

COMMUNITARIAN MORAL CLAIMS FOR DEMOCRACY.

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1 Introduction

Besides political claims for democracy (new paradigm, different state, citizen competence etc.) communitarians also have very important moral claims for democracy. Taylor in this context emphasizes the need for "political

identity"¹ of a state, which is not the same as the identities of its members. Even though there is a kind of overlap, the identities of individual members of a state (individuals or groups) are much wider and complex, and often also very different. A modern democratic state demands a "people" with a strong collective identity. Democracy obliges us to show much more solidarity and much more commitment to one another in our joint political project than was demanded by the hierarchical and authoritarian societies of yesterday. And these requirements may cause some problems related to the integration of immigrants to the original community.

2 Moral claims for democracy

Democracies are in a "standing dilemma"². They need a strong cohesion around a political identity, and precisely this provides a strong temptation to exclude those who cannot or will not 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, imate claim on citizenship. Communitarians see the solution of this dilemma in the idea of sharing identity space: "Political identities have to be worked out, negotiated, and creatively compromised between peoples who have to or want to live together under the same political roof (and thiscoexistence is always rounded in some mixture of necessity and choice). Moreover, these solutions afre never meant to last forever, but have to be discovered / invented anew by succeeding generations."³

Considering moral claims of communitarians for democracy, Sikku Hellsten writes about "*communitarian ethics*"⁴ and various spheres of justice within constitutive democratic state. She asks if modern liberal claims for value pluralism and tolerance necessarily lead to communitarian ethics or if such a state is based on comprehensive and objective moral standards. A modern democratic state has to take the communitarian challenge seriously and redefine the relationship between an individual and his or her community as well as the relationship between a citizen and a state. This means that "*in order to find a way to promote pluralism we have to find the proper limits of tolerance, and in order to set guidelines for cultural integration within a liberal state we have to learn to understand how the idea of moral and political agency has to be reflected in the building of our personal moral identities.*"⁵

According to Forst normative social integration must be based on common understanding of the good (not on abstract principles, like liberals require), rooted in ethos, in common or shared way of life.⁶ Citizens must identify with the common good and citizenship must be understood as the membership in culturally integrated community. Hence the status of a citizen in democratic society must be, in communitarian view, understood in ethical sense.

However, I doubt that communitarian emphasis on shared values alone is enough to guarantee a working democracy. As Hellsten claims, to be able to regain its moral foundation and its normative direction, liberal democracy has to, first, replace economic rationalism with individualistic humanism and second, to replace the idea of methodological individualism with the democratic ideal of "*moral individualism*".⁷

3 Rights and corresponding responsibilities

Selznick writes about rights as freedoms, powers, or benefits claimed by individuals or groups as morally justified or legally recognized or both.⁸ Rights come in many varieties and many of them arise from arguments over morality and justice.

Responsibility can be understood as another side of the right of somebody else. Responsibility in this sense is enforceable and is not the object of communitarian interest. However,

there are also duties or responsibilities that relate to the commitment of conscience, to God or relatives, or to community and these are not enforceable. As Dallin H. Oaks claims, such duties are a kind of *"tax which we pay for the chance to live in a civilized society: tolerance, truthfulness, indulgence, patriotism, respect to human and civil rights, participation in democracy and care for common good."*⁹

Compared to rights, which are enforceable in any circumstances, responsibility can be only encouraged. Current society puts the emphasis on the rights, and less on duties or responsibilities, however, the assertion of rights cannot be realized without taking responsibilities.

Communitarians carefully differentiate between particular kinds of rights, they ask about the ways these rights are limited and protected, and they search for the balance between individual rights or rights of the groups on the one side, and the needs of communities or society as a whole on the other side. As Etzioni claims, communitarians are aware of the fact that the majority of individual rights bring also social responsibility, that is their natural consequence.¹⁰ Hence it is morally untenable to ignore the other side of rights, i. e. duties or responsibilities which provide the respect to these rights. From long-term perspective, cultivation of social justice is, for communitarians the only way how to provide social conditions required by the rights. No society is so strong that it can resist growing claims for civic rights without insisting on corresponding duties and social responsibility.

4 Imbalance between rights and responsibilities

In order to correct the above mentioned imbalance between rights and responsibilities, communitarians worked out a four-point agenda: a moratorium on the minting of most, if not all, new rights; re-establishing the link between rights and responsibilities; recognizing that some responsibilities do not entail rights; and, most carefully, adjusting some rights to the changed circumstances.¹¹

Moratorium on the minting of new rights is asserted on the base of communitarian conviction that continual minting of new and new rights causes massive inflation of moral claims of

the rights. As Etzioni points out, we should realize that every (not even newly minted) right generates a claim on someone.¹²

On the one side we recognize that our rights and freedoms are limited by the rights and freedoms of the others, but, on the other side, the language of rights often makes us forget about this boundary, so it can easily happen that from "I can do what I want as long as I do not hurt others" becomes "I can do what I want because I have a rights to do it". Moreover, communitarians are also against imbuing things with rights. They, naturally deserve our respect and command our care (nature, environment etc.), but *"we should grant humans a higher moral standing than brooks and sand."*¹³

Demanding rights without accepting related responsibilities is seen as unethical and also illogical in communitarian point of view. Article 29 of The Universal Declaration of Human Rights says: *"Everyone has duties to the community in which alone the free and full development of his personality is possible"*; and then *"In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society."*¹⁴ Those, who are interested in rights, should defend also corresponding responsibilities, as one presupposes another. Strengthening of the ability to take responsibility is the task for such communities as family or school. As Oaks claims, the sense for responsibility will be endorsed if we endorse the position of these institutions and communities (family, school, church, education institutions, communal organizations), as they contribute to the moral development of a person.¹⁵ Etzioni is sure that as we restore *"the moral voice of communities"*¹⁶, we will also be able to encourage one another to live up to our social responsibilities.

However, there are also some duties that lay moral claims on us from which we derive no immediate benefit or even long-term payoff. This are the responsibilities related to global problems, e. g. environment which we should preserve for future generations. Etzioni claims that the same observations hold true for our responsibility to our moral, social and political environment.¹⁷

Hence, there is tension between rights and responsibilities in many spheres. None of them is dominant or prior. *"Rights and responsibilities should be treated as two cardinal moral claims."*¹⁸ In the best of all worlds, both can be fully honoured, but real politics cannot maximize both. A balanced society approaches the tension between individual rights and social responsibilities along these lines and adjusts its policies accordingly. In some areas it might enhance the reach of rights (e.g. protection of personal information) while in others the claim of social responsibilities (e.g. keeping DNA profiles of all criminals), without such a combined approach being inconsistent.

Communitarians insist on society combining respect for individual rights and fulfilment of basic human needs with the expectation that members live up to their responsibilities to themselves, their family and friends, and to the community at large. The greatest achievement of the communitarian approach has been curbing the language of rights that has turned every want and interest into a legal entitlement. Rights are not easily understood as nuanced and limited when they are considered sacred or when they become weapons in political combat. So called "fundamental" rights (e.g. freedom of expression), are likely to be perceived as unconditional and nonnegotiable.¹⁹ They become part of a world taken for granted, whose premises are accepted unconsciously, without reflections to circumstances and the current era. Some spheres of public life require the correction of rights in the sake for community, public safety or health.

As Selznick further claims there are many different ways of *"being human."*²⁰ We cannot respect diversity and at the same time refuse to respect (within broad limits) various conceptions of religion, government, education, sexuality and kinship. Communitarians believe in the equality of men and women, in the virtues of self-government or in educational opportunity of all – these ideals should be universally accepted. However, they do not say that other ways of life, which deny these ideals or do not give them great weight, should therefore be condemned as morally reprehensible and beyond the pale.

5 Conclusion

Communitarian thinking asserts rights, and, at the same time, claims for the ethics of responsibility. Claims of rights are suspect when they are driven by narrow self-interest; when they are uninformed by the values to be realized in particular contexts; when they are asserted without regard for costs and tradeoffs; and when rights are divorced from obligations, including the duty to enhance cooperation by finding common ground and reconciling competing interests. Life in society depends on recognizing rights as well as on recognizing mutual dependence of people (in family, business or elsewhere). We depend on each other and we have to search for a common good: *"We cannot live interdependent lives if we believe getting our rights should be our main concern. Moreover, we cannot know what rights we should have without an understanding of the common good."*²¹ So, if communitarians emphasize the context of the rights and common good, it is not because they want to trivialize the rights, but because they want to give them the right place within moral, political and legal order. Communitarian philosophy reminds us that rights belong to the system of society, not outside it.

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- ¹ TAYLOR, Charles. No Community, No Democracy, p. 30.
- ² TAYLOR, Charles. No Community, No Democracy, p. 37.
- ³ TAYLOR, Charles. No Community, No Democracy, p. 39.
- ⁴ HELLSTEN, Sikku. Justice in a Multicultural Democracy: Liberalism, Communitarianism or Moral Individualism?
- ⁵ HELLSTEN, Sikku. Justice in a Multicultural Democracy: Liberalism, Communitarianism or Moral Individualism? p. 51.
- ⁶ FORST, Rainer. Komunitarismus a liberalismus – stadia diskuse.
- ⁷ HELLSTEN, Sikku. Justice in a Multicultural Democracy: Liberalism, Communitarianism or Moral Individualism? p. 52.
- ⁸ SELZNICK, Philip. *The Communitarian Persuasion*, pp. 68 – 69.
- ⁹ OAKS, Dallin. H. Rights and Responsibilities, p. 97.
- ¹⁰ ETZIONI, Amitai. Old Chestnuts and New Spurs, p. 20.
- ¹¹ ETZIONI, Amitai. *The Spirit of Community. Rights, Responsibilities, and the Communitarian Agenda*, p. 4.
- ¹² ETZIONI, Amitai. *The Spirit of Community. Rights, Responsibilities, and the Communitarian Agenda*, p. 6.
- ¹³ ETZIONI, Amitai. *The Spirit of Community. Rights, Responsibilities, and the Communitarian Agenda*, p. 9.
- ¹⁴ Article 29 of *The Universal Declaration of Human Rights*.
- ¹⁵ OAKS, Dallin. H. Rights and Responsibilities. p. 45.
- ¹⁶ ETZIONI, Amitai. *The Spirit of Community. Rights, Responsibilities, and the Communitarian Agenda*, p. 10.
- ¹⁷ ETZIONI, Amitai. *The Spirit of Community. Rights, Responsibilities, and the Communitarian Agenda*, p. 11.
- ¹⁸ ETZIONI, Amitai. *The Third Way to a Good Society*, p. 33.
- ¹⁹ SELZNICK, Philip. *The Communitarian Persuasion*, p. 71.
- ²⁰ SELZNICK, Philip. *The Communitarian Persuasion*, p. 79.
- ²¹ SELZNICK, Philip. *The Communitarian Persuasion*, p. 80.