as for *man*, I declare that I have never met him in my life; if he exists, he is unknown to me.” We do not know who we are, which culture is ours, which heroes we ought to emulate, which demons we must avoid, what our origins are and much of our fate, unless we are linked up with one community or another (or with several).

Michael Sandel puts it well when he writes that we cannot understand ourselves but “as the particular persons we are—as members of this family or community or nation or people, as bearers of this history, as sons and daughters of that revolution, as citizens of this republic.” Charles Taylor observes that:

People may see their identity as defined partly by some moral or spiritual commitment, say as a Catholic, or an anarchist. Or they may define it in part by the nation or tradition they belong to, as an Armenian, say, or a Québécois. What they are saying by this is that this provides the frame within which they can determine where they stand on questions of what is good, or worthwhile, or admirable, or of value. Put counterfactually, they are saying that were they to lose this commitment or identification, they would be at sea, as it were; they wouldn’t know anymore, for an important range of questions, what the significance of things was for them.
There is a tendency to collapse the contributions that community (and the particularistic obligations it entails) makes to our composition as humans with those it makes to our individual identities. The difference is that the first kind of contributions are to our existence as full-fledged human beings; the second concerns our sorting out what kind of human beings we are. The distinction is akin to the difference between learning to walk and determining in which direction we shall walk. The first concerns our physical and psychological health, our general capacity to function. The second concerns which particular relationships (out of a large universe of possible ones) in which we will become more deeply invested (say our ethnic group or our class, our country of origin or the one in which we currently live). It concerns how we are going to define ourselves (say, as conformist or rebellious), and which of the values that we find around us we shall particularly embrace to the point that they are going to become an integral part of our self. True, these two are connected: if our capacity to function is diminished, this will affect our ability to form and sustain our identity as well as which identity we shall be inclined to develop—and a strong identity will help nurture our ability to function. However, the fact that these two are mutually supportive does not render them a distinction without a difference.

Insofar as one’s identity as a member of a community is constitutive of one’s basic being as a moral agent, one has a responsibility to nurture the identity of the community itself through participation in its practices, concern for its past, present, and future members, and protection of its resources. Such responsibility may engender particularistic concern for the community above and beyond more universal obligations, and, in fact, one’s understanding of universal moral obligations is itself a product of the community’s role in identity formation.

To put it differently, particularistic obligations reflect a moral obligation to nurture the social environment in which people can develop, what might be called a “moral ecology.” They compel us to apply to the social realm the environmental idea of stewardship toward nature, the notion that we are obligated at least not to leave the social ecology in a worse condition for future generations than it was when bequeathed to us. This argument is a specific application of
a general moral position that endorses symmetry: one could not reasonably claim that we are generally entitled (as distinct from occasionally or under special conditions, e.g., when on one’s deathbed) to take and not to give, to diminish the total good and not to participate in refurbishing it, within the limits of our relative ability to do so.

I cannot stress enough that the obligation of stewardship toward the moral ecology does not arise because I will be harmed if I do not nurture it. There may be a sufficient stock of moral and social fortitude provided by others that the societal fabric may be sustained for a while even if I draw it down without then shoring it up (just as if I pollute a river, I may not be short of drinking water). Stewardship toward the social ecology arises because it is immoral to take and not to give, to diminish and not to restore (although how much I take and give depends on numerous conditions).

Although (partial) loss of community is one of the defining characteristics of modernity, there is no reason to overlook the fact that just as we can experience diminished community, we can face excessive communality. This is the case in Japan, where individuality is suppressed, rights are neglected, and autonomy is severely curbed. Community is to be considered as a good only when its social order is balanced with carefully laid protections of autonomy, when particularistic obligations are balanced with universal ones, especially to protect basic individual rights. In short, although communities and the particularistic obligations they entail are essential to our full functionality, both can be excessive.

Lawrence Blum, in commenting on this essay in a letter written in September 2001, posed a pivotal question. He asked whether these arguments apply to all communities, or only to good ones. Do people have obligations to bad communities, or only to those that “realize important human goods?” One possible response, Blum suggested, is to hold that “some communities will be sustaining for each individual, and particularistic obligations are being defended only in the sense that each individual will have some such obligations, not that any specific forms of such obligations (neighborhood, ethnic, etc.) are being defended in general.”

Numerous social scientists and some communitarian philosophers would part ways here (this author included). Social scientists
tend to argue that antisocial communities (say, gangs) may be as sustaining as pro-social ones. Some communitarians, Michael Walzer for instance, have argued that communities are the final arbiters of what is good. I hold that communities do not have the final word about what is good, and that obligations they articulate are valid only if they do not violate what is otherwise justified as good (best deontologically). Further elaboration of this point requires a whole separate examination of how one separates true from false articulations of obligations (or good from bad ones) and whether they are universal or particularistic, this examination cannot be undertaken here.

**Human Betterment**

So far, I have made the argument that communities (and the particularistic obligations they entail) are essential for our constitution, for our ability to function as full human beings and as persons oriented by a particular identity. Next, I advance the argument that communities help make us into better people than we would be otherwise.

**Particularism nurtures free agency and universalism**

Communities (when thick but not excessive) help make us relatively free agents and rational beings and can help us to live up to universal obligations. As Erich Fromm put it in his *Escape from Freedom*, and as numerous studies of behavior in crowds have shown, isolated people tend to be irrational, impulsive, and open to demagogical appeals and totalitarian movements. One could argue that these movements have risen only in societies and periods in which social integration has been greatly weakened. In contrast, as Tocqueville and the enormous literature on civil society holds, people well-woven into communities (including families and voluntary associations) are able to resist pressures by governments and the seductive appeal of demagogues. Moreover, community members are much more likely to have the psychological integrity and fortitude required for people to be able to engage in reasoned deliberations, make rational choices, act on judgment rather than on impulse, and act as relatively free agents. (I write “relatively” because even under ideal social conditions people can only approximate the liberal ideal,
Liberals fear that communities inherently oppress individuality, as they often did in earlier periods and still do in some parts of the world. This fear is justified in reference to excessively thick and authoritarian communities, which existed mainly in earlier periods or in nonliberal societies, although even relatively thin communities tend to restrict the individuality of their members to some extent. Nonetheless, liberalism itself is dependent on the kind of persons found in communities.

David B. Wong adds that to learn to be duty-bound and to act universally, we first must have relationships of trust with others (i.e., particularistic relations). We are not born with universal obligations; they must be taught. We acquire respect for them from parents, educators, religious figures, spiritual leaders, or heads of social movements—all people with whom we have an intense particularistic involvement.

All this is especially evident when we consider our condition as children. Without those who cared for us, we would not have developed into “individuals,” but we would crawl on all fours and bark, be inarticulate and aggressive, snarling at each other. (This is not some Hobbesian heuristic but a statement based on empirical studies by Curtiss, Itard, Lane and Pillard, Singh and Zingg, and Candland.) Even as mature adults we require continued bonding with others to sustain our values in general, our universal commitments included.

(b) Communities help minimize the state (especially its application of coercion)

Communities’ introduction and reenforcement of our moral commitments help make for a strong measure of a voluntary social order. There is a tendency to assume that once people are brought up properly, by strong families and good schools, possibly backed up by churches or other places of worship, they will be men and women of virtue. Actually, social science data leave little room for doubt that unless people’s moral commitments are continually reenforced, they will deteriorate. The most effective way to reenforce them builds on the fact that people have a very powerful need for continuous ap-
proval by others—especially those to whom they have thick bonds of attachment. These bonds, in turn, are found most readily in communities (families and voluntary associations included). Communities, then, can strengthen adherence to social norms, especially when communities endorse pro-social values. Thus the role of the police and the courts can be minimized, and the state and its coercive means are less needed to maintain social order. Law and order can be largely replaced by the informal controls of communities.

(c) Particularistic bonds humanize us

Particularistic bonds, and hence obligations, protect us from the inhumanity that has often arisen in the past from strong commitments to abstract and general ideas, leading those who believed in these ideas to fight for the betterment of humanity but to care little about their fellow human beings. Particularistic obligations stopped many children during the Nazi era from spying on their parents and some Germans from turning in their Jewish friends, thus showing that even in a severely fragmented civic environment, particularistic bonds maintain considerable moral power. The history of the twentieth century, memories of the unfathomable suffering that totalitarian governments and movements inflicted on millions of people in the name of one universal cause or another (e.g., Stalinist socialism and some radical religious movements) reminds us how crucial such particularistic tempering is.

A related but not identical point is that justice is best served when we judge people and deal with them as whole people, whose particular circumstances we are bound to take into account, rather than merely as members of one or more categories. We should treat people as unique, concrete individuals, rather than incidents or members of abstract categories. Philip Selznick puts this point eloquently as follows: “[The] personal standpoint is not and cannot be embraced wholeheartedly. Judgment in the light of rule and principle has serious limitations from a moral point of view. That is so, fundamentally, because rule-centered [universal] judgment does not adequately appreciate the place of concreteness and particularity in moral experience.” He adds the following telling quote: “‘There is no general doctrine,’ wrote George Eliot in Middlemarch, ‘which is not capable of eating out our morality if unchecked by the deep-seated habit of
direct fellow-feeling with individual fellow-men.’” And he concludes that “the lesson is that impersonal precepts must be tempered and assessed in the light of very specific human outcomes.”

The merit of the obligation to take particularistic conditions into account is evident when mandatory sentences prevent judges from taking into account special circumstances, when admissions officers of colleges are expected to adhere strictly to standard guidelines, and in comparison to the Napoleonic legal and the common law traditions.

One may argue that particularistic considerations are not the same as particularistic obligations; the first deal with localized conditions, the second with moral commitments. However, note that the commitment to take into account context is, in part, a moral judgment reflecting particularism.

(d) Human flourishing

There is an immense literature on what constitutes a good life, human flourishing. John Cottingham, drawing on Aristotle, finds in it a ground for justifying some partiality. Cottingham writes, “If I am to count as making a moral judgement I must be prepared, at least in principle, to show how my prescription contributes to the overall blueprint for the good life—how it forms part of, or connects with, my vision of how life should be lived if it is to be worthwhile...[contributing to a] fulfilled or ‘flourishing’ life.”

In a very elementary sense, the connection between human flourishing and particularistic obligations is supported by the reasons already discussed: without stable and meaningful social attachments it is impossible to form and nurture fully functional human beings, individuals whose sense of self (or identity) is established, and who are able to act as reasonable, free agents. However, if one takes the term flourishing to mean a higher level of achievement, a greater realization of human potential, a life that is more virtuous than just fully functional—one finds that the relationship to particularistic obligations is a complex one, although clearly there is a connection.

A preliminary examination suggests that particularistic obligations may be compatible with, indeed highly supportive of, some
forms of flourishing, but not nearly as essential, possibly even a
hindrance to some extent, to some others. Cottingham writes,

If I give no extra weight to the fact that this is my lover, my
friend, my spouse, my child, if I assess these people’s needs
purely on their merits (in such a way as an impartial observer
might do), then that special concern which constitutes the
essence of love and friendship will be eliminated. Partiality to
loved ones is justified because it is an essential ingredient in
one of the highest human goods.

But this assumes that one recognizes these particular virtues as part of
the good life.

If the center of human virtue is a life of contemplation or nirvana,
or other forms of self-perfection, especially if one views them as
virtues one practices individually rather than as a member of a
community, particularistic obligations will play a relatively small
role. The same might hold if the good life is one that seeks to promote
justice, or a world order based on the Universal Declaration of
Human Rights, or on some other such universal principle.

Particularistic obligations become pivotal if one considers any of
the following lives (or combinations thereof) as good: one dedicated
to love and caring; tending to particular ill or poor persons (rather
than to health care or distributive justice generally); nurturing com-
munal bonds and bonds among communities, including conflict
resolution and mediation; parenting and attending to our parents;
and, more generally, dedication to the betterment of family life and
that of particular communities.

All this is not to suggest that particularistic obligations play no
role in societies centered around self-perfection. Human flourishing
of any kind takes place within a societal context. People cannot work
much to improve themselves unless they build or help nurture a
context in which such labor is considered part of the good life. Thus,
a life of learning can thrive in a Jewish shtetl or a Chinese literati
society that celebrates such a life, but not in one that sees serving the
poor and the ill as the main virtue. That is, whatever is considered the
good society, whatever form human flourishing takes, it does not take
place within a social vacuum. It thrives when it becomes the good
around which a society—and the particularistic obligations it en-
tails—is centered. Members must be committed not merely to the
particular community (or society), but also to its particular vision of the good—and they must be willing to absorb the costs and often the sacrifices that such visions entail. Thus for a group of *literati* to dedicate their life to philosophy, poetry, and brush painting—the other members of the far from affluent society must be willing to curtail their already meager consumption. Therefore, although some forms of human flourishing are more intimately associated with particularistic obligations than others, all draw on them and all add to their moral justification.

**Conclusion**

To be full-fledged human beings we require a certain environment, one rich in solid but not overbearing communities. These, in turn, are composed of bonds of affection, which cannot be universalized, and moral obligations to members. A measure of moral obligation to nurture the social environment in which people can develop well arises out of this understanding. That obligation is neither self-serving, utilitarian, nor consequentialist. The moral ecology particularist obligations help sustain may well be maintained for the duration of our lifetime, or even that of our children, even if we do not abide by these obligations and draw on the existing stock of trust and affection and moral commitments—as we draw them down. However, just as we are obligated to sustain the natural environment as a common good, so are we obligated to sustain the moral ecology. I call this a constitutive communitarian argument.

The same communal environment justifies our moral commitment not only because it enables people to fully function, but also because it makes us and others better than we would be otherwise. Communities provide the conditions under which people can act autonomously and curb the need for state coercion, provide for empathy that benefits not merely particularistic but also universal obligations, and contribute to human flourishing. None of these attributes—as significant and compelling as they may be—justify ignoring our universal obligations, but they provide a strong communitarian justification for those of us who honor additional commitments to our own communities.
Identity Crisis: Britain’s Attempt to Redefine Itself
Frances Stead Sellers

Mark Rimmer is in the throes of party planning. Anyone who has organized a wedding understands the balance he is trying to create—between celebration and ceremony. He wants people to enjoy themselves, so he’s thinking of having Asian dancers or steel drums for entertainment. But he’s keeping the menu simple—perhaps “a cup of tea and a bun,” he suggests. Most of all, Rimmer says, he wants everyone who attends what will be Britain’s first-ever public citizenship ceremony to regard it as a “dignified, important event.”

Rimmer is expecting quite a crowd on February 2, 2004. The north London Borough of Brent, where he is director of registrars, is one of Europe’s most diverse communities. More than 100 different languages are spoken there. Fifty-two percent of the population of 250,000 is Asian or black; 10 percent were born in Ireland. About 3,500 people apply to become British citizens each year, which, Rimmer calculates, will soon mean holding two or three ceremonies a week for groups of about 30 immigrants to pledge “loyalty to the United Kingdom,” and promise “to uphold its democratic values” and fulfill their “duties and obligations as...British citizen[s].” In a year or so, Britons-in-waiting will also have to pass a citizenship test—which should help spell out just what those duties and obligations are.

All of this is much like the process I went through to become an American citizen. But it represents an entirely new approach to becoming British, which until now has been a matter of submitting paperwork and swearing a quick oath of allegiance to the Queen and
her heirs in the local solicitor’s office. No pomp. Very little circumstance.

The new rituals, as well as compulsory citizenship classes in school, have been prompted by Britain’s burgeoning populations of would-bes and wanderers—immigrants who are naturalizing in unprecedented numbers, and citizens like me who live all or part of the year overseas and may or may not move back. The divided lives of both groups are the inevitable result of increased mobility and international marriage; dual citizenship is a formal reflection of that trend, and Britain is one of about 100 countries that now allow some form of multiple citizenship. Mexico passed laws permitting the practice in 1998; Australia followed suit in 2002; and India’s prime minister, Atal Bihari Vajpayee, announced in January 2003 that his country plans to grant the status to many of the 22 million people of Indian origin living overseas, 1.2 million of them in Britain.

With such a mobile citizenry, people have begun asking, what does it mean to be British? Or Dutch? Or French, for that matter?

Questions of national identity—the founding conundrums of the great immigrant-receiving countries of the New World—are unsettling the Old World order, inspiring outbreaks of soul-searching and prompting governments to define just what it means to belong. The Dutch, for example, have been asking themselves whether it is intolerant, and therefore un-Dutch, to expect newcomers to give up religious customs (requiring women to dress a certain way, for example) that seem to the Dutch inherently intolerant. In October 2003, the French government adopted a bill intended to formalize a 5- to 15-year integration process designed to make sure that immigrants become French enough to earn the right to call themselves French.

Britain, meanwhile, is trying to find a definition of British that creates cohesion out of its itinerant population. According to the National Office of Statistics, about half a million people arrive each year to live in Britain for 12 months or more. Annually, about 120,000 become citizens. In addition, more than 300,000 people—155,000 of whom are citizens—leave to live abroad, and many others choose to spend months at a stretch overseas. About half a million Britons own property in France, lured away by warmer climes and bargain prices, and bringing back not only wine and cheese but a taste for doing
things differently. These numbers may not sound large, but they represent a cultural mixing of the kind Britain has never experienced, though it is the lifeblood of such countries as Canada, Australia, and the United States.

In some ways, however, the New World melting pots provide an unsatisfactory mold for the Old World. While newcomers can make a nation of immigrants “more, not less, American,” as President George W. Bush once put it, it is difficult to make that case for countries that grew out of common ground, common history and even common genes. Britain has no constitution, no founding values around which to group its populace. It is hard to imagine a Museum of British Rights on London’s Pall Mall along the lines of the National Constitution Center that opened in the summer of 2003 on Philadelphia’s Independence Mall. And if you visit Runnymede, the site where the principle of “freedom under law” was established in 1215 by the signing of the Magna Carta, you’ll find that the memorial was erected by the American Bar Association; nearby is a second memorial in honor of a more modern champion of liberty—United States President John F. Kennedy.

The British seem decidedly unsure these days of who they are and what they want to become. That uncertainty has launched a new industry of national navel-gazing among academics and journalists as well as a flurry of pronouncements by politicians attempting to capture the essence of Britain and Britishness. Former Conservative prime minister John Major was roundly ridiculed for his misty-eyed vision of “warm beer, invincible green suburbs, [and] dog lovers.” But it was no less absurd than current Labor leader Tony Blair’s euphonic but ultimately meaningless little jingle, “Cool Britannia.” Asserting that “British identity is shaped by poetry,” the BBC recently launched a competition to find a “Poem for Britain;” the winners were announced in October 2003. The outpourings of 5,000 would-be Wordsworths represented what organizer Daisy Goodwin called “a cultural examination of the nation’s self-perceptions.” But it also reflected, to paraphrase Wordsworth, the awkwardness of a nation undetermined to what course of life it should adhere.

The winner, titled “Harvest Time” and rooted safely in a rural past, would have done Major proud—and it resonates with the
The runner-up, in which Britain is the writer of a personal-style ISO ad seeking “a warmer cosmopolitan image, to suit a wide-ranging national brand,” reflects Blair’s politically correct modernity—and asks the kinds of questions my nomadic friends discuss, earnestly, over fusion food and a bottle of Merlot. And the third-placed entry is an in-your-face expression of the topic that many British people, such as the taxi driver who recently drove me to the airport, simply don’t know how to talk about—multiculturalism. In the poem, a fight inexplicably breaks out among the parents at a Cornish elementary school, “a discomfort of strangers” gathered together to discuss their children’s future: “Twelve Brummies, eleven Cockneys, ten Taffies, nine Jocks, eight Micks, seven Blacks, six Krauts, five Scousers, four Frogs, three Pakis, two Chinks and a Cornishwoman.” The shouting subsides after someone suggests a cup of tea, and “seventy-eight mums and dads” head home, apparently mellower if not entirely mollified.

A nice cuppa hasn’t been an adequate tonic to soothe Britain’s racial tensions. Perhaps the British never offered it willingly enough. Perhaps the immigrants preferred chai. But part of the problem is more fundamental: multiculturalism happened to Europe before many of its member states had developed a philosophy to accommodate it. The United States told immigrants how to be American by requiring them to learn about the country’s history and government, and about the values of liberty and justice enshrined in its founding documents. Nothing of the kind has ever been done for prospective Britons. It is as if they were expected to wake up the morning after their assignation with the solicitor and announce, “By Jove, I’m British.”

Hence the government’s effort to engender “common values and a sense of belonging” by defining the rights and responsibilities of citizenship. Citizenship classes are now part of the curriculum from elementary school onward. That doesn’t mean that every child comes away with a clear definition of Britishness: For my niece, “citizenship” has meant learning about the U.N. Universal Declaration of Human Rights; for my nephew, it has meant working on the design of a building for children in the community.

Just what citizenship means to the British government may become a little clearer once the new citizenship test is put into practice.
next year. What the early drafts rekindled, though, were the rifts and uncertainties in the debate about what the British have in common. Should new citizens prove they are equipped to get electrical services, use the National Health Service, and even go on the dole (as the first draft of the test suggested), or should they have to show that they know something about 1066 and all that? Should immigrants understand the rules of cricket—or care which side wins, as conservative politician Norman Tebbit once argued? And what about the vexed question of language? John Alderdice, speaker of the Northern Ireland assembly and a psychiatrist, is among an increasingly vocal number of politicians who believe a common language is essential to community. You cannot, he points out, conduct a psychiatric consultation with an interpreter in the room. The core proposals for the test are that immigrants should have an “understanding of English, Welsh or Scots Gaelic” and an “understanding of UK society and civic structures.”

A clear understanding of the rights and responsibilities of citizenship offers the possibility of leveling the British playing field, putting the immigrant on equal footing with the long time resident and moving the stymied debate away from multiculturalism. That has been a long-standing cause for Navnit Dholakia, who is one of the first Britons of South Asian descent to be appointed to the House of Lords, and who emphasizes the importance of “being a good citizen.” The issue he feels all British people should focus on, he told me, is “what you put into a country, not what you take out.” If that sounds Kennedyesque, it’s not surprising. Dholakia, formerly of Britain’s Commission for Racial Equality, sees citizenship as a means of extending equal rights to “people disadvantaged through belonging to groups discriminated against by British society”—the very concerns that America was grappling with during the 1960s.

And in one sense, becoming a good “British” citizen should be easy. Unlike “Dutch” or “French,” British is a catch-all term. Jowlishly Churchillian though the British bulldog may look, he is and always has been a mongrel, bred to create political unity out of the islands’ disparate indigenous cultures. Immigrants have long recognized the benefits of such a political identity. You’re much more likely to come across somebody in Edinburgh or Cardiff who calls himself Bangladeshi-British than Bangladeshi-Scottish or Bangladeshi-Welsh.
Immigrants tend to cling to this more elastic affiliation. It doesn’t, after all, require eating haggis or marmite or singing in the Eisteddfod choir.

But that very lack of cultural specificity also leaves Britishness open to interpretation, as I discovered when I did a quick survey of British travelers at London’s Heathrow airport. Asked what it means to them to be British, recent immigrants tended to talk about human rights, freedom of speech, and justice; those who had lived here for generations made references to Sunday lunch, country walks, and other humdrum comforts of home. And there lies the rub. Infinitely more important though the values expressed by the recent immigrants are, there’s nothing specifically British about them. Those citizens could just as easily have been referring to the Netherlands, France or, most of all, the United States, where such values are part of the national creed.

That leaves Britain and other European countries facing their own conundrum: to welcome their many immigrants, they must put universal values before tradition. The United States made this transition more than a century ago, when its great immigrant influx began. Is Europe ready to do so now?

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Any honest discussion of Mel Gibson’s movie *The Passion of Christ* (he recently changed the title from *The Passion* due to a copyright dispute) must begin with unflinching recognition of a few undeniable facts: the movie has been made, and other than minor adjustments in editing, it will be released in its current form. A distribution deal (involving Newmarket Entertainment) has been secured, and the movie will play in thousands of theaters around the world in February 2004. The film will draw eager audiences and will become a substantial box office hit—due in part to all the pre-release controversy, the “must see” factor has reached an almost unprecedented level of intensity among both committed Christians and the cinematically curious.

Most importantly, mainstream Christian leaders of every denomination will embrace the film as the most artistically ambitious and accomplished treatment of the Crucifixion ever committed to film. Some critics and scholars will criticize Gibson for his cinematic and theological choices in shaping the film, but any attempt to boycott or discredit the movie will, inevitably and unquestionably, fail.

No one who has actually seen the movie (as I have) would seriously challenge any of these conclusions. This means that all the
debate about allegedly anti-Semitic overtones misses the point: the organized Jewish community and its allies in interfaith dialogue may not welcome *The Passion of Christ*, but hysterical overreaction to the film’s release will provoke far more anti-Semitism than the movie itself.

Gibson financed the film on his own (to the tune of $25 million) precisely due to his determination to realize his own vision of the Gospel story, without compromise. He could have involved a major studio (obviously, his star power remains potent and undiminished) but he wanted to avoid the need to adjust his Catholic traditionalism to suit the sensitivities of profit-oriented accountants or enthusiasts of other religious perspectives. Jewish leaders feel wounded that Gibson never consulted them in writing his script or re-creating historical details, but he also left out contributors from the Protestant or Eastern Orthodox tradition.

In the context of the forthcoming film, the focus (by the *New York Times* and other influential voices) on alleged Holocaust denial by Gibson’s 85-year-old father stands as both irrelevant and unfair. Hutton Gibson, an aging curmudgeon and crackpot, played no creative or consultative role in *The Passion of Christ*.

Meanwhile, the possibility of anti-Jewish violence in response to the film has been irresponsibly emphasized and has become, in a sense, a self-fulfilling prophecy. In parts of Europe and the Islamic world, anti-Semitic vandalism and violent attacks occur every day, and hardly need a film by a Hollywood superstar to encourage them. In this context, Jewish denunciations of the movie only increase the likelihood that those who hate us will seize on the movie as an excuse for more spasms of hatred.

The problem with traditional “Passion Plays” was always the unmistakable association of contemporary Jews with the oppressive Judean religious authorities depicted on stage. The high priest and his cohorts often appeared with anachronistic costumes including European prayer shawls, skull caps, and side curls.

Gibson pointedly avoids such imagery in his film—the costumes and ethnicity of the persecutors make them look far less recognizable as Jews than do the faces and practices of Jesus and his disciples in the
The words “Jew” or “Jewish” scarcely appear in the subtitles to his movie (the dialogue is spoken in Aramaic and Latin). By agonizing so publicly about the purportedly anti-Semitic elements in the story (which closely follows the Gospel account), the Anti-Defamation League and its cohorts make it vastly more likely that moviegoers will connect the corrupt, exotic first century figures on screen with Jewish leaders of 2004.

Of course, rabbis and teachers will feel an almost irresistible urge to respond to the explosion of public interest inevitably inspired by *The Passion of Christ*, and will comment on ways in which the Gospel story (particularly the Gospel of John, which heavily influenced Gibson) probably distorted the history of the execution of Jesus. Many Jews understand that the canonized accounts came into existence at a time when early Christians had begun to despair concerning conversion of the Jews, and instead focused their attention on proselytizing Romans—hence, orthodox Jews come out looking very bad, while Pilate and other Roman authorities receive reduced blame.

Putting the New Testament account into this perspective may make sense with Jewish audiences, but insisting on this approach with our Christian neighbors represents outrageous arrogance. We may not welcome the stories told by Matthew, Mark, Luke, and John, but Christians have cherished that record for nearly two thousand years. The fact that anti-Semites through history have used these accounts as the inspiration for their depredations may prove that those stories can be dangerous, but does not prove that they are untrue. In any event, Jewish organizations must not attempt to take responsibility for deciding what Christians can and cannot believe. If those community agencies insist that Christian traditionalists must disavow their own sacred texts because of the shameful persecutions of the past, then they force a choice between faithfulness to scripture or amiable relations with Jews. The notion that committed Christians cannot have one without spurning the other does no service to Jewish communal interests, nor to the harmony of the larger community.

Does it truly contribute to interreligious understanding for Jewish leaders to insist that they know more about the truth of the Gospels than do Christians? Do we feel comfortable when some evangelical observers insist that they know more about the real
symbolism of our rituals (emphasizing their supposed anticipation of Jesus the Messiah) than we do? I enjoyed a stimulating interchange with a pastor in Michigan who emphatically argued that the details of the Passover seder all related to Jesus of Nazareth—with the three matzos representing the Holy Trinity, the broken middle matzo symbolizing the broken body of Jesus Christ, and the Afikoman (half of the broken matzo) eaten at the end of the banquet indicating the second, triumphal coming of the Messiah. In our pluralistic society, this Pastor enjoys perfect freedom to teach his own unhistorical and eccentric interpretation of Jewish ritual, but he makes no attempt to insist that we include such versions in our homes, synagogues, or public explanations of our holiday. In other words, he offers a Christian understanding of Judaism without demanding that our own teaching must be accordingly adjusted.

By the same token, we remain free to teach a Jewish understanding of the New Testament story but we should make no effort to suppress or attack Christians who put forward their own traditionalist interpretations of their scripture. That’s especially true for Christians like Mel Gibson who, despite his personal involvement in a dissenting, traditionalist Catholic sect, provides in The Passion of Christ a vision of the Crucifixion that falls unequivocally within the Christian mainstream.

In fact, from a Jewish perspective, the most unfortunate aspect of the entire dispute regarding Gibson’s project involves the renewed focus on Christian scripture at a time when most Americans—emphatically including most American Jews—remain painfully ignorant of even the most fundamental Jewish teachings. Other than a general sense that Jews respect Moses and refuse to accept Jesus as Messiah, what do most members of the Jewish or general communities know of the essentials of our faith? The interests of Jewish continuity and vitality can hardly be served by a huge battle over a movie which will succeed with the public regardless of our discomfort. Rather than wasting energy and good will over a doomed, misguided effort to discredit an artful and ambitious film, we would do more for the cause of Judaism in America to emphasize the positive and productive aspects of our own sacred tradition.
Responsibility for Gibson’s *Passion of Christ*

Paula Fredriksen

Mel Gibson’s *The Passion of Christ* came into my life last April. It was then that Dr. Gene Fisher, the ecumenical officer for the United States Conference of Catholic Bishops, convened a small group of scholars to offer an ad hoc assessment of Gibson’s script. Fisher asked us to attend to a variety of issues: the script’s historical fidelity, its use of New Testament materials, and its consonance with Catholic magisterial instruction.

Why did Fisher care? This was, after all, just a movie. The answer, in part, lay with Gibson’s own publicity efforts. In numerous interviews, Gibson had presented his movie as an act of God. (“The Holy Ghost was working through me on this film,” he repeatedly claimed, adducing on-set miracles in support of his view.) He insisted that it was the most historically accurate depiction of Christ’s passion ever filmed. (“This is what really happened at the time.”) He paraded his own Catholic piety as some sort of authentication of his movie. (“We heard Mass every day. We had to be squeaky clean for this.”)

But in the course of these same interviews to publicize his film, Gibson had revealed some of its significant historical gaffes. Further, one of Gibson’s sources for his story came not from the first century Gospels, but from the revelations of Anne Catherine Emmerich (1774-1824), a stigmatic nun whose visions enunciate an anti-Semitism typical of her time and place. (She believed that Jews used the blood of Christian babies for their rituals.) And, finally, website stills of the movie paraded images marked with Gibson’s signature Hollywood gore: what he thought of as “realism” had less to do with history than with celluloid violence.

All this was cause for concern to Fisher, and to his counterpart at the Anti-Defamation League, Rabbi Dr. Eugene Korn. And it was of concern to us as scholars who work to promote interfaith dialogue and good relations between Christians and Jews. We volunteered our time and our professional expertise to compose for Gibson a confidential report. We concisely reviewed the problems, historical as well as (from a Catholic point of view) doctrinal, with his script. And we framed our presentation by naming one precise source of our con-
cern, specifically, the long and toxic Christian tradition that Jews were (or are) particularly responsible for the death of Jesus, and the ways that this had led to anti-Jewish violence. I quote from the introduction of our report:

We begin this task with an awareness of the tragic impact of Christian “passion plays” on Jews over the centuries. We know that their dramatic presentation of Jews as “Christ killers” triggered pogroms against Jews…and contributed to the environment that made the Shoah [the Holocaust] possible. Given this history, and given the power of film to shape minds and hearts, both Catholics and Jews in this ad hoc group are gravely concerned about the potential dangers of presenting a passion play in movie theaters.

The rest, as they say, is history. Icon Productions leaked our report to the press, presented our assessment as an “attack,” and has worked hard to keep the controversy alive until the movie’s release in February 2004. Icon and its supporters have proclaimed that criticism of the movie is tantamount to an attack on Christianity itself (check out www.seethepassion.com). Right-wing Jewish pundits have been lined up to report that they see no problems with the movie, and that criticisms of it “lack moral legitimacy.” Catholic concern has been deemphasized, Jewish concern emphasized, to enhance the idea that the controversy is a Christians vs. Jews argument. Free speech, freedom of expression, freedom of religion: Gibson’s critics, say Passion apologists, attack Gibson’s rights, and thus the rights of all citizens. To voice concern about this movie is virtually un-American.

Let us be clear. We are talking about an action flick here. Aficionados of the genre, and of Gibson’s stellar contributions to it, know that realism is not one of its (or his) hallmarks. Actors routinely “bleed” in visually striking, medically remarkable ways, thanks to the makeup artist’s skill. Moral subtlety is also in short supply. Bad guys are very bad, good guys good: anything more complex would risk interfering with the story line. Sensationalized violence substitutes for much else, from character development to plot. Gibson has taken the skills honed in Lethal Weapon, Conspiracy, and Payback, and used them to construct his take on the last 12 hours of Jesus’ life. Anyone who has seen the final half-hour of Braveheart (a medieval action flick) has essentially seen The Passion already. This time, Caiaphas is Longshanks.
Again, so what? It’s just a movie. But this movie—unlike, say, The Last Temptation of Christ, or Texas Chainsaw Massacre—risks more than religious offensiveness, and does more than simply entertain with senseless, sensational violence. The Passion stands in the echo chamber of deeply traditional Christian anti-Judaism. That tradition at its most benign has excused, and at its most malicious has occasioned, anti-Jewish violence for as long as Western culture has been Christian, from the fourth century to the twenty-first. Jews viewing the Scorsese movie were hardly going to feel enraged at Christians. Someone over stimulated by Massacre, if tempted to act out, would act out on his own. Christians enraged at the supposed Jewish treatment of Jesus—such as that anachronistically and luridly featured in Gibson’s first-century action flick—have often acted out against their Jewish neighbors in their midst, and felt morally and theologically justified in doing so.

Will The Passion of Christ, once released, have a negative effect on society? Might it promote anti-Jewish violence? I hope not, but I think it well might, for the reasons I sketch above. Long cultural habits die hard. The debate around the film, made public and promoted by Icon, has already occasioned ugly anti-Semitic slurs. My colleagues and I, via email, have received them. Both I and my university have received ominous threats from a furious Christian Passion-fan (“I am telling you now that if this woman continues to be employed as a professor, you will be putting your university at risk, with major problems to come…I speak with a powerful voice and with strength that comes from our Heavenly Father,” from an email of November 10, 2003). If the contrived, publicity-oriented “debate” stirs such feelings, will the movie stir fewer, once true public debate can ensue? I do not know, but I doubt it.

Gibson just re-shot some scenes a few months ago, in the wake of the pre-release attention that he has sought. Will he actually follow some of the scholars’ suggestions? Will he make his presentation of his Bad Guys—in this movie, the Jewish high priest, most of his council, and most of Jerusalem’s Jews—less extreme? Again, I do not know. Perhaps, perhaps not.

Will the anti-Semitism, which Gibson’s movie has already enabled, lead to violence? Despite the violence of American culture, I think not. Anti-Semitism just has not had the defining role here,
historically, that it has had elsewhere. What about violence elsewhere? I do not know. But the long respectability of anti-Jewish violence in European culture, and the current climate of violence against Jews—in Istanbul, South America, Great Britain, and especially in France in the course of the past several years—inclines me to be much less sanguine about the effects of Gibson’s Passion with foreign-language subtitles.

In the past several years, in Europe, violence against Jews—if those Jews are Israelis—has been explicitly excused by appeal to the toxic tradition that “the Jews killed Christ.” Horrific suicide bombings during the current intifada inspired a church in Edinburgh, over Easter 2001, to display a large oil painting of the Crucifixion with Roman centurions and officers of the Israeli Defense Force (IDF) depicted at the foot of the Cross. The Italian newspaper La Stampa commented on the IDF’s cordon around armed Palestinian gunmen holed up in Bethlehem’s Church of the Nativity with a political cartoon: baby Jesus, crouching in his manger at the sight of an Israeli tank, crying out, “Oh, no. They don’t want to kill me again?!?” I could cite 20 more examples. My point, simply, is that the Toxic Tradition—The Jews killed Jesus; all Jews everywhere are culpable; when something bad happens to them, it is no less than they deserve—is still very much alive, very current, very powerful.

I do not know Mel Gibson. I have read his script, and it seemed to me then a combination of enthusiastic piety, historical ignorance, poor reading of New Testament texts, and action-flick idioms. His response to the confidential report that my colleagues and I sent to him was belligerent and self-serving. (He and Paul Lauer, his marketing executive, have both commented appreciatively on what terrific publicity they have derived from all the flap.) The film, if unaltered, is in my view inflammatory, and therefore potentially dangerous.

How Gibson lives with his responsibility for this affair is ultimately his own business. My responsibility, meanwhile, is to speak up and speak out—not against the film so much as against the ignorance, and the unselfconscious anti-Judaism, that it so dramatically embodies and presents. Gibson has given myself and numberless colleagues in colleges, universities, and seminaries across the nation, a priceless opportunity for public education. Out of the ivory
tower, past the Cineplex, into the churches and interfaith communities that have asked us all to come to speak. This teachable moment now serves as the silver lining that shines within the looming dark cloud of Gibson’s *Passion.*

“And this time—no ark!”

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Peter Steinfels brings to this book a lifetime of personal commitment to the Catholic Church, and wide-ranging contacts with laity, theologians, clergy, and bishops that he has blended with his knowledge of the research of social scientists into a highly readable, provocative account of the Catholic Church in crisis. He tells us that the church has lost its moorings and is literally heading into a decline in all its institutional sectors, or it will undergo a radical transformation that will give it new life as church and as institution.

The book opens with the author’s description of the setting in Chicago on the occasion of the funeral of Cardinal Joseph Bernardin in November 1996. The Cardinal was the epitome of all that Steinfels and Americans in general had come to appreciate in the Roman Catholic Church: respect for the human person, an insistence that there is such a thing as a consistent ethic of life that requires of us not only that we protect prenatal life, but that we must also work to make postnatal life one of dignity and respect. “This was a Catholicism alive and rooted, public in its service to the city and the city’s poor and suffering, united in mourning with Baptist and Jewish neighbors, and
speaking to the most traditional and personal of mysteries: death and the apparent unfairness of life."

Steinfels acknowledges that the outpouring of grief for Cardinal Bernardin, combined with the author’s personal life history, bore the seeds for this book. But this book is not about the church alive and rooted, but about a church adrift, caught up in a growing crisis that threatens its institutions with a catastrophic decline. How and why this should be the reality only seven years after Bernardin’s death is the story Steinfels tells. To this reader and perhaps to a majority of American Catholics, it is told with the care, balance, and skill those who have followed his writing have come to expect.

_A People Adrift_ is divided into two parts, with four chapters in each, followed then by a brief concluding chapter. My review will focus primarily on part one, which presents us with the elements of the crisis confronting the church in its communitarian or public mode.

The opening chapter, “The Battle for Common Ground,” sets the stage for what is to come. In a talk at Fordham University in 1983, Cardinal Bernardin tried to unite the Church’s longtime opposition with abortion to the idea that a consistent ethic of life had to include the postnatal as well as prenatal life, which meant addressing such pervasive problems as poverty, racism, war, and capital punishment. In effect, he was proposing that the Catholic Church lead a dialogue in the public square about a consistent ethic of life. That same year the Catholic bishops published a pastoral letter on nuclear war and peace that outlined the church’s stance on disarmament, deterrence, and the use of nuclear weapons. This was followed by a letter on capitalism and the economy in 1986. Both were broadly hailed by religious leaders across denominational lines, but were attacked by conservative Catholics led by Michael Novak and those within the Reagan administration. By the 1990s the effort to sustain public dialogue on social justice issues became bogged down over the role of women in the church. The failure to produce sufficient support ended the bishops’ efforts.

The bishops then made their opposition to abortion the litmus test for support in the public arena, even trumping their highly organized lobbying efforts on the broad array of social justice issues
that came regularly before Congress. This break with Bernardin’s idea only exacerbated the tensions that had been building since the 1960s.

Bernardin’s final effort was a proposal for dialogue to search for common ground within the Catholic Church itself. Bernardin rightly saw that until the church was able to reconcile its growing divisions, its role as a voice in the public square would be diminished. The dialogue would address such issues as the roles of women in the church, the shortage and morale of priests, and the church in the public square, among others. But this initiative was brutally attacked in the press by a cohort led by Cardinal Bernard Law of Boston. This attack, and Law’s increasing domination of the bishops, revealed the depth of the polarization within the hierarchy. Simply stated, the Law group insisted there was no need to seek common ground because it already existed in the church’s teachings and in the formal authority structure within the papacy. In their eyes, it was the dissent coming from “liberals” that constituted the threat to the teachings and institutions of the church. Thus, for example, since the pope had already spoken and written at length on why women could not be ordained to the priesthood, there was nothing left to discuss.

Steinfels saw Bernardin’s plan as the model for at least beginning to move the divisions among Catholics in a more positive and hopeful direction. Steinfels makes clear that the transformation needed requires a broad-ranging dialogue encouraged by leadership willing and able to listen to the voices of the laity and lower clergy. In the remaining chapters, Steinfels describes and analyzes the problems and challenges that confront the institutional sectors of the Church. Indeed, at times he uses the language of culture wars and polarization, borrowing from the social sciences’ description of the political and social ferment tearing at America’s social fabric.

The idea that the United States was beset by culture wars was put forth by James D. Hunter in two books in the 1990s, and developed further and challenged in subsequent books and articles. Political scientists, sociologists, and economists have joined the debate with a broad range of research yielding varying levels of support for the thesis. The essence of the thesis is that in the last quarter of the 20th century, two visions of what constitutes the good society have come
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...as grounded in an orthodox, transcendent understanding of the world, based on God-ordained fundamental beliefs, values, and norms. On the other side, the progressive vision does not so much deny the existence of God as to insist that life is an unfolding process, that truth is to be sought after, that reason and science as well as lived experience are paths toward the unfolding of truth.

The problem is not that these positions are new in the public arena, but that leaders and followers have moved their visions to the extreme points on the continuum. These points now appear to dominate the scene in church and civil society, threatening to undermine the middle.

Steinfels does not cite Hunter but takes the term and applies it to the ideological battle epitomized by the respective positions of Bernardin and Law. In this struggle for the future of the Catholic Church in America, Steinfels calls himself a moderately liberal Catholic, thereby perhaps giving the word “liberal” more currency than it has enjoyed in recent years. But many Catholics take a more progressive position on issues like abortion, a position that Steinfels acknowledges and addresses.

For Steinfels the key event of the previous 35 years that undermined papal authority and helped create the atmosphere of conflict culminating in the present crisis was Pope Paul VI’s decision to ignore the recommendation for change in the church’s teaching on birth control. Instead the Pope reaffirmed the teaching that contraception was intrinsically evil because it meant that every act of intercourse was not open to conception. The case can be made that much of what follows in the rest of Steinfels’s book is a reflection of this fateful decision in 1968.

For many Americans, Catholic and not, the sex exploitation scandal (the focus of Chapter Two) involving hundreds of priests, and the efforts of bishops beginning with Cardinal Law and extending across the country to cover up the crimes of the priests, only made the church’s teachings on contraception and sexuality in general more suspect. Many people (laity, scholars, writers, church leaders) saw the scandal as the triggering mechanism for the public acknowledgment of a church in crisis.
Steinfels provides a nuanced review of the public history of sexual abuse by priests, of actions taken and not taken, of the highly decentralized nature of authority within the national organization of bishops, and of the failure of leadership at all levels. Steinfels’s depiction of the hierarchical closed system that produced the secret decision making and cover up enables the reader to appreciate the explosive response of the laity. The bishops’ moral authority had been eroding over the years, when the scandal revealed what laity were increasingly suspecting, namely that the bishops did not practice what they preached. In Steinfels’s words: “Catholics’ distrust, anger, and alienation were also the product of years of irritations with what looked like the indifference, incompetence, or arrogance of church leaders.”

Chapter four, the longest in the book, takes us inside the church’s hospitals, health facilities, and colleges and universities, to show how their interaction with the larger society over time has added another dimension to the crisis, even if not helping to precipitate it. Steinfels writes that both types of institutions have been models of success in this society, contributing to society’s well-being through their services, and by being able to draw from the society in the process. But their very success in becoming vital parts of our society has endangered their future as Catholic institutions with clear-cut Catholic identities. They contribute to the crisis in the degree to which it is becoming increasingly difficult to see their identity as Catholic.

An example of the change and its consequences: 50 years ago, Catholic hospitals and health facilities were built and run primarily and almost exclusively by women religious, who served 19 million patients a year, primarily Catholic in a Catholic setting. Today, more than a thousand hospitals and health facilities, run by people with fewer and fewer ties to the church, treat 90 million patients annually, many not Catholic. With medical technology advancing at such a rapid pace, and administrators needing more and more sophistication to run increasingly complex organizations, it becomes less and less clear just what constitutes the Catholic identity of these institutions and what separates them from their secular counterparts. Is it only abortion and related sexual matters that gives them their Catholic identity? How does Catholic sacramentality find expression in the modern hospital or health facility? As they accept more and more
federal dollars, can they continue to hold the line on the church’s sexual teachings, and thus reveal another facet of what is meant by a consistent ethic of life? Many of the same problems arise with the 247 colleges and universities that constitute the Catholic Church’s contribution to higher education.

Steinfels concludes this analysis with the words of Monika Helwig, theologian and executive director of the Association of Catholic Colleges and Universities: “Discerning a Catholic identity appropriate today is not a matter of something we may have lost and must retrieve. It is a matter of discovering how to do something we have never done before.”

In part two Steinfels addresses the issues that relate more directly to the church’s ministry to Catholics: the church as place of worship, the nature, meaning and centrality of the Mass, the growing priest shortage, married priesthood, a revisit to the birth control teaching and broader sexuality issues, the place of women, the quality of religious education.

Overall, his analysis of the 25-year reign of Pope John Paul II is a measured one of praise for his outreach to Jews, his social justice teachings, and his efforts to globalize the church through travel and appointments to the ranks of the cardinals; on the other hand, he points to the autocratic methods used by the pope to seek out “yes” men as bishops, centralize authority, ignore the voices of the laity, and attempt to dogmatize teachings as adding to the current crisis.

Whether one agrees with Steinfels’s own moderately progressive stance, the persuasiveness of the description and analysis makes it increasingly difficult to pretend that the Catholic Church is not adrift. Whether Catholic or not, persons not conversant with the background factors that have led to the current crisis, will find here a balanced overview of all the main issues that have led to it. Those concerned about the divisions now polarizing American society will find this an important contribution to their understanding of its depth and severity as it is being played out in the country’s largest religious denomination. The author is not neutral. The transformation Steinfels seeks includes a more collegial, less centralized Vatican, lay leadership that will lead to a greatly increased role for the laity in church life, optional celibacy, possible ordination of women, a thought-
ful eloquent liturgy that will revive the spark of faith and so attract the next generation of Catholics, and a revitalization of the public dialogue about how to develop a consistent ethic of life in a pluralist society.

Whether the church moves in the direction Steinfels hopes for, or continues in decline, its impact on American society will be significant.

What the Abortion War Costs
R. Stephen Warner


Every now and then a book is published chronicling some bitter conflict in such veridical detail and with such authorial integrity that both sides in the dispute are bound to recognize its value. Ten years ago it was sociologist Nancy Ammerman’s Baptist Battles, analyzing the fundamentalist takeover of the Southern Baptist Convention in the 1980s. Now it is journalist William Saletan’s Bearing Right, explaining how abortion rights advocates staved off threats to Roe v. Wade in the 1980s and ‘90s by abandoning planks in the early abortion rights platform. Never mind that Ammerman was a moderate Baptist. Both the moderates, who lost the Baptist battles, and the fundamentalists, who won, thought her book was fair. Never mind that Bearing Right makes it clear that Saletan is a principled advocate of abortion rights. The dust jacket carries endorsements from feminist historian Rickie Solinger and National Review editor Richard Lowry. The book has received laudatory reviews from liberal David Garrow in the New York Times and conservative Jeremy Lott in Christianity Today. Its findings have been put to use by Dave Andrusko of the National Right to Life Committee and Kate Michelman of National
Abortion Rights Action League Pro-Choice America (NARAL). Saletan himself is partisan; his book is not.

Saletan’s thesis is that “pro-choice” forces saved legal abortion by giving up the fight for public funding and caving in to demands for parental notification. In both cases, it was “those who favor tradition, family, and property” who got their way, the “conservatives” of the book’s subtitle. “The philosophy that has prevailed—in favor of legal abortion, in favor of parents’ authority over their children’s abortions, against the spending of tax money for abortions—is their philosophy.” But just as we Chicagoans are convinced that the Florida Marlins didn’t win the 2003 National League pennant as much as our hapless Cubbies lost it, so Saletan’s focus is not on the winners but on those who gave up the game.

Thus the evidence he provides is less about what conservatives themselves thought and did than a day-to-day chronicle of the shifting strategies of abortion rights advocates in the face of relentless attacks. They are shown garnering majorities in favor of legal abortion to fight proposed restrictive legislation and ballot propositions as well as judicial nominees and electoral candidates that they perceived to be hostile to the cause. The scene shifts from Arkansas in the months leading up to the vote on a state constitutional amendment in 1986 to Washington, D.C., a year later for the hearings on Supreme Court nominee Robert Bork, all the way up to the 2002 congressional debate on embryonic stem cell research. Saletan’s sources are public documents and news reports, but especially NARAL press releases and internal memoranda from public opinion consultants, supplemented by confidential interviews with anonymous participants and privileged access to their private records.

In one campaign, NARAL learned from polls and focus groups that only a minority of voters (about one-sixth) supported abortion rights in their purest form—the moral autonomy of a woman to make her own reproductive decisions—but that much greater numbers could be mobilized behind the idea that government has no business making them. By 1989, they settled on a campaign theme, “Who Decides? You or Them?” that eventually brought a majority coalition of liberals, fence-sitters and “pro-choice conservatives” to their side. With no mention of the sociological concept of “framing,” Bearing
Right is nonetheless a sustained frame analysis of the alignments that came in the wake of this fateful set of questions. (One of Saletan’s pithiest statements might be an epigram for framing theory: “In politics, only the little fights are about answers. The big fights are about questions.”)

As Saletan sees it, “Who Decides?” not only won pro-choice majorities but did two kinds of unanticipated political damage. First, the “them” of the slogan demonized “politicians” and “bureaucrats,” undermining the authority of government and, by 1993, helping the insurance industry scuttle President Clinton’s health plan. (The language of the “Harry and Louise” TV ads “came straight out of NARAL’s playbook.”) “Them” was an open invitation to libertarians, making reproductive rights akin to the right to smoke, to bear arms, and to drive without speed limits. Second, the “you” was so lacking in content that it was interpreted to include parents, husbands, families, and physicians in addition to women. Not the autonomy of women but the sovereignty of private associations was enshrined by “you.” The question worked because “it diluted feminism into populism.” Saletan’s conclusion is stark and unforgiving. Abortion rights activists “had saved Roe, but in the streets and in their souls, they had lost the struggle to define it.”

Although Saletan sides with the pure abortion rights principle of women’s autonomy, he also has surprising respect for purists on the other side, those who really want to protect life and not just punish women for sexual indiscretions. He respects the principled pro-life refusal to exempt rape-induced pregnancies from anti-abortion proposals. He is scornful of those pro-choice leaders who insist on seeing the conflict over cloned embryos as an abortion rights issue. He is equally scornful of Republican leaders who campaign on a “pro-life” platform but whose policies consist only of “controlling teenagers, empowering parents, and restricting state funding.” Like Kristin Luker (in her 1984 book, Abortion and the Politics of Motherhood), Saletan does each side the courtesy of calling them by their preferred name, pro-choice and pro-life, instead of by their adversaries’ favorite terms of abuse, “pro-abortion” and “anti-choice.” He knows that the conflict is a tragic one, that real values are at stake. Such courtesy may have paid off in the book’s reception. It certainly adds to its
power. Yet Saletan’s devotion to two pure principles limits his understanding of the issues involved.

Unlike Luker, Saletan has less respect for the other considerations that overtly or covertly inform abortion politics—“preserving the family” and “taking responsibility” for sex; preventing an increase in poverty populations and reducing crime; limiting the power of government and limiting the power of the church—and this is where the theoretical trouble begins. Early in the book, he defines conservatives as those who regard government as the chief threat to freedom but who, in cases of value conflict, are nonetheless willing to subordinate freedoms to the morality of traditional institutions. From the outset he thus gives himself the warrant to speak of a single conservative party that encompasses the quite different leanings that later appear, with little analysis, as “libertarian” and “populist.” This conflation prevents him from following through on two story lines.

The first is the range and interaction of the so-called populist factors that come into play. For example, Saletan treats demands for parental and spousal consent as equally “populist,” as if parents’ concerns for their minor daughters’ potential abortions has the same moral standing as husbands’ interests in their wives’ pregnancies. (To Saletan’s credit, he makes clear that parental consent is very unlikely to reduce the incidence of abortion; parental consent is not a truly “pro-life” provision.) In another complicated case, he recognizes but cannot theorize the fact that the African-American author of a proposed New Jersey family cap law was motivated not by the desire to save the state’s money but to liberate poor women from the “‘slavery’ of welfare.” (Family cap provisions limit the number of children who can be supported on welfare, and are thus favored by fiscal conservatives but opposed by pro-life conservatives, who think they promote abortion.)

If Saletan can’t say a great deal about what the majority of conflicted Americans feel about abortion, he does show how those feelings take political effect in the calculations of pro-choice advocates. Thus, public opinion polls they sponsored “showed that when people were asked whether abortion decisions should be left to the woman or the government, more and more respondents shifted toward the pro-choice position as the interviewer added more and
more participants—families, doctors, clergy—to the woman’s team of decision makers.” Saletan’s contribution is not to show what stands behind such complex attitudes but how pro-choice forces framed their appeals in light of them.

The other missing analysis is the effect of abortion politics on our political parties. Because Saletan is less interested in what constituencies think than in the way advocates acted on expressed opinions, he does not calculate who goes into what camp. It is nonetheless fairly clear that many of his pro-choice conservatives are one-time Republicans for whom abortion was a wedge issue. To the extent that the Democratic party has become the party of “choice” in the years since Roe, Democratic majorities are increasingly dependent on such people, who cannot be expected to care about traditional Democratic principles of redistribution. Moreover, Saletan’s concept of conservatives as “those who favor tradition, family, and property” too easily conjures up images of affluent white patriarchs and deflects attention away from those men and women of more modest circumstances, whites and people of color, most of them religious, for whom abortion is a wedge issue driving them in the other direction. Right-wing Republicans, who have done little to implement their anti-abortion platform, live off the votes of economically liberal but morally conservative constituencies to implement their much more radical agenda of dismantling government. It is a political as well as theoretical error to regard “conservatives” as of one mind.

Not to minimize the struggles ahead for advocates of affirmative action and the rights of domestic partners, it is nonetheless the case that American public opinion has become steadily more liberal on matters of race and sexual orientation over the past 30 years. People in general, and younger people in particular, are more tolerant. The future is on the side of liberals; recent episodes of backlash against racial and sexual minorities cater to diminishing sentiments. But those liberalizing trends do not pertain with respect to abortion, where Americans’ attitudes are as ambivalent as ever, with younger people, according to some polls, becoming slightly more conservative in recent years. Unlike racism and homophobia, abortion is not an issue that will be resolved by “more education.” It will not go away as people see the light. Because William Saletan recognizes that the principles at stake are genuine, that each side has a moral high
ground (which its partisans may or may not occupy), and because he is a brilliant and scrupulous journalist, he helps us see how much it has cost us, and will continue to cost us, to fight the abortion war.

Communitarianism in China: The “Is” vs. the “Ought”
Daniel A. Bell


“If we were in China today, we would argue vigorously for more individual rights; in contemporary America, we emphasize individual and social responsibilities” (The Responsive Community Platform). In other words, let us be communitarians in the United States and liberals in China. According to the leading American specialist in Chinese law, however, we should also be communitarians in China. Professor Randall Peerenboom’s massive tome, *China’s Long March toward Rule of Law*, is an extended argument that China is moving toward a communitarian rule of law—and, less explicitly, that this is a good thing.

Few can doubt the importance of Peerenboom’s subject matter. The world’s most populous country is currently undergoing radical legal reform with profound political and economic implications for both its internal affairs and its relations with the rest of the world. In three decades or so, China has evolved from a basically lawless society to one with a complex legal system that secures, to a limited yet growing extent, the rule of law. Peerenboom has drawn on his language skills, practical experience as a lawyer in China, and training in both law and philosophy to write the most up-to-date and theoretically sophisticated account of this development.

The book’s interdisciplinary approach is most welcome because China’s legal reforms are bound up with political and economic
developments. Peerenboom is well versed in Anglo-American legal theories and legal discourse by Chinese academics, but he also draws on a wealth of social science research to make sense of the latest developments in Chinese law. Moreover, Peerenboom has a knack for identifying the key issues in debates and doing justice to both sides. He analyzes the arguments, pro and con, of the following debates: whether China is moving towards the “rule of law” as opposed to implementing variations of “rule by law,” whether the rule of law benefits societies and China in particular, whether the rule of law should dominate over guanxi (informal connections), whether the rule of law is necessary for sustained economic growth, whether it is possible to have the rule of law without democracy, whether democracy is necessary in the long term, whether foreign governments and NGOs should engage instead of merely pressuring China to improve human rights, and whether meaningful agreements on human rights should be founded on common justifications. These are all fascinating questions and one cannot fail to learn from Peerenboom’s discussion of the issues.

There is one peculiar aspect of Peerenboom’s approach, however, that rarely coexists with the talent to do justice to both sides of relevant debates. After having surveyed the relevant arguments, pro and con, Peerenboom expresses agreement with one “side” and disagreement with the other (with respect to the eight debates named above, the correct answer, according to Peerenboom, is “yes” in all cases). This comment may be somewhat unfair, because Peerenboom does occasionally qualify his conclusions. Still, there is a tendency to confidently pronounce judgments even when the evidence presented is far more ambiguous than Peerenboom’s conclusions would suggest. Perhaps judges need to declare winners and losers in court judgments, but academics should not be afraid to admit ambivalence or indecisiveness in intellectual debates. Of course, Peerenboom’s book is not simply a contribution to an intellectual debate, it may also be relevant for actors who make decisions under conditions of uncertainty (e.g., NGOs that fund legal aid projects in China). But why does Peerenboom himself always need to declare the “winner” in each debate? Why can’t he let the policymakers decide for themselves?
China and the Communitarian Rule of Law

The key argument of the book is that China is developing a system of law that shares commonalities with thin theories of rule of law elsewhere while also evolving a thick communitarian rule of law that differs from Western-style liberal democratic law. The thin or procedural rule of law refers to such features as meaningful restraints on state actors and the idea that laws must be relatively clear, prospective rather than retroactive, consistent on the whole and fairly applied. Moreover, a thin theory requires that law must serve such normative purposes as stability and predictability. These features are present in all societies that have the rule of law, and the Chinese legal system is no exception.

However, Peerenboom argues that the evolving thick or substantive rule of law in China differs noticeably from the Western-style liberal democratic rule of law, and will continue to do so for the foreseeable future. This Chinese communitarian rule of law refers to such features as attention to character building, virtues, duties as well as rights, and an emphasis on social solidarity and harmony as opposed to autonomy. In this review, I would like to question three claims related to the overall argument: (1) the claim that liberal-democratic and communitarian rules of law describe and explain actual types in the debate about China’s legal reforms; (2) the claim that China is evolving toward the communitarian rule of law; and (3) the claim that China ought to move toward this model.

Peerenboom distinguishes between four types of legal systems: liberal-democratic, communitarian, neo-authoritarian, and statist socialist. These types are described as “ideal types” in the sense that they represent common interpretations of the various positions in the debate about China’s legal reforms. As categories meant to have political salience and to capture reality, however, they are problematic. What Peerenboom terms “the liberal-democratic rule of law” seems to be taken straight out of recent legal and political theory debates in Anglo-American academia (for example, the point about state neutrality was put forward by the contemporary theorist Michael Sandel and it has had a brief shelf life). China’s most prominent liberal theorists would likely reject Peerenboom’s characterization of their position. For example, the Beijing University political theorist Li
Qiang appeals to liberalism for the purpose of strengthening, rather than weakening, the state. Peerenboom can respond that Li is not really a liberal, but such an argument would take him far from the claim that the liberal-democratic rule of law represents an actual position in China’s legal debates. Had the aim really been to provide an account of common positions in Chinese legal debates, Peerenboom could have distinguished between common and civil law systems and the latter would have seemed less foreign to China’s own legal debates. Peerenboom recognizes that China’s legal system is modeled primarily on the continental European-style civil law (as opposed to Anglo-American common law), but he only briefly mentions aspects of civil law systems that may be useful for understanding and explaining China’s legal debates.

Peerenboom’s description of the communitarian rule of law is even more problematic as an account of actual debates in China’s legal circles. Few, if any, Chinese legal and political theorists regard themselves as exponents of communitarianism (Peerenboom often refers to Communitarians in China, but he does not name any actual communitarians; he does concede the point, buried in an endnote, that communitarianism is the most hypothetical of the positions). At the end of the day, however, that may not be so significant. China, according to Peerenboom, is evolving toward the communitarian rule of law, whether or not most Chinese legal theorists recognize this fact.

Is it a fact? The Chinese legal system in its present state differs drastically from Peerenboom’s interpretation of communitarianism. The communitarian rule of law includes such features as democracy, multiparty elections, an independent and elected legislature, and an autonomous and independent judiciary. China’s legal regime more closely resembles what Peerenboom terms “the neo-authoritarian rule of law,” which includes such features as single party rule, emphasis on stability, moderate separation between law and politics, an unelected legislature, judicial independence that may or may not be limited, an administrative law system capable of checking government officials, and limited protection of individual rights. Perhaps China is moving away from the neo-authoritarian model and closer to a communitarian model? One can only hope so, and herein lies Peerenboom’s problem—it represents an ideal rather than a current
trend. Still, an explicitly normative communitarian vision might help to shape China’s legal future in desirable ways. Peerenboom wants to steer between the extremes of liberal individualism and authoritarian communism, but he should stop pretending that this describes China’s actual direction. He should label himself a card-carrying communitarian and be explicit that the communitarian rule of law reflects his own aspirations for China’s future.

It’s more than just a question of labels, however. By conflating the “is” and the “ought,” Peerenboom’s account of the communitarian rule of law type is not as ideal as it could be. That is, the communitarian vision should be less constrained by current realities and short-term perceptions of what is feasible in China. A more appealing version of communitarianism would drop problematic aspects such as “stability and order privileged over freedom.” The question of prioritization depends on the issue at hand: in the political sphere, more freedom may be appropriate, but commercial transactions in China may well benefit from more order. The idea that judges should emphasize the interests of the community over the interests of individuals should not be part of the communitarian vision (in China or anywhere else). Besides being politically dangerous, it is hard to make sense of the idea that communities have ethical interests separate from those of individual members (the point should be that communitarians have a conception of individual interest that takes seriously the contribution of communal forms of life to individual well-being). The communitarian vision for China can also be improved by inclusion of normatively appealing aspects, such as the concern for Japanese-style egalitarian economic development. At the moment, China’s gap between rich and poor is both glaring and alarming; had Peerenboom sought to include egalitarian economic development as part of his “actually-existing” communitarian ideal, it would have been obvious that his ideal does not correspond to reality or current trends. Freed from the constraints of the “is,” however, egalitarian economic development can be featured as part of the communitarian ideal.

This is not to suggest that anything goes. Those putting forward medium- to long-term ideals should still be concerned with feasibility. An ideal that draws on local traditions to an important extent is more likely to be successful in establishing and maintaining itself. In the Chinese context, for example, the communitarian vision would be
inspired less by civic republican conceptions of active citizens almost exclusively devoted to the public good and more by Confucian concerns for the quality of family relationships. Republican strands of communitarianism are so foreign to Chinese political culture that they would not seem remotely plausible in the Chinese context. Moreover, an ideal must be shown to help address seemingly intractable, long-term social problems. In the current Chinese legal context, for example, an ideal would need to increase the likelihood that the legal system does not benefit, first and foremost, the new capitalist class.

In short, the account of communitarianism in *China’s Long March toward the Rule of Law* is stuck in the no-man’s land between the “is” and the “ought.” At the moment, China’s “thick” rule of law can best be described as neo-authoritarian, so my suggestion would be to drop the communitarian “is” and develop communitarianism with “Chinese characteristics” as a full-blown normative alternative with critical force (and hopefully the power to shape the future in desirable ways). This is a future project, however, and should not detract from the overall value of the book.

**Especially Noted**


Are democratic virtues synonymous with liberal ones? If groups reject liberal values, are they rejecting democratic ones as well? Feldman explores the Lubavitch, or Chabad, communities to explore this assumption. On the one hand, Lubavitchers are informed, politically active, and democratic. Unlike the Amish or the Hutterites, they embrace, rather than withdraw from political life and function remarkably well in secular, urban settings. Yet they also embrace nonliberal values, and their entry into the public realm often generates hostilities and fear. Using numerous interviews in the centers of Lubavitch life in Montreal, New York,
and Washington, D.C., Feldman investigates the common assumption that liberal and democratic attitudes are inextricably linked, and further illuminates the life of this fascinating group.


Lake examines the egalitarian intuition—that it is objectionable for some to be worse-off than others through no fault of their own—and uses it as a basis to analyze distributive justice. He looks at two ideas, that goods should be distributed equally, and that how people fare in life should depend on what they are responsible for, and tests the egalitarian intuition from a variety of perspectives, pointing to the gaps in our current thinking about equality and individual responsibility.


Lombardi examines effective local and state initiatives as well as the military child-care system to help define child-care policies that she believes would strengthen the child-care system in the United States. The core principle driving the book is that child care should be a common concern as an educational priority, not just one of parental responsibility. She draws a connection between child care and the education of preschoolers and claims that this relationship has been neglected in part because of institutional disconnections, and political and ideological predilections. If child care came to be perceived as an educational priority and a family support, Lombardi suggests that the public might not be as willing to accept the current market-based system; and she ends the book by laying a road map for redesigning the system by calling for investment and reform.

While addressing the subjects of school vouchers, same-sex marriage, and abortion, Perry explores one of the most important and controversial issues in the United States today: the proper role of religious faith in the public life of a liberal democracy. He argues that political reliance on religious faith violates neither the Establishment Clause of the Constitution nor the morality of liberal democracy, though religious believers sometimes have good reasons to be wary about relying on religious beliefs in making political decisions.
Ethics & International Affairs

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Is Britain “Family Friendly”?

I’m going to read out a short list of statements. For each one I read out, I’d like you to say to what extent you agree or disagree with each.

<table>
<thead>
<tr>
<th>Statement</th>
<th>Tend to Agree</th>
<th>Tend to Disagree</th>
<th>Strongly Agree</th>
<th>Strongly Disagree</th>
<th>DK/No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Britain is a more family friendly society than it was 10 years ago</td>
<td>38%</td>
<td>15%</td>
<td>9%</td>
<td>6%</td>
<td>22%</td>
</tr>
<tr>
<td>People in this country are more anti-children than in Europe</td>
<td>34%</td>
<td>15%</td>
<td>12%</td>
<td>11%</td>
<td>6%</td>
</tr>
<tr>
<td>Companies target children too much to market their products</td>
<td>32%</td>
<td>7%</td>
<td>52%</td>
<td>2%</td>
<td>6%</td>
</tr>
<tr>
<td>Shops and restaurants don’t provide enough family facilities</td>
<td>34%</td>
<td>13%</td>
<td>17%</td>
<td>6%</td>
<td>27%</td>
</tr>
<tr>
<td>The government doesn’t listen to the needs of parents and children</td>
<td>34%</td>
<td>20%</td>
<td>17%</td>
<td>5%</td>
<td>20%</td>
</tr>
<tr>
<td>Being a family friendly employer isn’t good for business</td>
<td>13%</td>
<td>12%</td>
<td>4%</td>
<td>7%</td>
<td>36%</td>
</tr>
<tr>
<td>My local neighborhood is a good place for families to live</td>
<td>48%</td>
<td>11%</td>
<td>26%</td>
<td>1%</td>
<td>9%</td>
</tr>
</tbody>
</table>

*Don’t know/No opinion
Which, if any, of these services or actions from a local authority which you have personally experienced, would you say are “family friendly”? 

Provision of local (authority) leisure facilities, e.g., parks, playgrounds, etc. 49%
Local (authority) childcare, e.g., after-school clubs 36%
Opening times and/or prices of local (authority) leisure facilities 26%
Local transport facilities, e.g., bus routes, siting of bus stops 21%
Environmental issues, e.g., tackling litter, traffic calming, adequate street lighting 19%
Provision of housing and/or housing services for families 13%
Consultation on local planning and developments 7%
None of these 7%
Don’t know 6%

Which, if any, of these services or actions from a local authority which you have personally experienced, would you say are not family friendly?

Local transport facilities, e.g., bus routes, siting of bus stops 24%
Environmental issues, e.g., tackling litter, traffic calming, adequate street lighting 19%
Consultation on local planning and developments 18%
Provision of local (authority) leisure facilities, e.g., parks, playgrounds, etc. 13%
<table>
<thead>
<tr>
<th>Information Source</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opening times and/or prices of local (authority)</td>
<td>11%</td>
</tr>
<tr>
<td>leisure facilities</td>
<td></td>
</tr>
<tr>
<td>Provision of housing and/or housing services for families</td>
<td>9%</td>
</tr>
<tr>
<td>Local (authority) childcare, e.g., after-school clubs</td>
<td>8%</td>
</tr>
<tr>
<td>None of these</td>
<td>19%</td>
</tr>
<tr>
<td>Don’t know</td>
<td>12%</td>
</tr>
</tbody>
</table>

*Which, if any, of these ways of obtaining information about parenting and family support do you currently personally find useful?*

<table>
<thead>
<tr>
<th>Information Source</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Friends</td>
<td>36%</td>
</tr>
<tr>
<td>Family</td>
<td>35%</td>
</tr>
<tr>
<td>Doctor</td>
<td>34%</td>
</tr>
<tr>
<td>School/Playgroup</td>
<td>21%</td>
</tr>
<tr>
<td>Local libraries</td>
<td>19%</td>
</tr>
<tr>
<td>Internet</td>
<td>19%</td>
</tr>
<tr>
<td>Leaflets</td>
<td>13%</td>
</tr>
<tr>
<td>Phone, e.g., helplines</td>
<td>8%</td>
</tr>
<tr>
<td>Information from government</td>
<td>7%</td>
</tr>
<tr>
<td>Local services for parents</td>
<td>5%</td>
</tr>
<tr>
<td>In-store leaflets or touch screen kiosks</td>
<td>5%</td>
</tr>
<tr>
<td>The local Children’s Information Service</td>
<td>4%</td>
</tr>
<tr>
<td>None of these</td>
<td>27%</td>
</tr>
<tr>
<td>No preference</td>
<td>6%</td>
</tr>
</tbody>
</table>
Thinking about life in your local community, from this list which, if any, do you think would improve your and your family’s lives on a day-to-day basis?

- More police on the streets: 56%
- Bringing in a 20 mph speed limit on residential roads: 34%
- Lowering the cost of leisure activities: 26%
- Affordable after-school activities: 25%
- Cheaper public transportation: 24%
- Collection of/more frequent collection of street litter: 23%
- More frequent public transportation: 21%
- Parks wardens and maintenance of parks: 21%
- Being consulted on developments in your local area: 20%
- Friendly neighbors: 20%
- Holiday play schemes: 18%
- Redesigning local roads to give priority to pedestrians and cyclists, rather than motorists: 17%
- Increasing availability of/access to leisure facilities: 16%
- Improved street lighting: 14%
- Having family members to call on for support: 10%
- Local creche provisions, e.g., in shopping centers: 10%
- Community wardens: 5%
- None of these: 3%
- Don’t know: 2%

From the Libertarian Side

Naked Trek Costly

After being found guilty of a charge of breach of the peace, former Royal Marine Stephen Gough, known as the Naked Rambler, has resumed his attempt to walk naked from Land’s End to John O’Groats in Britain. According to the *Aberdeen Press and Journal*, Gough has endured multiple arrests since setting out in June to walk the 847 miles wearing only a pair of boots, socks, and a knapsack.

“He has engaged in this type of behavior in order to raise public awareness of the human state and celebrate himself as a human being,” said Craig Wood, Gough’s solicitor. “He has no perception of any wrongdoing.”

As he was being escorted into the police van, Gough shouted: “This is how they treat a human being. Shame, shame. I’m going to continue my walk.”

Gough was convicted of being naked in the presence of the public in circumstances likely to produce a road safety hazard on Cromary Bridge, Ardullie, in Ross-shire, on October 3, 2003.

Undeterred, he said he was determined to push on with his walk, which he is undertaking as a human rights protest in celebration of the human state. “All I am doing is walking naked and I’m not doing
any harm to anybody. People say it offends them, but we are supposed to be living in a tolerant society,” he said as he headed north. “People need to work out what tolerance really means.”

From the Authoritarian Side

It’s English or Else!

A judge in Sarpy County, Nebraska, recently ordered a Hispanic man to speak English to his five-year-old daughter as a condition of his visitation rights. Eloy Amador told the judge that he spoke Spanish to his daughter to share his culture, not force the language on her. “I don’t come to her speaking in Spanish, but there are times when I try to teach her what ‘hair’ is in Spanish, what ‘hand’ is, stuff like that,” Amador said during the hearing.

Judge Ronald E. Reagan said that while he did not oppose such instruction, “the principal form of communication during the periods of visitation is going to be English. That does not mean that you can’t instruct and teach her the Hispanic language.”

John Allen Sellers, Amador’s attorney, was surprised that the judge “would consider a restraint such as this based on racial or cultural differences of the parents.” The Associated Press reported that the ruling is considered a victory for the girl’s mother, Michaela Krayneski, who requested that Amador speak English as a condition of visitation.

Russian Modesty

At the request of the police and the city’s education committee, Moscow is working on an order that would prohibit kissing in subways and other public places, wrote the newspaper Stolichnaya Verchernyaya Gazeta on its website. As part of an effort to “improve morals” in the Russian capital, city authorities are reportedly considering imposing a fine for public displays of affection.
“Children do not need any sexual education classes in school...they get amoral lessons every day when they see what goes on around them,” said committee member Tatyana Maximova as quoted by the newspaper. “People are making out even on the escalator in the metro. Something must be done about this.” The ban could extend to an embrace between husband and wife.

Fines would range from $13 to $22, and if the couple doesn’t have the money, reported the paper, police could hold them at a precinct until somebody paid.

From the Community

Surfer Etiquette to the Rescue

After being savagely beaten by a fellow surfer and subsequently hospitalized in 2000, 1960s world surfing champion Nat Young dedicated himself to fighting surf rage in Australia by setting up the national Spirit of Surfing Foundation. Since then, he has been working with the Surfrider Foundation Australia to set up a code of ethics outlining surfer etiquette that has been placed on plaques and distributed to beaches all over Australia.

“It’s very important we address this in a self-regulatory way,” Don Osborne, a delegate of the foundation, told The Daily Telegraph. “If we don’t, the authorities will step in and create a legal structure for the surf. We could have police on jet skis, and how bad would that be? It’s just not what surfing’s about, it’s meant to be a mellow thing.”

Most rage incidents erupt when local surfers resort to violence to protect their waves from visitors. The surging number of tourists visiting Australia means there has never been so much competition to get on waves at popular beaches.

At its annual meeting in early November, the Surfrider Foundation discussed surf rage and supported a Byron Shire Council plan to
erect the plaques explaining the spirit of surfing and basic rules in several languages at local beaches. Points in the code of ethics include not trying to catch a wave if another surfer is already riding it, and if two surfers are paddling for the same wave, they should tell one another whether they will go left or right so they can share the wave.

Cisco Community Fellows

Faced with its first-ever downsizing in 2001, Cisco Systems launched what they call the Community Leadership Development Program (CLDP), a joint venture with local nonprofit organizations that gave Cisco employees scheduled to be laid off the option to work at a nonprofit organization for a year at one-third of their regular salary, while the nonprofit paid nothing for their services. The mandate was simple: use their business knowledge and experience to help the nonprofits expand their services and operate more efficiently.

“The initial program was born out of a desire to treat our employees with respect and attempt to care for those affected while at the same time giving back to the community when we found it necessary to make cuts and reduce our workforce,” said company spokesperson Heather Goodwin.

While Cisco closed the CLDP program in January 2003 because they no longer faced the specter of large-scale layoffs, the company plans to transform the outplacement option into an ongoing development program for employees identified as having leadership potential. Management Training and Development reported that instead of serving for one year, Cisco Community Fellows will be assigned for three to six months to work on projects focused on creating solutions and enhancing the capacity of the participating nonprofit organizations, with an emphasis on the Internet and related technology.

Goodwin says that Cisco hopes that the program will provide the fellows with an opportunity to enhance their management and leadership skills while providing community organizations with access to expertise otherwise unavailable to them.

“Giving back is a core value of Cisco. Our top management decided that to be a true leader in this company, you also need to be a leader in giving back to the community,” Goodwin said.

Elanit Rothschild
The Success of the Honor System in Bryant Park

LIANE HANSEN (Host): Behind the Grant Public Library at 42nd Street and Fifth Avenue in Manhattan, there is a green pleasant place where you can sit under a tree and read. There are comfortable seat cushions available, as well as books, newspapers, or magazines. Just return them when you’re finished. The honor system seems to be working in Bryant Park, which at one time in its history was a drug market and a dangerous place to be. Dan Biederman is president of the Bryant Park Restoration Corporation, the group that maintains the park.

So, Dan, nobody’s stealing these seat cushions? You call them “tushions.”

DAN BIEDERMAN (President, Bryant Park Restoration Corporation): Right, after putting in 3,100 moveable chairs, Liane, and having virtually none of them disappear each year, we thought we were ready to take care of even those people that couldn’t get a chair and were sitting on these hard stone surfaces, so that’s where the tushions came from.

HANSEN: There’s been a great evolution in Bryant Park since 1991 when it really started to be revived. Now here you are, the honor
system is working. Is this exceptional, or is it what you actually perceive is the status quo?

BIEDERMAN: No, I think all across the United States if it works in New York it will work in these other towns. There’s much less vandalism or pilferage than people think out there. This myth of marauding urban youth that takes things and ruins things has really been exposed by all that we’ve done in the last 12 years that’s required the public’s cooperation, like moveable chairs that could easily be taken away, and like the honor system on our books or magazines or these cushions, in fact.

HANSEN: Yeah. You subscribe to what you call the broken window theory. Explain what that is.

BIEDERMAN: Started by two professors from New England. The theory is if you take care of tiny things, that signify disorder to the unconscious eye, then you’ll never get to serious crimes like robbery or assault. And it’s worked with the basis of Bill Bratton’s police work in New York City and Boston and now L.A., and it’s what we’ve been doing since the early ‘80s. We’ve taken care of all those tiny things like paper on the ground, people urinating in public places—we’ve got terrific rest rooms—graffiti, obviously, being the key one. All the visual cues that signify disorder are eliminated and then you don’t need as much police work because people say it’s a cared for, secure place and I can’t misbehave here.

HANSEN: Is this an experiment or a seasonal thing with the seat cushions or will you keep it up?

BIEDERMAN: Yep, it’s an experiment, but most of our experiments start—have imperfections and then work. So I think it’ll be likely to be there in the future. If you go to Bryant Park between the chairs and the tushions, you’ll have 3,800-4,000 seats and that’s why we’re able to cram in 5,000 people in a very small space, five or six acres.

HANSEN: Dan Biederman is the president of the Bryant Park Restoration Corporation in New York.

Thanks for your time.

BIEDERMAN: Thank you very much.
Technology Transfer and Communitarian Values

When wealthier countries “transfer technology” to a developing country, we cannot predict or control how the technology will be adapted, that is, how social relations and local resources will be arranged around the new technology. For example, when foreign experts brought VCT (voluntary testing for HIV infection, along with counseling) to Uganda, one unexpected outcome was that local religious leaders decided to require (actually, “strongly urge”) couples to be tested and counseled before they would be willing to perform wedding ceremonies.

Some Westerners from the donor community are disturbed about this development. In their minds, this seems coercive to individuals. Yet I have never heard complaints about this from Ugandans or indeed any Africans. Perhaps we see here a difference between the Western focus on individual rights and African concerns about social responsibility. From the perspective of religious leaders, they see their actions as helping to reduce the number of AIDS orphans in society. They also see VCT as getting a new marriage started on a basis of mutual trust, along with the possibility of being treated for HIV if one or both partners are HIV-positive.

In fact, the religious leaders’ action probably does have the effect of somewhat reducing numbers of orphans in Uganda. Perhaps more importantly, it significantly increases the levels of VCT overall in Uganda, which pays benefits in preventing AIDS and in helping
people living with HIV/AIDS live positively. Perhaps these benefits outweigh any possible challenges to individual rights. It is noteworthy that Botswana has made anti-retroviral (ARV) drugs available to all citizens who test positive, yet as of October 2003, only 9,000 were taking the drugs, even though 35 percent of Botswanans between ages 15 and 49 are estimated to be HIV-positive. The problem is that people are simply not coming for VCT, and so the government is now considering coercive measures to promote VCT. As reported in the Boston Globe, the president of Botswana recently warned, “If you’re going to a health clinic now (for any reason), you are going to be tested (for HIV).”

Before turning to measures that really would be coercive, wouldn’t it be better to try the Ugandan way of gentle persuasion through indigenous religious leaders? Especially since it appears to work?

Edward C. Green
Harvard University

After 13 years, the Communitarian Platform is again open for endorsement. The text of the platform, a list of previous endorsers (which includes leading intellectuals and public leaders), and a form to sign the platform are available at www.communitariannetwork.org.
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