

FRONTIERE LIBERALI

In *Just, Reasonable Multiculturalism*¹, Raphael Cohen-Almagor manages to deliver a new take on a widely debated topic, such as multiculturalism, while remaining within the framework of political liberalism (Cohen-Almagor 2021) The book examines whether multiculturalism and liberalism are ultimately reconcilable and what are the limits of state intervention in the affairs of illiberal minorities within democratic societies (4). Therefore, it combines an analytical theoretical approach with a vast array of examples and case studies. Genital cutting, forced marriages, discriminatory norms of divorce and property rights, cultural specific paths of education and veiling bans are only some of the practices discussed by the author.

Cohen-Almagor's core argument recites that nothing is inherently wrong with multiculturalism. Multiculturalism is not necessarily bad for feminism, liberal democracy and national security, as contended by its detractors. (12) On the contrary, multicultural policies, in the shape of group rights, can be used to enhance human flourishing, on the proviso of being balanced with individual rights. This can be achieved by mechanisms of deliberative democracy, reasonable compromise and justified state coercion. Justification for state interference is provided only when cultural norms cause harm to others – especially the most vulnerable members of a minority, the so-called ‘minorities within minorities’ - or do not accord to people equal respect as human beings (13).

¹ *Just, Reasonable Multiculturalism Liberalism, Culture and Coercion*, Cambridge, Cambridge University Press, 2021.

The argument per se appears as a traditional liberal response to the problem of accommodating cultural differences in liberal democracies. Immanuel Kant, John Stuart Mill, John Rawls, Jürgen Habermas, and Will Kymlicka lay in the background as fundamental references. Cohen-Almagor succeeds in reinvigorating the liberal perspective, presenting a normative framework to deal with diversity that holds together the various contributions of these thinkers. However, as I shall argue, this systematizing zeal towards liberal theory sometimes risks missing a challenge that liberalism itself is called to address, *vis-à-vis* cultural norms, namely the problem of the internalization of oppressive cultural norms.

The book is structured into four sections (13). The first one (chapters 1-4) lays out the tenets of what Cohen-Almagor defines as just, reasonable multiculturalism. Each chapter corresponds to a layer of his analytical and comprehensive theory: 1) liberal justice, 2) reasonableness, 3) compromise and deliberative democracy, 4) justified coercion (13-14). In the following three sections, he shows how the theoretical principles articulated in the first part of the book can be applied to contemporary contentious cases (14).

At first, I shall illustrate in more detail the content of the first four chapters, which constitute the theoretical bedrock of the book. The cases to which Cohen-Almagor applies his theory will be more extensively examined when taking into consideration the issues that *Just, Reasonable Multiculturalism* leaves unsettled.

The first chapter deals with the concept of justice, mostly relying on John Rawls' political liberalism, thus presenting the theoretical device of the veil of ignorance and the argument of overlapping consensus as essential to overcoming the difficulties of deep disagreement among different conceptions of the good (28-34). These two fundamental features of Rawls' political theory are coupled with the Kantian tenet of respecting other people and Mill's harm principle. Cohen-Almagor contends that Kantian mutual respect supplemented by the requirement of not harming others means that persons should be always respected qua persons and someone's freedom should be restricted only in case it prejudices someone else's liberty (34-39). Therefore, democratic governments are called to provide opportunities for their citizens to flourish as persons and cultivate their freedom while ensuring, at the same time, law and order. Unrestricted freedom might in fact destroy

the whole political system. This is what the author calls ‘the democratic catch’, namely the fact that liberal values need to be carefully balanced, otherwise they risk endangering the very functioning of the democracy (39-44).

The second chapter develops the concept of reasonableness, which is said to bridge the notions of liberal justice, outlined in the previous chapter, and multiculturalism (4). It is argued that reasonableness sets the boundaries of cultural accommodation within just liberal institutions (46). The extent of reasonableness varies according to the degree of acceptance of the liberal values underpinning democratic institutions (49). Consequently, the claims of cultural minorities are deemed more or less reasonable based on their adherence to the harm principle and mutual respect (49). Moreover, relying on Will Kymlicka taxonomy of ethnocultural diversity and group rights, Cohen-Almagor discusses the distinction between multination and polyethnic states, as well as the distinction between internal restrictions and external protections, agreeing with Kymlicka on ruling out internal restrictions as being incompatible with liberal values (54-65).

The notions of compromise and deliberative democracy are addressed in the third chapter. Compromise is seen as inherently linked to the notion of reasonableness since it is argued that a fair compromise can be reached only when the involved parties are prone to make mutual reasonable concessions (72). This is what distinguishes a tactical compromise from a principled one. While a tactical compromise is temporary and lacks in mutuality because there is no genuine desire to make some concessions to the other but only to postpone confrontation, principled compromise entails that the two parties meet halfway and reach a shared agreement that leaves both satisfied to some extent (79-82). A principled compromise between groups can be obtained through the process of authentic democratic deliberation (72-76). Cohen-Almagor builds on discourse ethics to defend this idea of deliberative democracy as the best approach to resolve and mediate conflicts between minorities and institutions (82-85). He argues that deliberative democracy entails the right to be different and, at the same time, demands to solve the conflicts that these differences might generate by way of public discussion (83). To enter the public discussion, citizens from different cultural communities have to accept that, despite their differences, they share common interests as members of the same polity (83). These shared

interests provide the necessary basis for principled compromise. Moreover, public engagement ensures the legitimacy of the outcomes of deliberation (85).

When compromise seems hard to reach or it is broken down, one of the parties involved might decide to resort to coercion (87). Consequently, the fourth chapter distinguishes between coercion and brute forms of oppression and illustrates the various shapes that coercion can take: circumstantial or person-based; benevolent or malevolent; paternalistic, self or other-regarding; internalised or designated; enacted by a minority or a majority (88-108). Coercion represents an infringement of someone's freedom, therefore it should be the last resort in the context of liberal democracy (90). It needs to be justified by verifying that the motives behind it are just and reasonable (89-90). The terms of justice and reasonableness are once again those defined in the previous chapters, exemplified by the principles of not harming others and mutual respect (46-50).

Once outlined the theoretical framework of his just reasonable multiculturalism, in the second and third sections of the book, Cohen-Almagor proceeds in applying his theory to controversial cases of state interference in cultural minorities' affairs. Section two (chapters 5-6) examines the cases in which minority groups inflict physical harm on their members, focusing in particular on the practices of scarring, cultural defence for honour killings, suttee, female and male circumcision and female genital mutilation (FGM) (112-175). Except for circumcision and self-inflicted scars, it is argued that these practices are beyond state tolerance because they are incompatible with basic liberal principles. They involve brute forms of discrimination towards women and torture (144-145). Especially, FGM is deemed unacceptable even when the women involved endorse the practice. However, it is also suggested that an alternative symbolic rite that does not involve permanent damage could be accepted as a form of just reasonable compromise (145).

In section three (chapters 7-8), Cohen-Almagor analyses the cases in which the harm inflicted is non-physical, yet constitutes a denial of basic human rights, especially to women and children. Here he reflects on sexist cultural norms, considering the discriminatory membership assignment system of the Pueblo Indian Communities, arranged and forced marriages for girls, sexism in Judaism, the infringement of the freedom of

exit from one's community, especially examining the case of the Hutterite Church, and the denial of appropriate education to children in Amish communities (179-233). He contends that liberal values require the state to equally respect its citizens as ends in themselves, regardless of their gender. Therefore, women have the right to develop themselves as they wish, exactly as men do. The state must ensure this right, intervening when communities blatantly prevent them to realize themselves as they seek (203-204). The same argument is applied to children's education. Education is seen as a fundamental tool for self-development, hence its impairment amounts to hindering the children's future flourishing and their ability to leave their community if so they wish (228-233).

Finally, the last section (chapters 9-10) discusses the policies adopted in France and Israel to deal with Muslim and Arab minorities, which are perceived as threats to national identity and security. The ninth chapter harshly criticizes the French ban on veiling. It is argued that such a ban reflects a perfectionist conception of secularism, typical of French republicanism, which conflicts with a version of liberalism that appreciates diversity and pluralism (274-276). The last chapter analyses the Jewish-Arab relationship in Israel, described as solely dominated by security considerations, which ends up systematically disadvantaging the Arab minority (284). As in the case of France, Cohen-Almagor argues that a perfectionist conception of the state, which in this case elevates Jewishness above the correct functioning of liberal institutions, impairs the equal enjoyment of rights and liberties of the Muslim and Arab minorities (304).

While I find most of Cohen-Almagor's theory effective and very well-argued – thanks to a remarkably clear and didactic writing style –, I would like to focus on one element of his theory that may deserve further discussion: internalized coercion.

The concept of internalized coercion is introduced in the fourth chapter and re-examined in the fifth when the practices of FGM and genital circumcision are examined. Sometimes Cohen-Almagor seems to overlook the extent to which this subtle form of coercion can be detrimental to the members of certain minorities – especially to women, when the norms of their community legitimize sexist discrimination. The acknowledgement of the effects of internalized coercion also calls into question the notion of state neutrality towards self-regarding choices, a staple of

liberal theory. Cohen-Almagor recommends great caution, but overall he does not take a resolute stand on the matter. This is surprising considering that much of the contemporary debate on multiculturalism is crippled by the dilemma of either justifying state intervention, against the will of the people that this intervention is supposed to safeguard, or tolerating discriminatory cultural norms for the sake of state neutrality towards people's choices (Chambers 2007; Phillips 2010; Khader 2011).

Despite a few hints towards the discussion on state neutrality and 'women's liberation' in his critique of French republicanism, his takes on the veil ban or voluntary FGM are not linked to a broader perspective on the subject of gender injustice. (274) On the contrary, in his case by case analysis, it is hard to envision a coherent approach. Sometimes he seems ready to defend interventionism to safeguard gender equality, as in the case of FGM (127-139) or basic human rights violations (184-190), some others, he defends the legitimacy of cultural manipulation over women (102-104) or scarring for beauty (117-119), without even considering the connections between the examined phenomena.

Consequently, in the following paragraphs, I shall discuss the shortcomings of a theory of just, reasonable multiculturalism that does not face up to the problem of the internalization of gender unjust cultural norms. I shall first outline the distinction between internalized, designated and self-coercion, showing some inconsistencies in its formulation. Afterwards, I shall demonstrate how Cohen-Almagor's arguments against FGM and suttee do not hold the ground without a proper account of internalized coercion. In the end, I shall briefly discuss the challenge that these considerations pose to the notion of liberal neutrality.

Cohen-Almagor describes internalized coercion as the following: when a subject internalizes certain self-limiting beliefs related to their culture, they may abide by them, without even realizing that they are forgoing something to tradition or the community they belong to (102 -103). This form of coercion is internalized because there are no explicit external constraints to comply with cultural norms. Therefore, the subject willingly accepts the oppressive conditions to which they are subjected, without perceiving them as coercive.

He also distinguishes between internalized coercion, designated coercion and self-coercion. Internalized coercion may imply some forms of manipulation, but, as already said, it does not involve external con-

straints and is directed toward an entire cultural group, e.g. women. On the contrary, designated coercion implies personally exerting pressure on non-complaint individuals, even by threats, to bring them back into the community (103-104). Self-coercion constitutes, instead, a broader concept, as it refers to the general possibility for the individual to dispose of their freedom as they wish, even as a commodity (99-102).

On the one hand, Cohen-Almagor argues that designated coercion is clearly unjustified because it consists in denying people their freedom of exit from their community, thus, state interference against it is warranted (104). On the other, it appears that a case for or against self-coercion and internalized coercion is harder to make because it is difficult to assess the scope of one's autonomy, even in absence of formal external constraints.

As concerns self-coercion, once again he grounds his response on Mill and Kant. Building on Kantian ethics, he argues that the boundaries for one's freedom are set by the respect for people as ends (99-100). This seems to entail not only the principle of mutual respect, already outlined in the first chapter, but also a form of self-respect. People cannot dispose of themselves as mere objects, entirely waving out their freedom, because this is so degrading that they would stop being moral agents (99). Consequently, contracts of voluntary servitude are unacceptable. In addition, referring to Mill, Cohen-Almagor seems to suggest that those who wish to become slaves should be deemed irrational because they do not realize the absolute implications of a similar choice (100). Therefore, state intervention may not only be legitimate but actually required to protect these people from their poor capacities of judgment (101-102).

However, there are different degrees of self-coercion. Voluntary servitude is arguably the most extreme. Cohen-Almagor also mentions fasting as a bland and admissible form of self-restraint (104) and suicide as a more contentious one, which is nonetheless permissible in a liberal state (101-102). These practices – suicide and self-harm in general – should be tolerated because they are self-regarding. They do not cause harm to others, thus falling outside the scope of state intervention. Unlike the case of the voluntary slave, the suicidal or the individual with self-harming behaviour are not necessarily deemed irrational. On the contrary, assuming that people are capable of reason and act in their best interest, they are considered the best judges for their own affairs, even if their choices

may look bizarre or incomprehensible to someone else (101). Therefore, Cohen-Almagor contends that “people who are prima facie reasonable may commit suicide if they so wish...” and adds that “autonomy and liberty are that important in the liberal thinking that they enable people to put an end to their autonomy and liberty” (102)². Only when people are clearly incapable of reasoning – because they are delirious or have not developed yet this capacity, as in the case of children – the state is legitimate to intervene to safeguard them (101).

Self-coercion is directly linked to internalized coercion. They both involve self-restraint but the difference between them seems to reside in the fact that the former is autonomously enacted by the subject, while the second is the result of influence and manipulation from the subject’s group.³ As long as this manipulation does not involve physical harm or does not resort to personal threats, thus shifting to designated coercion, Cohen-Almagor is wary of state interference (103). For instance, he argues that those subjected to internalized coercion may either accept the justification provided by their community for this treatment – such as the fact that it is necessary to preserve traditions or for the community’s survival – or wholeheartedly endorse the values that ground these restrictions, without even perceiving them as oppressive (102). If this is the case, then attempts to interfere may actually result in illegitimate acts of cultural imperialism (103).

I believe that this distinction is built on conceptual premises that prevent from criticizing adequately the dynamics that it is supposed to categorize. First, it is not clear what is the point of differentiating between ‘internalized coercion’ and ‘self-coercion’ when the victim of internalized coercion allegedly endorses the values underpinning the restrictions and this is held as a sufficient justification for tolerating systematic in-

² Cohen-Almagor argues that people are free to put an end to their liberty, but not to use it as a commodity, otherwise this would fall in the case of voluntary servitude. The difference between the two cases is subtle and the aspect of commodification seems to play an important role, however, it is not further specified.

³ It could also be argued that self-coercion is always ultimately linked to a form of internalized coercion, resulting from manipulation or a distorted perspective on reality, but this goes beyond the scope of the review.

equalities. Manipulation and group pressure, which are the most salient aspects of internalized coercion, do not seem to play a sufficient role in further investigating the motives behind this endorsement. Why does Cohen-Almagor introduce a third type of coercion if it is not intended to solicit a reaction from the state, not even in the shape of a plea for deeper scrutiny?

Moreover, in the case of self-coercion, he argues that state interference is legitimate if the subject's judgement is evidently impaired. A whole body of feminist literature has questioned the legitimacy of choices resulting from internalized coercion on the exact same ground, contending that internalized coercion can lead to an impairment of the deliberative capacities of the coerced people. One of the most debated questions in feminist literature is exactly why women are often complicit with their subordination (Jaggar 1983). So far the primary explanation for this phenomenon has been articulated in terms of adaptive preferences. (Khader 2012).

Since the 1990's many formulations of adaptive preferences have been proposed. Some scholars conceive of them as unconscious adaptations (Elster 1983), or a form of life-long habituation to oppression (Bartky 1990, Meyers 2002; Nussbaum 2001), some others focus on the fact that they may even be rational adaptation yet distorted by the oppressive context in which they take place (Cudd 2014; Khader 2011). However, all these different accounts agree on the fact that the subject's endorsement of sexist and discriminatory norms does not necessarily legitimate these norms.

The notion of internalized coercion reappears in chapter five. Here Cohen-Almagor condemns FGM arguing that it is a discriminatory practice amounting to torture, even when women accept it as a part of their culture (145). In this case, he shows that internalized coercion is combined with a serious and irreversible form of physical harm, thus going beyond the scope of tolerance in a liberal democracy.

Nonetheless, if such a serious and irreversible form of physical harm is considered 'voluntarily self-inflicted' because internalized coercion alone is not sufficient to delegitimize women's complacency with it, why should it be outlawed by the liberal state? If voluntary, FGM do not violate the two terms of reasonableness, the principle of not harming others and that of mutual respect. Besides, as concerns the more undetermined principle of self-respect, only briefly mentioned in chapter

four, this does not seem to apply to self-harm, but only to servitude. It seems hard to make a case against FGM, solely based on the core tenets of just reasonable multiculturalism. What is missing in the justification for state intervention against FGM is exactly a more extensive analysis of the mechanisms behind internalized coercion.⁴

The same argument applies to the case that Cohen-Almagor builds against *suttee*, namely the immolation of a wife following her husband's death.⁵ When examining the legitimacy of the practice, he is the first to acknowledge that if the woman gave her consent to death, it is obviously because her free will has been compromised by the community coercive expectations according to which the fate of women's is inherently linked to that of their husbands. Once again, what seems to be crucial in justifying a prohibition of this practice is the fact that a self-regarding harmful choice has a socially constructed nature. Harm alone, as severe as it can be, does not constitute a sufficient warranty for liberal state intervention, not if at the same time suicide or scarring are deemed acceptable. The difference between *suttee* and suicide stands in the patriarchal meaning encoded in the former, but this cannot be adequately thematised without a proper account of internalized coercion.

Such account is ever more needed to wholly redefine the notion of liberal neutrality in current multicultural liberal democracy, which is presented as one of the main objectives of *Just, Reasonable, Multiculturalism*. (4) It is argued that the liberal state refrains from promoting a single conception of the good and lets its citizens cultivate their own, as they see appropriate. (6) However, the internalization of gender unjust social norms may call into question the legitimacy of certain practices, even if

⁴ For a more extensive discussion of the limits of liberalism in dealing with internalized oppressive norms and physical harm see Chambers 2007.

⁵ *Suttee* is different from dowry murders, a phenomenon extensively analysed by Uma Narayan (1997) and wrongly associated with the idea of 'Indiannes'. In her paper Narayan warns against a typical ethnocentric point of view which essentializes non-western cultures, presenting them as the main culprit of the cross-cultural problem of gender injustice. I believe that taking into account the pervasiveness of internalized coercion goes into the direction of de-essentializing cultures, as it focuses on manipulation and the asymmetries of powers within all groups, as they are, instead of exoticizing their nature.

self-regarding and endorsed by those who engage in them. Cohen-Almagor seems to partially acknowledge this in certain cases, the banning of FGM and suttee are some examples, but overall it is not clear what role internalized coercion plays in his theory. If it has one – and I argue that it should, because otherwise certain policies defended in the book could not be justified – then it must be also put into dialogue with the problem, only rapidly touched in chapter nine, of not escalating into perfectionism. Taking seriously the effects of internalized coercion should not end up “forcing people to be free”, as in the French headscarf affair (275). On the one hand, the liberal state risks acquiescing gender injustice, on the other, enforcing cultural imperialism. The role of just, reasonable multiculturalism is to find a balance between the two.

Finally, I would like to highlight a major strength of Cohen-Almagor’s book. A critique often moved to liberal multiculturalism is that it remains primarily a theoretical project that leaves poor guidance on the concrete allocation of culturally differentiated rights. For instance, Annamari Vitikainen argues that there is often a gap between the ideal territory, where liberals discuss the rationale of state cultural accommodation or the compatibility of these measures with liberalism, and the more concrete political arena that demands practical and effective state policies (Vitikainen 2015, 5-6). Even though liberal multiculturalists have provided persuasive responses to the first two challenges, the scope of their arguments rarely extends to the questions of state policies. On the contrary, in *Just, Reasonable Multiculturalism* both territories – the ideal and non-ideal – are widely explored. Justification of group rights is always combined with the problem of identifying the proper modes of allocation of these rights in concrete and often controversial situations. For sure, this is one of the main reasons to appreciate this book.

References

- Bartky S.L. (1990), *Femininity and Domination: Studies in the Phenomenology of Oppression*, New York, Routledge.
- Cameron D. (2011), “Speech on Radicalisation and Islamic Extremism”, *New Statesman*, <https://www.newstatesman.com/politics/2011/02/terrorism-islam-ideology>, 5th February.

- Chambers C. (2007), *Sex, Culture and Justice: The Limits of Choice*, Pennsylvania, The Pennsylvania State University Press.
- Cohen-Almagor R. (2021), *Just, Reasonable Multiculturalism*, Cambridge, Cambridge University Press.
- Cudd A. (2014), "Adaptations to Oppression: Preference, Autonomy and Resistance", in M. Oshana (ed.), *Personal Autonomy and Social Oppression*, New York, Routledge.
- Elster J. (1983), *Sour Grapes: Studies in the Subversion of Rationality*, Cambridge, Cambridge University Press.
- Khader S. (2011), *Adaptive Preferences and Women's Empowerment*, New York, Oxford University Press.
- Jaggar A. (1983), *Feminist Politics and Human Nature*, Sussex, Harvester.
- Meyers D.T. (2002), *Gender in the Mirror: Cultural Imagery and Women's Agency*, Oxford, Oxford University Press.
- Nussbaum M. (2000), *Women and Human Development: The Capabilities Approach*, Cambridge, Cambridge University Press.
- Narayan U. (1997), *Dislocating Cultures*, New York, Routledge.
- Phillips A. (2010), *Gender and Culture*. Cambridge, Polity Press.
- Vitikainen A. (2015), *The Limits of Liberal Multiculturalism: Towards an Individuated Approach to Cultural Diversity*, Basingstoke, Palgrave Macmillan.