



# Cultural liberty in today's diverse world

How will the new constitution of Iraq satisfy demands for fair representation for Shiites and Kurds? Which—and how many—of the languages spoken in Afghanistan should the new constitution recognize as the official language of the state? How will the Nigerian federal court deal with a Sharia law ruling to punish adultery by death? Will the French legislature approve the proposal to ban headscarves and other religious symbols in public schools? Do Hispanics in the United States resist assimilation into the mainstream American culture? Will there be a peace accord to end fighting in Côte d'Ivoire? Will the President of Bolivia resign after mounting protests by indigenous people? Will the peace talks to end the Tamil-Sinhala conflict in Sri Lanka ever conclude? These are just some headlines from the past few months. Managing cultural diversity is one of the central challenges of our time.

Long thought to be divisive threats to social harmony, choices like these—about recognizing and accommodating diverse ethnicities, religions, languages and values—are an inescapable feature of the landscape of politics in the 21st century. Political leaders and political theorists of all persuasions have argued against explicit recognition of cultural identities—ethnic, religious, linguistic, racial. The result, more often than not, has been that cultural identities have been suppressed, sometimes brutally, as state policy—through religious persecutions and ethnic cleansings, but also through everyday exclusion and economic, social and political discrimination.

New today is the rise of identity politics. In vastly different contexts and in different ways—from indigenous people in Latin America to religious minorities in South Asia to ethnic minorities in the Balkans and Africa to immigrants in Western Europe—people are mobilizing anew around old grievances along ethnic,

religious, racial and cultural lines, demanding that their identities be acknowledged, appreciated and accommodated by wider society. Suffering discrimination and marginalization from social, economic and political opportunities, they are also demanding social justice. Also new today is the rise of coercive movements that threaten cultural liberty. And, in this era of globalization, a new class of political claims and demands has emerged from individuals, communities and countries feeling that their local cultures are being swept away. They want to keep their diversity in a globalized world.

Why these movements today? They are not isolated. They are part of a historic process of social change, of struggles for cultural freedom, of new frontiers in the advance of human freedoms and democracy. They are propelled and shaped by the spread of democracy, which is giving movements more political space for protest, and the advance of globalization, which is creating new networks of alliances and presenting new challenges.

Cultural liberty is a vital part of human development because being able to choose one's identity—who one is—without losing the respect of others or being excluded from other choices is important in leading a full life. People want the freedom to practice their religion openly, to speak their language, to celebrate their ethnic or religious heritage without fear of ridicule or punishment or diminished opportunity. People want the freedom to participate in society without having to slip off their chosen cultural moorings. It is a simple idea, but profoundly unsettling.

States face an urgent challenge in responding to these demands. If handled well, greater recognition of identities will bring greater cultural diversity in society, enriching people's lives. But there is also a great risk.

These struggles over cultural identity, if left unmanaged or managed poorly, can quickly

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become one of the greatest sources of instability within states and between them—and in so doing trigger conflict that takes development backwards. Identity politics that polarize people and groups are creating fault lines between “us” and “them”. Growing distrust and hatred threaten peace, development and human freedoms. Just in the last year ethnic violence destroyed hundreds of homes and mosques in Kosovo and Serbia. Terrorist train bombings in Spain killed nearly 200. Sectarian violence killed thousands of Muslims and drove thousands more from their homes in Gujarat and elsewhere in India, a champion of cultural accommodation. A spate of hate crimes against immigrants shattered Norwegians’ belief in their unshakable commitment to tolerance.

Struggles over identity can also lead to regressive and xenophobic policies that retard human development. They can encourage a retreat to conservatism and a rejection of change, closing off the infusion of ideas and of people who bring cosmopolitan values and the knowledge and skills that advance development.

Managing diversity and respecting cultural identities are not just challenges for a few “multi-ethnic states”. Almost no country is entirely homogeneous. The world’s nearly 200 countries contain some 5,000 ethnic groups. Two-thirds have at least one substantial minority—an ethnic or religious group that makes up at least 10% of the population.

At the same time the pace of international migration has quickened, with startling effects on some countries and cities. Nearly half the population of Toronto was born outside of Canada. And many more foreign-born people maintain close ties with their countries of origin than did immigrants of the last century. One way or another every country is a multicultural society today, containing ethnic, religious or linguistic groups that have common bonds to their own heritage, culture, values and way of life.

Cultural diversity is here to stay—and to grow. States need to find ways of forging national unity amid this diversity. The world, ever more interdependent economically, cannot function unless people respect diversity and build unity through common bonds of humanity. In this age of globalization the demands for cultural

recognition can no longer be ignored by any state or by the international community. And confrontations over culture and identity are likely to grow—the ease of communications and travel have shrunk the world and changed the landscape of cultural diversity, and the spread of democracy, human rights and new global networks have given people greater means to mobilize around a cause, insist on a response and get it.

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**Five myths debunked. Policies recognizing cultural identities and encouraging diversity to flourish do not result in fragmentation, conflict, weak development or authoritarian rule. Such policies are both viable, and necessary, for it is often the suppression of culturally identified groups that leads to tensions.**

This Report makes a case for respecting diversity and building more inclusive societies by adopting policies that explicitly recognize cultural differences—multicultural policies. But why have many cultural identities been suppressed or ignored for so long? One reason is that many people believe that allowing diversity to flourish may be desirable in the abstract but in practice can weaken the state, lead to conflict and retard development. The best approach to diversity, in this view, is assimilation around a single national standard, which can lead to the suppression of cultural identities. However, this Report argues that these are not premises—they are myths. Indeed, it argues that a multicultural policy approach is not just desirable but also viable and necessary. Without such an approach the imagined problems of diversity can become self-fulfilling prophecies.

*Myth 1. People’s ethnic identities compete with their attachment to the state, so there is a trade-off between recognizing diversity and unifying the state.*

Not so. Individuals can and do have multiple identities that are complementary—ethnicity, language, religion and race as well as citizenship. Nor is identity a zero sum game. There is no inevitable need to choose between state unity and recognition of cultural differences.

A sense of identity and belonging to a group with shared values and other bonds of culture is important for individuals. But each individual can identify with many different groups. Individuals have identity of citizenship (for example, being French), gender (being a woman), race (being of West African origin), language (being fluent in Thai, Chinese and English), politics (having left-wing views) and religion (being Buddhist).

Identity also has an element of choice: within these memberships individuals can choose what priority to give to one membership over another in different contexts. Mexican Americans may cheer for the Mexican soccer team but serve in the US Army. Many white South Africans chose to fight apartheid as South Africans. Sociologists tell us that people have boundaries of identity that separate “us” from “them”, but these boundaries shift and blur to incorporate broader groups of people.

“Nation building” has been a dominant objective of the 20th century, and most states have aimed to build culturally homogeneous states with singular identities. Sometimes they succeeded but at the cost of repression and persecution. If the history of the 20th century showed anything, it is that the attempt either to exterminate cultural groups or to wish them away elicits a stubborn resilience. By contrast, recognizing cultural identities has resolved never-ending tensions. For both practical and moral reasons, then, it is far better to accommodate cultural groups than to try to eliminate them or to pretend that they do not exist.

Countries do not have to choose between national unity and cultural diversity. Surveys show that the two can and often do coexist. In Belgium citizens overwhelmingly replied when asked that they felt both Belgian and Flemish or Walloon and in Spain, that they felt Spanish as well as Catalan or Basque.

These countries and others have worked hard to accommodate diverse cultures. They have also worked hard to build unity by fostering respect for identities and trust in state institutions. The states have held together. Immigrants need not deny their commitment to their families in their countries of origin when they develop loyalties to their new countries. Fears that

if immigrants do not “assimilate”, they will fragment the country are unfounded. Assimilation without choice is no longer a viable—or a necessary—model of integration.

There is no trade-off between diversity and state unity. Multicultural policies are a way to build diverse and unified states.

*Myth 2. Ethnic groups are prone to violent conflict with each other in clashes of values, so there is a trade-off between respecting diversity and sustaining peace.*

No. There is little empirical evidence that cultural differences and clashes over values are in themselves a cause of violent conflict.

It is true, particularly since the end of the cold war, that violent conflicts have arisen not so much between states but within them between ethnic groups. But on their causes, there is wide agreement in recent research by scholars that cultural differences by themselves are not the relevant factor. Some even argue that cultural diversity reduces the risk of conflict by making group mobilization more difficult.

Studies offer several explanations for these wars: economic inequalities between the groups as well as struggles over political power, land and other economic assets. In Fiji indigenous Fijians initiated a coup against the Indian-dominated government because they feared that land might be confiscated. In Sri Lanka the Sinhalese majority gained political power, but the Tamil minority had access to more economic resources, triggering decades of civil conflict. In Burundi and Rwanda, at different points in time, Tutsis and Hutus were each excluded from economic opportunities and political participation.

Cultural identity does have a role in these conflicts—not as a cause but as a driver for political mobilization. Leaders invoke a single identity, its symbols and its history of grievances, to “rally the troops”. And a lack of cultural recognition can trigger violent mobilization. Underlying inequalities in South Africa were at the root of the Soweto riots in 1976, but they were triggered by attempts to impose Afrikaans on black schools.

While the coexistence of culturally distinct groups is not, in itself, a cause of violent conflict,

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it is dangerous to allow economic and political inequality to deepen between these groups or to suppress cultural differences, because cultural groups are easily mobilized to contest these disparities as injustice.

There is no trade-off between peace and respect for diversity, but identity politics need to be managed so that they do not turn violent.

*Myth 3. Cultural liberty requires defending traditional practices, so there could be a trade-off between recognizing cultural diversity and other human development priorities such as progress in development, democracy and human rights.*

No. Cultural liberty is about expanding individual choices, not about preserving values and practices as an end in itself with blind allegiance to tradition.

Culture is not a frozen set of values and practices. It is constantly recreated as people question, adapt and redefine their values and practices to changing realities and exchanges of ideas.

Some argue that multiculturalism is a policy of conserving cultures, even practices that violate human rights, and that movements for cultural recognition are not governed democratically. But neither cultural freedom nor respect for diversity should be confused with the defence of tradition. Cultural liberty is the capability of people to live and be what they choose, with adequate opportunity to consider other options.

“Culture”, “tradition” and “authenticity” are not the same as “cultural liberty”. They are not acceptable reasons for allowing practices that deny individuals equality of opportunity and violate their human rights—such as denying women equal rights to education.

Interest groups led by self-appointed leaders may not reflect the views of the membership at large. It is not rare for groups to be dominated by people who have an interest in maintaining the status quo under the justification of “tradition” and who act as gatekeepers of traditionalism to freeze their cultures. Those making demands for cultural accommodation should also abide by democratic principles and the objectives of human freedom and human rights. One good model is the Sami people in Finland,

who enjoy autonomy in a parliament that has democratic structures and follows democratic procedures but is part of the Finnish state.

There does not need to be any trade-off between respect for cultural difference and human rights and development. But the process of development involves active participation of people in fighting for human rights and shifts in values.

*Myth 4. Ethnically diverse countries are less able to develop, so there is a trade-off between respecting diversity and promoting development.*

No. There is no evidence of a clear relationship, good or bad, between cultural diversity and development.

Some argue, however, that diversity has been an obstacle to development. But while it is undeniably true that many diverse societies have low levels of income and human development, there is no evidence that this is related to cultural diversity. One study argues that diversity has been a source of poor economic performance in Africa—but this is related to political decision-making that follows ethnic rather than national interests, not to diversity itself. Just as there are multi-ethnic countries that have stagnated, there are others that were spectacularly successful. Malaysia, with 62% of its people Malays and other indigenous groups, 30% Chinese and 8% Indian, was the world’s 10th fastest growing economy during 1970–90, years when it also implemented affirmative action policies. Mauritius ranks 64 in the human development index, the highest in Sub-Saharan Africa. It has a diverse population of African, Indian, Chinese and European origin—with 50% Hindu, 30% Christian and 17% Muslim.

*Myth 5. Some cultures are more likely to make developmental progress than others, and some cultures have inherent democratic values while others do not, so there is a trade-off between accommodating certain cultures and promoting development and democracy.*

Again, no. There is no evidence from statistical analysis or historical studies of a causal

relationship between culture and economic progress or democracy.

Cultural determinism—the idea that a group’s culture explains economic performance and the advance of democracy—as an obstacle or a facilitator, has enormous intuitive appeal. But these theories are not supported by econometric analysis or history.

Many theories of cultural determinism have been advanced, starting with Max Weber’s explanation of the Protestant ethic as a key factor behind successful growth in capitalist economies. Persuasive in explaining the past, these theories have been repeatedly proven wrong in predicting the future. When Weber’s theory of the Protestant ethic was being touted, Catholic countries (France and Italy) were growing faster than Protestant Britain and Germany, so the theory was expanded to mean Christian or Western. When Japan, the Republic of Korea, Thailand and other East Asian countries achieved record growth rates, the notion that Confucian values retard growth had to be jettisoned.

Understanding cultural traditions can offer insights to human behaviour and social dynamics that influence development outcomes. But these insights do not offer a grand theory of culture and development. In explaining economic growth rates, for example, economic policy, geography and the burden of disease are found to be highly relevant factors. But culture, such as whether a society is Hindu or Muslim, is found to be insignificant.

The same is true with reference to democracy. A new wave of cultural determinism is starting to hold sway in some policy debates, attributing the failures of democratization in the non-Western world to inherent cultural traits of intolerance and “authoritarian values”. At the global level some theorists have argued that the 21st century will see a “clash of civilizations”, that the future of democratic and tolerant Western states is threatened by non-Western states with more authoritarian values. There are reasons to be sceptical. For one thing, the theory exaggerates the differences between “civilization” groups and ignores the similarities among them.

Moreover, the West has no monopoly on democracy or tolerance, and there is no unique line of historical division between a tolerant

and democratic West and a despotic East. Plato and Augustine were no less authoritarian in their thinking than were Confucius and Kautilya. There were champions of democracy not just in Europe but elsewhere as well. Take Akbar, who preached religious tolerance in 16th century India, or Prince Shotoku who in 7th century Japan introduced the constitution (*kempo*) that insisted that “decisions on important matters should not be made by one person alone. They should be discussed by many”. Notions of participatory decision-making on important public issues have been a central part of many traditions in Africa and elsewhere. And more recent findings of the World Values survey show that people in Muslim countries have as much support for democratic values as do people in non-Muslim countries.

A basic problem with these theories is the underlying assumption that culture is largely fixed and unchanging, allowing the world to be neatly divided into “civilizations” or “cultures”. This ignores the fact that while there can be great continuity in values and traditions in societies, cultures also change and are rarely homogeneous. Nearly all societies have undergone shifts in values—for example, shifts in values about the role of women and gender equality over the last century. And radical changes in social practices have occurred everywhere, from Catholics in Chile to Muslims in Bangladesh to Buddhists in Thailand. Such changes and tensions within societies drive politics and historical change, so that the way power relationships affect those dynamics now dominates research in anthropology. Paradoxically, just as anthropologists have discarded the concept of culture as a bounded and fixed social phenomenon, mainstream political interest in finding core values and traits of “a people and their culture” is growing.

Theories of cultural determinism deserve critical assessment since they have dangerous policy implications. They can fuel support for nationalistic policies that denigrate or oppress “inferior” cultures argued to stand in the way of national unity, democracy and development. Such attacks on cultural values would then fuel violent reactions that could feed tensions both within and between nations.

*A new wave of cultural determinism is starting to hold sway*

*Cultural liberty is a human right and an important aspect of human development—and thus worthy of state action and attention*

**Human development requires more than health, education, a decent standard of living and political freedom. People's cultural identities must be recognized and accommodated by the state, and people must be free to express these identities without being discriminated against in other aspects of their lives. In short: cultural liberty is a human right and an important aspect of human development—and thus worthy of state action and attention.**

Human development is the process of widening choices for people to do and be what they value in life. Previous *Human Development Reports* have focused on expanding social, political and economic opportunities to expand these choices. They have explored ways that policies of equitable growth, expansion of social opportunities and deepening of democracy can enhance those choices for all people.

A further dimension of human development, difficult to measure and even to define, is vitally important: cultural liberty is central to the capability of people to live as they would like. The advance of cultural liberty must be a central aspect of human development, and this requires going beyond social, political and economic opportunities since they do not guarantee cultural liberty.

Cultural liberty is about allowing people the freedom to choose their identities—and to lead the lives they value—without being excluded from other choices important to them (such as those for education, health or job opportunities). In practice there are two forms of cultural exclusion. First is living mode exclusion, which denies recognition and accommodation of a lifestyle that a group would choose to have and that insists that individuals must live exactly like all others in society. Examples include religious oppression or the insistence that immigrants drop their cultural practices and language. Second is participation exclusion, when people are discriminated against or suffer disadvantage in social, political and economic opportunities because of their cultural identity.

Both types of exclusion exist on an extensive scale, across every continent, at every level

of development, in democracies and authoritarian states. The *Minorities at Risk* data set, a research project including issues relating to cultural exclusion that has reviewed the situation of minority groups worldwide, estimates that about 900 million people belong to groups that are subject to some form of either living mode or participation exclusion not faced by other groups in the state—around one in every seven people around the world.

Of course, suppressions of cultural liberty fill the spectrum. At one extreme is ethnic cleansing. Then there are formal restrictions on the practice of religion, language and citizenship. But more frequently cultural exclusion comes from a simple lack of recognition or respect for the culture and heritage of people—or from some cultures being considered inferior, primitive or uncivilized. This can be reflected in state policies, as in national calendars that do not observe a minority's religious holiday, schoolbooks that leave out or belittle the achievements of minority leaders and support to literature and other arts that celebrate the achievements of the dominant culture.

Living mode exclusion often overlaps with social, economic and political exclusion through discrimination and disadvantage in employment, housing, schooling and political representation. The occupational castes in Nepal have under-five mortality rates of more than 17%, compared with around 7% for the Newar and Brahmin. In Serbia and Montenegro 30% of Roma children have never attended primary school. Latin Americans of European descent often express pride that they are colour blind and insist that their states are too. But across the continent indigenous groups are poorer and less represented politically than the non-indigenous. In Mexico, for example, 81% of indigenous people are reckoned to have incomes below the poverty line, compared with 18% for the general population.

Living mode and participation exclusion, however, do not always overlap. People of Chinese ancestry in South-East Asia, for example, are economically dominant yet have been culturally excluded, for example, with Chinese language schools restricted, publishing in Chinese prohibited and people of Chinese descent socially pressured to adopt local names. But more often

living mode exclusion reinforces exclusion from other opportunities. This is particularly so for language. Many groups, especially large minorities such as the Kurds in Turkey and the indigenous people of Guatemala, are excluded from political participation and economic opportunities because the state does not recognize their language in schools, law courts and other official arenas. This is why groups fight so hard for their languages to be recognized and used in instruction and in political and legal processes.

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**None of this is utopian. Incorporating multicultural policies is not always easy. Democracy, equitable development and state cohesion are essential, and many countries are successfully developing multicultural policies to address cultural exclusion.**

Cultural liberty will not just happen, any more than health, education and gender equity just happen. Fostering it should be a core concern of governments, even where there are no explicit policies of persecution or discrimination.

Some argue that guaranteeing individuals civil and political rights—such as freedom of worship, speech and association—is enough to give them the ability to practice their religion, speak their language and be free of discrimination in employment, schooling and many other types of exclusion. They argue that cultural exclusion is a by-product of economic and political exclusions and that once these are resolved, the cultural exclusion will disappear of its own accord.

This has not happened. Many rich and democratic countries, for example, profess to treat all citizens equally, but are nonetheless home to minorities who lack proper representation in politics, and for whom harassment and difficulty in accessing public services are their daily fare.

To expand cultural freedoms requires explicit policies to address denials of cultural liberty—multicultural policies. To do this, states need to recognize cultural differences in their constitutions, their laws and their institutions. They also need to formulate policies to ensure that the interests of particular groups—whether minorities or historically marginalized majorities—are not

ignored or overridden by the majority or by dominant groups. And they need to do so in ways that do not contradict other goals and strategies of human development, such as consolidating democracy, building a capable state and ensuring equal opportunities to all citizens. This is not easy, but there are many examples of countries around the world adopting innovative approaches for managing cultural diversity. This Report focuses particularly on five central policy areas: political participation, religion, access to justice, language and access to socio-economic opportunities.

#### *Policies for ensuring political participation*

Many historically marginalized groups are still excluded from real political power, and so they often feel alienated from the state. In some cases the exclusion is due to a lack of democracy or the denial of political rights. If so, democratization would be an essential first step. However, something more is required, because even when members of minorities have equal political rights in a democracy, they may be consistently underrepresented or outvoted, and so view the central government as alien and oppressive. Not surprisingly, many minorities resist alien or oppressive rule and seek more political power. That is why a “multicultural” conception of democracy is often required.

Several emerging models of multicultural democracy provide effective mechanisms for power sharing between culturally diverse groups. These kinds of power-sharing arrangements are crucial for securing the rights of diverse cultural groups and minorities and for preventing violations—either by majoritarian imposition or by the dominance of the ruling political elite.

Electoral reforms addressed the chronic underrepresentation of Maoris in New Zealand. With the introduction of proportional representation in place of the winner-takes-all formula, Maori representation rose from 3% in 1993 to 16% in the 2002 elections, in line with their share of the population. Reserved seats and quotas have been critical to ensuring that the scheduled tribes and castes had a voice in India and that ethnic minorities were represented in Croatia.

*Several emerging models of multicultural democracy provide effective mechanisms for power sharing between culturally diverse groups*

*Power sharing arrangements have broadly proven to be critical in resolving tensions*

Federal arrangements are an important approach to power sharing. Almost every one of the dozen ethnically diverse countries that are longstanding democracies has asymmetrical federal arrangements in which subunits of the federal state do not all have the same powers. This arrangement responds more flexibly to the needs of different groups. For example, Sabah and Sarawak have a special status in Malaysia, as do the Basques and 14 other *comunidades autonomas* in Spain, with autonomy in areas such as education, language and culture.

Some indigenous people, such as the Inuits in Canada, have also negotiated self-governing territories. The lesson is that such power sharing arrangements have broadly proven to be critical in resolving tensions in countries historically confronted with secessionist movements, as in Spain. Introduced early enough, when tensions are mounting, they can forestall violent conflict.

#### *Policies for ensuring religious freedom*

Many religious minorities suffer various forms of exclusion, sometimes due to explicit suppression of religious freedom or discrimination against that group—a problem particularly common in non-secular countries where the state upholds an established religion.

But in other cases the exclusion may be less direct and often unintended, as when the public calendar does not recognize a minority's religious holidays. India officially celebrates 5 Hindu holidays but also 4 Muslim, 2 Christian, 1 Buddhist, 1 Jain and 1 Sikh in recognition of a diverse population. France celebrates 11 national holidays, 5 are non-denominational and of the 6 religious holidays all celebrate events in the Christian calendar, though 7% of the population is Muslim and 1% Jewish. Similarly, the dress codes in public institutions may conflict with a minority's religious dress. Or state rules about marriage and inheritance may differ from those of religious codes. Or zoning regulations may be at odds with a minority's burial practices.

These sorts of conflicts can arise even in secular states with strong democratic institutions that protect civil and political rights. Given the profound importance of religion to people's identities, it is not surprising that religious

minorities often mobilize to contest these exclusions. Some religious practices are not difficult to accommodate, but often they present difficult choices and trade-offs. France is grappling with whether headscarves in state schools violate state principles of secularism and democratic values of gender equality that state education aims to impart. Nigeria is struggling with whether to uphold the ruling of a Sharia court in a case of adultery.

What is important from the human development perspective is to expand human freedoms and human rights—and to recognize equality. Secular and democratic states are most likely to achieve these goals where the state provides reasonable accommodation of religious practices, where all religions have the same relation to the state and where the state protects human rights.

#### *Policies for legal pluralism*

In many multicultural societies indigenous people and people from other cultural groups have pressed for recognition of their traditional legal systems to gain access to justice. For example, the Maya in Guatemala suffered centuries of oppression, and the state legal system became part of their oppression. The communities lost faith in the state system of rule of law, because it did not secure justice and because it was not embedded in the society and its values.

Several countries such as Guatemala, India and South Africa are developing approaches to legal pluralism, recognizing the role of the judicial norms and institutions of the communities in different ways. Demands for legal pluralism meet opposition from those who fear that it undermines the principle of a unified legal system or that it would promote traditional practices contrary to democracy and human rights. For sure, conflicts do arise—South Africa, for example, is grappling with the conflict between the rights of women to inheritance under state constitution and the rights denied under customary law. There are real trade-offs societies must face, but legal pluralism does not require wholesale adoption of all traditional practices. Culture does evolve, and cultural liberty is not a knee-jerk defence of tradition.

## *Language policies*

Language is often the most contested issue in multicultural states. Some countries have tried to suppress people's languages, labelling their use subversive. But the more frequent source of widespread exclusion in even well-established democracies is monolingual policy. The choice of official language—the language of instruction in schools, the language of legislative debates and civic participation, the language of commerce—shapes the barriers and advantages individuals face in life—political, social, economic and cultural. In Malawi the Constitution requires all parliamentarians to speak and read English. English and Afrikaans are still the de facto languages used in the courts of South Africa, even though nine other languages are now officially recognized. Recognizing a language means more than just the use of that language. It symbolizes respect for the people who speak it, their culture and their full inclusion in society.

The state can be blind to religion, but it cannot be mute to language. Citizens need to communicate to feel a sense of belonging, and the choice of official language symbolizes the national identity. That is why many states resist recognizing multiple languages even when they champion civil and political freedoms.

Many countries are finding ways to accommodate the twin objectives of unity and diversity by adopting two or three languages, recognizing a unifying national language as well as local languages. In many colonized countries this has meant recognizing the language of administration (such as English or French), the most widely used local language and a mother tongue at local levels. Tanzania has promoted the use of Kiswahili along with English in schools and government. India has practised a three-language formula for decades; children are taught in the official language of their state (Bengali in West Bengal, for example) and are also taught the two official languages of the country, Hindi and English.

## *Socio-economic policies*

Socio-economic injustices and inequalities in income, education and health outcomes have been the defining feature of many multi-ethnic societies

with marginal groups—blacks in South Africa and indigenous people in Guatemala and Canada. These exclusions reflect long historical roots of conquest and colonization—as well as entrenched structures of hierarchy, such as caste systems.

Economic and social policies that promote equity are critical in addressing these inequalities. Redressing biases in public spending as well as targeting basic services to people with lower health and education outcomes would help—but would not be enough. Multicultural policies that recognize differences between groups are needed to address the injustices that are historically rooted and socially entrenched. For example, simply spending more on education for children of indigenous groups would not be enough, for they are disadvantaged if school instruction is in the official language only. Bilingual education would help. Claims over land—such as the claims of indigenous people over land with mineral resources or the land settled by white colonizers in Southern Africa—cannot be resolved with policies that expand socio-economic opportunities.

Experience in India, Malaysia, South Africa and the United States shows that affirmative action can reduce inequalities between groups. In Malaysia the ratio of average income between Chinese and Malay populations declined from 2.3 in 1970 to 1.7 in 1990. In the United States the proportion of black lawyers rose from 1.2% to 5.1% of the total and the proportion of black physicians from 2% to 5.6%. In India the allocation of government jobs, admission to higher education and legislative seats to scheduled castes and tribes has helped members of these groups climb out of poverty and join the middle class.

None of these policies is without its complexities, but the experience of many countries shows that solutions are possible. Bilingual education may be contested as ineffective, but that is because it receives too little support to ensure quality. Affirmative action programmes may be contested as creating permanent sources of inequality or becoming a source of patronage—but they can be better managed. These are ways of responding to demands for cultural inclusion. But we must also recognize that in the world today there are also more movements for cultural domination that seek to suppress diversity.

*Multicultural policies that recognize differences between groups are needed to address injustices historically rooted and socially entrenched*

*The maintenance of a liberal society depends on respecting the rule of law, listening to political claims and protecting fundamental human rights—even those of vile people*

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**Movements for cultural domination threaten cultural liberty. Fighting them with illegal and undemocratic measures violates human rights and does not make the problem go away. Democratic accommodation is more effective in exposing the intolerant agendas of such movements and undermining their appeal.**

People leading movements for cultural domination believe in their own cultural superiority and try to impose their ideologies on others, both within and outside their community. Not all such movements are violent. Some coerce others using political campaigns, threats and harassment. In the extreme they use violent means as well—hate attacks, expulsions, ethnic cleansing and genocide. As a political force intolerance is threatening to overwhelm political processes in countries around the world. Movements for cultural domination take different forms: political parties, militias, violent groups, international networks and even the state. It is naïve to assume that democratic societies are immune to intolerance and hatred.

The underlying causes for the rise of movements for cultural domination often include manipulative leadership, poverty and inequality, weak or ineffectual states, outside political interventions and linkages with the diaspora. These factors can also inspire nationalist movements—say, for autonomy or secession. But movements for national autonomy are not the same as movements for cultural domination. For one thing, movements for cultural domination can often arise within the majority group that already dominates the state—such as extreme right parties in many European countries. Conversely, many movements for national autonomy can be quite liberal, recognizing the importance of accommodating diversity within an autonomous territory and seeking only the same respect and recognition as other nations. What distinguishes movements for cultural domination is their assertion of cultural superiority and their intolerance. Their targets are freedom and diversity.

The question is how to deal with them? States have often tried to confront these movements with repressive and undemocratic methods—bans on parties, extrajudicial detentions and trials, legislation that violates fundamental rights and

even indiscriminate force and torture. These measures often suppress legitimate political demands and processes, resulting in much more extreme reactions. When the Islamist Salvation Front (FIS) won the first round of elections in 1991 in Algeria, the military intervened and banned the party. The result: a civil war that cost more than 100,000 lives and spurred the growth of intolerant and violent groups.

Instead, democratic accommodation works. Allowing extreme right parties to contest in elections can force them to moderate their positions as well, for example, with the Freedom Party (FPÖ) in Austria or the Justice and Development Party in Morocco. Electoral competition exposes the fringe appeal of other groups (the Progress Party in Denmark). Democratic accommodation also gives states the legitimacy to prosecute hate crimes, reform the curriculum of religious schools (in Indonesia and Malaysia) and experiment with community initiatives to improve relations (Mozambique and Rwanda).

The maintenance of a liberal society depends on respecting the rule of law, listening to political claims and protecting fundamental human rights—even those of vile people. Intolerance is a real challenge for cultural liberty—that is why the means to deal with it must be legitimate.

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**Globalization can threaten national and local identities. The solution is not to retreat to conservatism and isolationist nationalism—it is to design multicultural policies to promote diversity and pluralism.**

So far the focus has been on how states should manage diversity within their borders. But in an era of globalization states also face challenges from outside their borders, in the form of international movements of ideas, capital, goods and people.

Expanding cultural freedom in this age of globalization presents new challenges and dilemmas. Contacts between people, their values, ideas and ways of life have been growing and deepening in unprecedented ways. For many, this new diversity is exciting, even empowering. For others, it is disquieting and disempowering. Many fear that globalization means a loss of

their values and ways of life—a threat to local and national identity. An extreme reaction is to shut out foreign influences, an approach that is not only xenophobic and conservative but also regressive, shrinking rather than expanding freedoms and choice.

This Report advocates an alternative approach that respects and promotes diversity while keeping countries open to global flows of capital, goods and people. That requires policies reflecting the goal of cultural liberty. Policies need to explicitly recognize and respect cultural difference. They also need to address imbalances in economic and political power that lead to loss of cultures and identities.

Such alternatives are being developed and debated in three hotly contested areas:

- Indigenous people are protesting investments in extractive sectors and misappropriations of traditional knowledge that threaten their livelihoods.
- Countries are demanding that cultural goods (mainly cinema and audiovisual products) not be treated as any other goods in international trade since imports of cultural goods can weaken national cultural industries.
- Migrants are demanding accommodation of their way of life and respect for the multiple identities they have in both the local community and their country of origin. But local communities are demanding that immigrants assimilate, or be turned away, for they fear that their societies are becoming divided and that national values and identity are being eroded.

How can these demands be accommodated? How should diversity be respected, and the asymmetries addressed?

### *Indigenous people, extractive industries and traditional knowledge*

Investments that disregard indigenous people's rights to land and its cultural significance as well as its value as an economic resource will inevitably invite opposition. So will patenting traditional knowledge under the same conditions. Three principles are critical: recognizing indigenous people's rights over knowledge and land, ensuring that indigenous groups have voice (seeking their prior informed consent)

and developing strategies for sharing benefits.

Some initiatives, though still limited, are being taken by corporations and national governments to work with indigenous communities in developing new investments. In Peru government and corporations have learned the lessons of previous confrontations and have been involving indigenous communities in decision-making in the Antamina zinc and copper mine since 2001. In Papua New Guinea investments in community development projects accompany extraction activities. Collaborative ventures between mining companies and indigenous people in North America and Australia have brought monetary benefits while preserving traditional lifestyles.

Many national governments are taking steps to recognize traditional knowledge. Bangladesh recognizes community-based rights to biological resources and associated traditional knowledge. Lao PDR documents knowledge in its Traditional Medicines Resource Centre. South Africa has promised to share with the San Bushmen the proceeds from drugs developed based on their knowledge. Countries have already found ways of using existing intellectual property rights systems to protect traditional knowledge. Industrial designs are used to protect carpets and head-dresses in Kazakhstan. Geographical indications protect liquors and teas in Venezuela and Viet Nam. Copyrights and trademarks are used for traditional art in Australia and Canada.

Recognizing diversity means that different notions of property rights and the cultural significance of knowledge and art forms be accommodated within global regimes. This requires international action. If current intellectual property standards cannot accommodate commonly known traditional knowledge or its attributes of group ownership, the rules will need to be revised. Loans to countries and companies for projects that wrongly acquire property or do not compensate communities should be withdrawn.

### *Cultural goods*

Should cultural goods be protected in international trade to help protect cultural diversity in the world? Are films and audiovisual products cultural goods? Two principles are critical: recognize the role of cultural goods in nurturing

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creativity and diversity, and recognize the disadvantage of small film and audiovisual industries in global markets.

Diversity in cultural goods has its own value because it increases consumer choice and enriches people's cultural experience. But cultural goods also enjoy economies of scale. So the products of large producers tend to crowd out the products of smaller producers, particularly in poorer countries.

How can diversity be promoted? Mounting barriers to trade is not the answer, since that reduces choice. Support to cultural industries rather than tariffs would do more for diversity. Argentina, Brazil and France have successfully experimented with production subsidies and tax breaks for cultural industries, without stopping the flows of cultural products from overseas to local markets. Hungary diverts 6% of television receipts to promote domestic films. Egypt uses public-private partnerships to finance the infrastructure for film making.

### *Immigration*

Should immigrants have to assimilate or should their cultures be recognized? Three principles are critical: respect diversity, recognize multiple identities and build common bonds of belonging to the local community. No country has advanced by closing its borders. International migration brings skills, labour and ideas, enriching people's lives. Just as traditionalism and religious practices that violate human rights cannot be defended, forced assimilation cannot be a viable solution.

Identities are not a zero sum game. Consider this, from a Malaysian in Norway: "I am often asked how long I have lived here; '20 years', I say. The next remark often is 'Oh, you are almost Norwegian!' The assumption here is that I have become less Malaysian because it is common to think about identity as a zero sum game; if you have more of one identity, you have less of another. Identity is somehow imagined like a square box with a fixed size."

Two approaches to immigration dominate most countries' policies: differentialism (immigrants keeping their identities but not integrating into the rest of society) and assimilation

(without the choice of keeping the old identity). But new approaches of multiculturalism are being introduced that recognize multiple identities. This involves promoting tolerance and cultural understanding, but also specifically accommodating religious practice, dress and other aspects of everyday life. It also involves acknowledging that immigrants are voiceless and insecure in the face of exploitation and providing support for integration such as language training and job search services.

Countries are expanding the rights of civic participation to non-citizenship—"denizenship" (Belgium, Sweden). And more than 30 countries now accept dual citizenship. To reduce misconceptions and prejudices the Commissioner's Office of the Berlin Senate for Integration and Migration funds immigrant organizations, uses public information campaigns and offers legal consultations in 12 languages to help with jobs and tackle discrimination.

But these policies are contested. Bilingual education in the United States and the wearing of headscarf in France are divisive issues. Some fear that they challenge some of the most fundamental values of society—such as commitment to adopt the American culture, or the French principles of secularism and gender equality.

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Expanding cultural freedoms is an important goal in human development—one that needs urgent attention in the 21st century. All people want to be free to be who they are. All people want to be free to express their identity as members of a group with shared commitments and values—whether it is nationality, ethnicity, language or religion, whether it is family, profession or avocation.

Globalization is driving ever-increasing interactions among the world's people. This world needs both greater respect for diversity and stronger commitment to unity. Individuals have to shed rigid identities if they are to become part of diverse societies and uphold cosmopolitan values of tolerance and respect for universal human rights. This Report provides a basis for discussing how countries can make that happen. If the short history of the 21st century has taught us nothing else, it is that ducking these questions is not an option.