

Two

Community Versus Citizenship in Liberal Democracies

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There is no doubt that Dworkin's paper is provocative. Although he concedes that the welfare state in Britain has been crucially shaped by socialist ideas, he argues that these must now be abandoned if egalitarian achievements are to be retained or re-established and if the economic rationalist tide in the wake of Thatcher is to be effectively opposed. Thus, he asks us to learn some painful truths about the errors of socialist political strategies and ways of thinking by reflecting on the experience with Thatcherism.

The failures of traditional British socialism to meet this challenge are easy to identify from the record presented by Jenkins and Dworkin is no slouch in pointing them out: first, a tendency within the Labour Party to seek collectivist solutions, attacking the market in order to secure political control over the provision of education, insurance, health, housing and broadcasting, as well as key industrial sectors such as steel production, coal mines and the airlines; second, a tendency to strengthen the power of trade unions, comprehending the Labour Party as merely the political instrumentality of a consolidated working class movement engaged in a long conflict with the bourgeoisie; third, the belief that unionised workers should control political and economic decision-making. As Dworkin notes, "[c]ollective ownership and the triumph of the workers seemed sensible egalitarian goals in the nineteenth century, and in 1945, when industrial workers and miners and other members of large unions were plainly have-nots

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whose interests seemed identical with those of everyone at the bottom”, but this way of thinking is hardly appropriate at a time when unionised workers are amongst the better-off; indeed, far from promoting the general welfare, modern unions have often made “inflationary wage demands” or have sought to protect “economically disastrous featherbedding”.¹

Dworkin’s point of view echoes judgments about the errors of socialism which are frequently made. It has often been argued that Marx was simply wrong in supposing that workers would become progressively impoverished under capitalism; as well as in his claims about there being a vanguard class which, after establishing its political dominance, will eventually secure desirable historical changes. Indeed, few socialists have defended Marxian historical materialism in the twentieth century and even class analysis is rarely defended.² Rather, socialists have grudgingly conceded more and more to liberal critics. For example, few today believe that a radical restructuring of modern societies is possible or that the socialist ideal of communal harmony (in which the claims of individuals are reconciled fully with those of the collectivity) is a real possibility. Even the belief in the superiority of socialism over capitalism, that is, in the supposition that modern societies would be significantly different and much improved when private control over the means of production is prohibited or severely circumscribed, has come to be questioned by some socialists.³

Because there is now widespread recognition that market processes must have a central role in determining how resources are to be allocated if economies are to perform well, some writers (such as Peter Jenkins) talk about ‘the ending of the socialist era’, others claim ‘the end of history’ or ‘the end of ideology’. This kind of terminology is contentious and misleading in so far as it asserts that debate between socialists and liberals has finally been resolved. However, it is clear today that there have been serious errors on the left side of the ideological divide.

For my part, I see no cause for celebrating (unless ‘the end of the socialist era’ is used as a simple way of referring to the end of tyranny and economic mismanagement in certain communist countries); rather,

1 See Dworkin, “Confronting the End of the Socialist Era”, pp.7-8 *supra*.

2 See Barry Hindess, *Politics and Class Analysis* (Oxford: Basil Blackwell, 1987).

3 Alec Nove’s *The Economics of Feasible Socialism* (London: Allen and Unwin, 1983) endorses the Hayekian claim that collective planning is often undesirable. What he objects to is the emergence of huge centralised bureaucracies in those societies which have embraced socialist planning as an alternative to market allocation.

I believe that the hope of a better future which socialists have offered us has been important in shaping desirable welfare programs — our world is likely to be the poorer if people genuinely despair of improvement. In this sentiment, I follow Ronald Dworkin who concedes that socialists have contributed enormously towards establishing the welfare states characteristic of northern European democracies. Without the mobilisation of the working classes in the labour movements, without the energy and fervour of the socialist critique of capitalism, without the postulating of a better society in the future, there would probably be no social democracy as we know it today.

But socialism may have had its day as Ronald Dworkin and Peter Jenkins claim. The questions for the future are, first, whether Dworkin is correct in thinking that the socialist legacy is now a millstone round the necks of social democrats; second, whether the kind of liberalism offered by Dworkin (which, to an egalitarian liberal like myself, seems to be the best available political theory) will be sufficient to sustain welfare states against the pervasive economic rationalism which Thatcher personifies; third, whether the vision of the good society offered by egalitarian liberalism, instantiated in the more successful welfare states, is the best available.

The Adequacy of Egalitarian Liberalism

What I wish to offer in this section are some observations in response to the claim that egalitarian liberalism cannot serve in place of socialism as an adequate alternative.

The reasons for this negative assessment concern various judgments about Dworkin's and other liberal writers' alleged failure to confront the individualism which lies at the core of all forms of liberalism. Their problem, it is alleged, is that even egalitarian liberalism remains a form of individualism. This is why it is impossible for Dworkin to offer a political morality which will help to generate a sense of common identity, that is, a self-understanding in which citizens conceive of themselves as belonging to a shared political community. For example, David Miller is concerned that without a shift from the liberal presupposition of the self-sufficient individual towards the socialist's more collectivist appreciation that the good life can only be lived in collaboration with others our political culture will not be able to generate sufficient mutual trust; he requires citizens to be moved by considerations of principle and a willingness to incorporate others.⁴

4 In his *Market, State, and Community* (Oxford University Press, 1989) see esp. ch. 9, pp. 227 ff.

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Dworkin notes some of the difficulties we face in detaching politics from self-interest but he does not concede that this can only be accomplished if we abandon liberalism's individualism. Rather he seeks to accommodate collectivist concerns within a political theory which reflects the values of liberal individualism. In seeking a synthesis between individualism and collectivism, Dworkin follows the path of other egalitarian thinkers such as those inspired by utilitarian ways of thinking and those who, like John Rawls, focus on a conception of justice as a co-ordinating value. But socialists have consistently argued that attempts of this kind, however well-meaning, are doomed to incoherence or are implausible.

Concern about the inadequacy and possible incoherence of the political morality offered by egalitarian liberalism is also common on the right-wing of the political spectrum. But the complaint is very different for egalitarians are charged with abandoning individualism for collectivist principles. For example, Friedrich Hayek identifies any concern for social justice as a primitive instinct — a legacy from the morality appropriate at an earlier historical period when survival depended on collectivism — distinguishing liberalism's more individualist morality which, he argues, is functional in modern extended orders. In his view, the attitudes and disposition which are necessary if a market order is to be sustained are different from those which appeal to the communitarian and egalitarian concerns of earlier societies; thus, he urges us to do without any public commitment to social justice (as opposed to private fair-dealing); moreover, he argues that egalitarian liberals should not be allowed to present themselves both as individualist and as communitarians for they are simply confused.⁵

Hayek concludes that liberals should abandon egalitarianism; in his view liberals need to reclaim the perspectives of writers like David Hume and Adam Smith and resist any temptation to embrace social democratic strategies. Thus, he recommends that we reject collectivism whether it manifests itself within socialist theories or within egalitarian liberalism.

Hayek and Miller agree that we cannot find adequate sustenance for social democratic strategies within liberal individualism. If we accept their judgment, we must hold that egalitarian liberals who, like Dworkin, support the collectivist programs of the northern European democracies are actually closet socialists. Miller does not claim this, but it follows from his notion that social democrats need a political morality which draws more explicitly on the communitarian tradition.

5 F.A. Hayek, *Law, Legislation and Liberty*, vol. 2 (London: Routledge & Kegan Paul, 1976).

His point is that egalitarians cannot expect their programmes to be feasible if the political culture is inherently hostile to the notion that the well-being of everyone in the community matters. Furthermore, as he notes, the mechanism of market allocation and the importance of competition in modern liberal societies serve to undermine our sensitivity to issues of social justice. Liberals cannot expect people to display the requisite empathy to sustain egalitarianism spontaneously. Thus, according to Miller, writers such as Rawls and Dworkin who are sensitive supporters of policies which require redistributing resources from the rich to the needy fail to provide an adequate political theory; they fail to see that the social context required by their policies cannot be taken for granted, but will need to be reinforced by political means. As he puts the point:

Citizenship . . . is not just a matter of possessing rights, even if these are broadly interpreted. It is also a matter of belief and behaviour . . . [The citizen] cannot regard politics merely as an arena in which to pursue his private interests. He must act *as a citizen*, that is as a member of a collectivity who is committed to advancing the common good.⁶

Miller and Hayek are both partly correct in their very different assessments. The latter is persuasive when he notices that a market order will not function well unless individuals learn to think differently about community, accepting a more individualistic philosophy. But Miller is right to see that a political morality which offers no sense of community or justice, if actually embraced, would set us on a road to barbarism. A problem which Miller must face, however, is that a fully collectivist ethic would be equally unacceptable for no civilised modern community will be possible without respect for the privacy of individuals, the procedural protections recommended by liberals when individuals are accused, freedom of speech and individual conscience, the equality of individuals under the law and for the rights of individual citizens. But how is this kind of respect for liberal rights going to be generated in a community which lacks a liberal culture? Contemporary communitarians seem to want to have things both ways: they may not criticise liberalism because of its individualism but also celebrate their favoured communities for taking rights seriously.

I shall evaluate Miller's concerns about the impoverished sense of community offered within liberalism in a later section of the paper. First, I need to explore the relationship between individualism and collectivism within the liberal tradition.

6 Miller, *Market, State, and Community* p. 247.

Individualism and Collectivism within the Liberal Tradition

What I wish to show now is how egalitarian liberals combine individualist and collectivist assumptions. I shall argue that the appeal and significance of writers in this tradition, such as Dworkin and John Rawls, is that they face up to the antimony between individualism and collectivism, offering a composite theoretical position which is coherent.

That this is so can be established by reflecting on G.A. Cohen's recent work distinguishing different assumptions which have been significant within liberalism. In his view, all liberals hold that

- (1) [E]ach person has full private property in himself (and, consequently, no private property in anyone else). He may do what he likes with himself provided that he does not harm others.

According to Cohen, this is the most elementary assumption about proprietorship upon which liberalism is founded. It accounts for the importance within liberalism of its antipaternalism and of various standard freedoms. It also explains why some liberals hold their theory to have a universal application — all individuals are entitled to claim rights over their own person, regardless of the customs and traditions of their community. Cohen tells us that right-wing liberals also claim that

- (2) [S]elf-owning persons can acquire equally strong moral rights to unequal amounts of external resources.

Egalitarian liberals deny this, however, embracing collectivist premises.

Because there is no easy deductive argument which shows conclusively that (2) is an entailment of (1), Cohen argues that the left-wing liberal may have a coherent position — no inconsistency arises in holding a more collectivist position relating to the right to control property. Thus Cohen notices that some liberals embrace the assumption that

- (3) Raw, external resources should be regarded as initially (that is, "in their native state") jointly or collectively owned — they are not unowned and available to private appropriation.⁷

Cohen also distinguishes an even more uncompromising egalitarian position which we may think of as fully collectivist. In terms of

7 G.A. Cohen, "Self-Ownership, World Ownership, and Equality, Part II" in Ellen Frankel Paul *et al*, eds, *Marxism and Liberalism* (Oxford: Basil Blackwell, 1986).

this, people are not recognised as having any proprietary rights over their talents and capacities, nor may they claim any special reward for their individual characters; rather, these assets are seen to result from luck and circumstance. Collectivism is characterised, then, by the denial of (1) and (2). It holds

- (4) All resources, including the talents and capacities of individuals, are initially (that is, "in their native state") jointly or collectively owned.

Thus, society may legitimately dispose of available resources as it sees fit, for, in terms of this metaphysical point of departure, there is nothing over which individuals have any prior proprietary claim.

Armed with these distinctions, Cohen joins with Miller and other socialists in suggesting that we can best understand the liberal tradition as individualist and as hostile to collectivism. To qualify as a liberal, according to Cohen, a writer must presuppose possessive individualism (that is, premise 1). Of course, liberals will disagree over whether to embrace (2) or (3) — some will be egalitarian and others will defend a strong right to hold private property. But Cohen insists that any writer who embraces collectivism (4) should no longer be regarded as working within the liberal tradition.

Cohen's stipulation clearly supports Miller's analysis but it offers an arbitrary demarcation between liberalism and socialism. In the first place, it overlooks the importance of utilitarian ways of thinking within the liberal tradition, yet many liberals embrace utilitarianism precisely because it allows them to accommodate collectivist elements. Indeed, Bentham is clearly important because he made it respectable for liberals to challenge all assumptions about natural rights thus allowing for the redistributive programs which were needed to tackle the poverty generated by capitalism. He is not a possessive individualist (in Cohen's sense) because he denies (1) and he is a collectivist (in Cohen's sense) because he embraces (4). According to the utilitarians who follow Bentham, social and political institutions need to be assessed in the light of a universal standard such as the maximisation of happiness, or the realisation of the greatest level of average utility, overall. This approach, then, treats both the resources of the world and the talents and capacities of individuals as collective assets. Many liberals are attracted to utilitarianism precisely because it is collectivist in this sense. Yet Cohen and Miller give no good reasons why those who are liberal cannot revise their orientation in this way.

But it is not only utilitarian liberals who embrace collectivism. Liberal Hegelians, writing in the nineteenth century, also adopted a

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collectivist orientation and provide a challenge to the popular association of liberalism with abstract individualism. Indeed, their influence has been so significant that it is possible to identify a significant group of modern writers who defend liberal principles within an optimistic conception of human potentialities, who reject crude individualism and who tend to defend social democratic commitments to secure welfare through state instrumentalities.⁸

Cohen admits that John Rawls successfully avoids possessive individualism by postulating a state-of-nature contract without making any assumptions about private property rights. Indeed, what we actually find in both utilitarian and Rawlsian forms of liberalism is a successful synthesis of collectivism and individualism. The Rawlsian approach is less indeterminate and complex than utilitarianism (given the various revisions which have had to be built into the approach to make it acceptable), yet manages to reconcile its collectivist conception of justice with a sensitivity to the elemental individualism which any adequate contemporary political theory must necessarily embrace.

By defining 'liberal' in the way they recommend, Cohen and Miller (like C. B. Macpherson and many others on the political left before them) exclude those many liberal writers who seek to secure a complex political morality which includes collectivist elements. Moreover, in terms of this account, liberals are inconsistent when they accept the legitimacy of such successful democracies as Sweden, Austria and the Netherlands. This is because each of these societies has systematically pursued public policies aimed at using the talents of its people as a collective resource. In these systems, citizens who are successful in developing skills which earn a high reward from others are taxed disproportionately. It follows, then, that Cohen and Miller would have us accept that anyone inspired by egalitarian or democratic ideals ought to abandon the liberal camp in order to be consistent. They would have those social democrats who have previously been regarded as liberals reclassified and included within a distinct collectivist tradition competing with liberalism. I can find little to recommend this view.

8 See Gerald F. Gaus, *The Modern Liberal Theory of Man* (Kent: Croom Helm, 1983). Gaus identifies J.S. Mill, T.H. Green, Bernard Bosanquet, L. T. Hobhouse, John Dewey and John Rawls as theorists who reflect such a distinct, idealistic tradition. He also convincingly demonstrates that little can be deduced about the substantive political commitments of a writer from the mere fact that he or she proposes a 'positive' rather than a 'negative' conception of liberty.

Contemporary egalitarian liberals, such as Dworkin, trace a continuity with the Fabian writers who contributed to the revision of liberalism in the late nineteenth century and early part of this century for their concern is with the anomaly of poverty amongst plenty which capitalism seems to produce.⁹ Briefly stated, Fabian thought is an attempt to reconcile liberalism with the concerns which socialists and others in the labour movement have had about the poorest in society. It is accepted that capitalism has provided opportunities, generating wealth; but it is also acknowledged that the market processes which are the key to general prosperity often given rise to serious problems for many people and that those adversely effected may sometimes need relief and protection. Concern about the rapid social transformation which characterised the industrial revolution was widespread in the late nineteenth century and the evidence of social dislocation and extreme poverty was so obvious at that time (when Marx and Mill were writing) as to be beyond contention. Thus liberalism evolved to embrace egalitarian concerns (manifest in the work of English theorists such as J.S. Mill, T.H. Green, A.D. Lindsay, L. T. Hobhouse, Sidney and Beatrice Webb, G.D.H. Cole, Harold Laski, R.H. Tawney and Richard Crossman, amongst others). All these writers were concerned to preserve the progress which they believed the modern period was inaugurating through market competition in economic life but they were also mindful of the associated burdens on some communities and individuals. Their response to the anomaly of poverty amongst plenty which capitalism seemed to produce, was to recommend the provision of welfare services. It is this concern with those who are required to carry a disproportionate burden of poverty, continued by egalitarian liberals today, which I defend.

Communitarian Concerns

But let us return to Miller's concerns about the kind of political culture that is necessary to sustain a welfare state. The communitarian is correct to notice that a modern society made up solely of self-interested, largely autonomous, individuals who feel no ties of sympathy or bonding with one another could not sustain the political programmes which are necessary to secure the well-being of all its citizens. They would lack the moral sensibilities which motivate those who are active in seeking a just society. On the other hand, a society composed of strongly bonded communities or which manifests a zeal-

9 See Amy Gutmann, *Liberal Equality* (N.Y.: Cambridge University Press, 1980) pp. 69-78.

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ous nationalism is likely to dissolve in conflict when the excluded groups rebel, as we find in so many parts of the world.

What we need is a community in which most people are able to see the advantages of political compromise at an abstract level. There must be agreement about the basic principles for allocating benefits and burdens and a recognition of the claims of all citizens and even of aliens. But the society must also include sufficient individuals who remain motivated by their sense of community; otherwise there would be no one willing to implement the policies of welfare distribution in a satisfactory way. Some individuals should be glad to sacrifice themselves in various ways for the good of others.

Liberal egalitarians offer such a political morality. The principles which utilitarian writers and contractarians recommend are derived at an abstract level; so everyone is treated as an equal, regardless of their religious, ethnic or other affiliations. Furthermore, these abstract principles are suggested because they are said to satisfy the requirements of self-interest. In practice, political outcomes in a liberal democracy will result from the activities of groups who insist on their claim to a share of the social product, and the motivations are usually far from moral. Liberal welfare states are not the product of goodwill as much as the political strength of various well-organised sections of society who stand to benefit from its activities. The liberal strategy is to provide a structure in which each group, demanding benefits for its own members, strengthens its claim as well as the resolve of its members by appealing to the abstract moral principles which are recognised as legitimating their claims. Communitarian sentiments have no central place in this dialogue and should be disallowed.

But social connections do come into play at the level of motivation and implementation when communities within the wider society organise to secure their own well-being. Here intimate knowledge of the people involved and empathy is essential and the feelings generated within strongly bonded communities are an asset. Individuals need to feel confident that the leaders they have elected will speak on their behalf and the leaders need to be strongly motivated to insist that their community is not cheated out of a legitimate share of social goods.

Neo-conservatives such as Charles Murray argue that there is a break-down of community in some liberal societies which has destroyed the capacity of sections of the community to help themselves.¹⁰ They see this as a serious problem and blame the Welfare

10 Charles Murray, *Losing Ground* (N.Y.: Basic Books, 1984).

State. But their claims are contentious.¹¹ In any event it is clear that many modern societies are able to sustain a satisfactory mix of communitarian and individualist sentiments and in these circumstances social democratic institutions can function quite effectively.

Egalitarian liberals do not hope for a utopia; they are pragmatic and cautious. This essentially modern orientation seeks to synthesise our evolving knowledge of market mechanisms, representative democratic processes and legal systems bounded by a commitment to individualism and the notion of equal standing under the law. This is why both collectivist and individualist assumptions are embraced. What egalitarian liberalism offers is a *modus vivendi* rather than any comprehensive philosophical doctrine.¹² The idea is to find a basis for commanding the allegiance of a diversity of viewpoints in a pluralist society. As a practice and tradition of thought, the best liberalism can offer us are ways of addressing certain antinomies. For example, we cannot escape having to allocate resources for particular uses but find it difficult to plan because of dispersed knowledge; we cannot escape living with many people with whom we do not share a common community, in that people with very different values and histories have been thrown together by the circumstances of life; we cannot escape the fact that productive activities will often result in divisive inequalities and may leave some in poverty. Liberal responses offer successful ways of accommodating these difficulties. The tradition secures strategies which have been proved useful even if, at the level of theory, it is not always intellectually coherent; recommending tolerance as a virtue and neutrality as a principle to allow for pluralism, embracing democratic accountability so that every group in the community has some realistic hope of ensuring that its problems will be addressed and a guarantee against tyranny and blatant exploitation; recommending market competition as a means of allocating resources in economic life.

The strengths of the egalitarian liberal tradition arise from the fact that competing ideologies such as libertarianism, conservatism and socialism are less pragmatic. Conservatives suppose that it is possible to reestablish the cultural harmony which was shattered by modern

11 See, Albert O. Hirschman, "Reactionary Rhetoric", *The Atlantic*, May 1989, pp. 63-6.

12 Chandran Kukathas discusses the characterisation of liberalism as a *modus vivendi* with regard to Hayek's political theory, *Hayek and Modern Liberalism* (Oxford: Oxford University Press, 1989) pp. 225 ff. See also Charles Larmore *Patterns of Moral Complexity* (New York, Cambridge, 1987) pp. 129-30 and John Rawls, "The Idea of an Overlapping Consensus", *Oxford Journal of Legal Studies*, 7 (1987), 1-25 (both cited by Kukathas).

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migration and wars, so they despise the tolerant as weak and reject neutrality as a political principle. Libertarianism, on the other hand, places too much faith in markets, hoping that people will forsake political means in seeking to secure their well-being. In contrast, Marxian socialists hope to manage without market competition. They also cling to the notion that the problems of modernity can be avoided by a process of revolutionary transformation so that we enter a post-modern period of history. These competing traditions fail when required to guide practice. In contrast, egalitarian liberalism offers responses to:

- (i) The decline of traditional order and the emergence of plural communities.
- (ii) The rise of economies driven by market incentives and the inevitable inequalities which this gives rise to.
- (iii) The countervailing demand for democratic accountability and the emergence of representative governments.
- (iv) The failure of revolutionary aspirations and discrediting of social engineering on a large scale.
- (v) The need for democratic collective planning to secure some goods which are unlikely to be provided spontaneously.
- (vi) The need to protect individuals against majority tyranny and to secure a private realm.

Until socialists offer credible responses to these problems by recognising the importance of some elemental individualism so as to generate a plausible theory of political representation and rights and an adequate understanding of markets, their theorising will become increasingly irrelevant; yet when they do address them, they will come to find more common ground than they currently acknowledge with the concerns of egalitarian liberals like Dworkin.