

Multiculturalism And Justice: A Deconstructive Approach

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ABSTRACT

This paper deals with the idea of multiculturalism in the modern context of nation building, where ethics and politics have to be understood and conditioned in the domain of liberty and freedom. Contemporary global political scenario seems to be rejuvenated by the influence of mass media, instigating, convincing, and accentuating the contextual perspective of justice. This contextual or contemporary notion of justice is the very question that withholds any established theories of justice to function and apply. Therefore, concepts like 'diversity', 'difference' is the core principle that partially rebel the prevailing liberal democracy, and also that reside within the idea of multiculturalism as dynamics of justice. Thus, here we are trying to make explicit the deconstructive understanding of justice as functioning in the understanding of multiculturalism.

Key Words: justice, multiculturalism, undecidability, deconstruction, logocentric.

Introduction

The title is obscure enough to rectify if we are talking about, first, the working of justice in the domain of multiculturalism, or second, on the other hand, we might be focusing on the problem of justice in multiculturalism's context. We are not ever sure why the very term 'multiculturalism' was coined because, while rendering the meaning, we are confused to the question 'Is the idea of justice truly embodied in the idea of multiculturalism?', or 'Was it coined purposefully to deliver justice in the working of multiculturalism?' The later involves a sense of drawing attention for the sake of a failed justice. But, without any doubt, 'it' recently proved to be a much embarking topic in the democratic world and also at large.

That being said, we are syntactically agreeing the fact that multiculturalism, as a contemporary discourse, is being sustained for its inclination more towards the delivering of justice rather than demanding justice. For instance, the lines like, "A democratic state should adopt multiculturalism" has become a maxim. This is the popular understanding but we are not adopting it straight nor are we completely ignoring it. Transforming, constructing, or unifying to constitute a grand structure called multiculturalism is also an open invitation to innumerable problems and issues. Maybe it is open to a debate *ad infinitum*. But we are not ready to accept it as a mere socio-political impasse. Again, an immature demand without being critical could be equally catastrophic. What we present here in this paper is a deconstructive model of justice; which is a possibility of justice that explains multiculturalism and its implicative, emergent justice, or rather the only form of justice that can be expected in the context of multiculturalism. This approach might befall into a much profound explication and exposition of the very nature of multiculturalism itself.

The Problem of Justice

To begin with, multiculturalism has multiple aspects to arrive at a proper understanding of the concept. This is because multiculturalism is itself a discourse on the topic of 'difference', 'identity', 'recognition' or 'equality'. These kinds of discourses are deeply embedded in the human history itself, only resurfacing itself in time, or more appropriately in proper time. Thus, the rejuvenating process where human history is involved, also makes explicit the inherent philosophical basis. And for better or for worse, philosophical dialogue always involve a dialectics of thesis-antithesis towards some probable synthesis, but this 'dialectics' function on different philosophical approach in the form of reasons and arguments to enrich the principal proposal. Here the principal proposal is the establishment of multiculturalism and assimilate it in any form of democratic practice as in a state or in larger global context.

The entire dialectics, especially the very dialectics which is 'of' and 'inside' of multiculturalism, is ultimately a demand for justice. We can realize the dynamics associated with multiculturalism as in socio-political debate, is simply the human curiosity of reverberating, organizing, and sensitizing the shortcomings concerning justice, or the immanent injustice that prevails in the prevailing institution as the authority for justice. The very notion of 'justice' itself, though very complicated, or bewildering, always anticipates the concept of *peace* and *harmony* significantly in human context.

The dominant political theory that runs the larger part of the global politics is the liberal democratic theory. Some of the major challenges posed on multiculturalism is/was directly related to the liberal democracy, but at the same time the very possibility of multiculturalism itself is open in the domain of liberal democracy. One understands the notion of multiculturalism and its functionality in the domain of liberal democratic system. It remains almost unthinkable for the possibility of it in other domains except for those rare benevolent despotisms. On the other hand, the same domain also challenges the core of multiculturalism itself. This paradox or ambivalence is always the cause of both justice and injustice. Deconstruction, without any invitation, has been functioning without being seen or reached by the popular intellects. We will come to this in the later part of the paper.

Some of the political justice emerges out of the rights and liberties; citizenship as right, a contractarian model of annihilating diverse cultures under one banner of civil rights and liberties, or more appropriately – democratic principles and the emergent justice. This model of citizenship is an ultimate outcome of delivering justice in terms of equality in larger context. And, without doubt, justice in one form or the other, to certain extent, is/was insured or delivered. I would say that the generalization on justice in the recent constitutional provision of rights was hastily done. I believe there is a slight difference between 'common consensus', 'unanimous approach' or 'majority principle' with the delivering of justice. That is why questions have been raised against the prevailing justice principles.

Kymlicka has suggested that the defense of multiculturalism has been approached by different sections on two major grounds of justice; 'economic hierarchy' and 'status hierarchy' (KYMICKA 2002). These two hierarchies were discussed by Nancy Fraser's "Politics of redistribution" and "Politics of recognition" (FRASER 1998). Politics of redistribution entails socio-economic justice while reducing group differences. This includes restructuring of economy, labour, etc. in favor of marginalized groups until there is some stability in the equation. Politics of recognition on the other hand is the constitutional provinces for establishing cultural justice. This is the fundamental provision for honour and prestige. Here, the hierarchy in status is expected to be discarded as much as possible. While embracing the diversity, unlike the politics of redistribution, which work on maintaining the equation, politics of recognition focuses on the possibility of inequalities. The inequality here is not the hierarchical inequalities but the affirmation of differences with all the honour and prestige like that of the other and thus harmonizes under one banner of democracy or humanity at large. On the other hand, the politics of recognition also includes those groups which are not a victim of deprivation or marginalization, who only seek the recognition of the difference and thus preservation of their culture. The economic justice which implies redistribution is another way of speaking in Marxian terms, and the recognition as cultural justice represents the communitarian morphology, though both Marxism and Communitarianism has far reaching consequences and conclusions than the problems and necessities of multiculturalism.

The idea of justice can be reached from different route, carrying and convincing the significance of each proposal of the idea of justice. Most of them are logically founded and deeply rooted in the human welfare. But none of them can be erected as a substantial explication of an objective and absolute justice. Being hypothetical, in each and every assertion, has maximum benefit in their own interpretation, understanding, and the generalization; a hasty generalization, that has been operating on their opted path and the aspects and prospects associated with it. Multiculturalism, and the idea of justice associated with it, could be explain and examine from different theories of justice. For instance, if the principle of fairness propose by Rawls is put into test, then Rawls might review and apply his contractarian model as original position, and deliver a justice; Rawlsian interpretation of justice, both economically and culturally. While saying this, we are not doubting the Rawlsian project or any other similar project, neither do we are implementing the prevailing theories of justice; theories of "justice as presence". But, any number of evaluations always tends to arrive at the two politics that is redistribution and recognition, if we trace justice in multiculturalism.

That being said, multiculturalism when set parallel to liberal democracy, invoke multifarious issues, the one-to-one challenges between individual and group in terms of rights and liberty, unification and diversity, identity and difference, all of which are the elementary functions of "a state" or rather "a harmonious or peaceful state". Under the umbrella of liberal democracy in a normal functioning of state, any individual or group, say privileged group, have the right to question any kind of economical favor to the minorities. This is because the same groups, the minorities, share the basic liberal principles, equity with equal opportunities. The communitarians would argue that, while we retain those basic liberties, we need to emphasize on the values of social roles and intra social relationship. Others would argue that meaning of good life is deeply rooted in the cultural values and further, any kind of individual liberties has to be determined through the intrinsic factors of their cultural identity.

In a nation building process, unlike traditional process which was accumulated through nationalism, rights and liberties, the modern state after the advent of the idea of humanity beyond sex, caste and creed, unanimity has always been a problem and this led to resurrect the problems of injustice. Until recent times, most of the

western political theories tried to diminish this injustice through a grander approach by ensuring individual rights and liberties. This seems rather insufficient to handle the cultural diversities in the context of one nationhood, of citizenship as rights. Iris Marion Young spoke of 'differentiated citizenship' where the demand for citizenship should be under the purview of their group; citizenship as part of their group and not segregated as individuals¹ (Young 1990, 97). But these groups are not unipolar in the sense that their demands and expectations, and their vision of justice are quite diverse. Though this diversity finally converges to the redistribution or recognition, their claims seek numerous transformations on the part of majority on different aspects. For instance, there is the problem of gender which is more directed towards the attitude of larger community. This problem is extra constitutional. On the other hand, a religious or cultural minority seeks to reciprocate their shortcomings by undoing some of the constitutional provisions. But what this group would implement within its own group is open to absurdities; the center within a center, the problem of reduction ad infinitum. That will be a topic for another discourse.

What it could be!

Now the question is, is multiculturalism qualified enough to embrace a universal notion of justice? Or Is justice applicable in the context of multiculturalism? Or Is justice possible at all 'in' and 'of' multiculturalism? Liberal democracy would reply that a sheer demarcation could be hazardous for long awaited individual liberty and rights, and also defying the hard earned democratic principles. The communitarians would argue that democracy can still prevail while adopting and recognizing the outstanding inevitability of individual as a part of community, bound and determined by the values associated with it.

These answers are rather polarized arguments in favor of their theories. Derrida would say that there is always a 'violent hierarchy' (DERRIDA, POSITIONS 1981). It is indubitable to infer that injustice arises out of the violent hierarchy; violent hierarchy as economic hierarchy or status hierarchy. The principle of liberal democracy arises to diminish or annihilate the feudal hierarchy, the communist principle arises to decapitate the economic hierarchy in bourgeoisie society, and the contractarian model arises to mitigate the natural calamity that arises from natural endowments. Every single commotion is born out of the violent hierarchy and the injustice associated with it. Now few more questions surfaces; is there no hierarchy in the entire lexicon of multiculturalism? Or, is multiculturalism state a state of zero tolerance to hierarchy as such? Whenever there is a strong proposal of multiculturalism, there is always a demand of justice. While this demand is normally directed to the liberal democracy under the common ideology of universal citizenship, at the same time, this demand is possible only in the domain of liberal democracy. An activist of multiculturalism, or rather a representative of Jew community cannot practically raise the issue of Jew rights to Adolf Hitler himself. Thus, the possibility of multiculturalism is also determined by its impossibility.

We all know that multiculturalism is not directly opposed to the principles of liberal democracy, though some provisions are at stake, it only seeks a fair play on the field. Narrowing our inquiry, it is right to conclude that multiculturalism could only function (and also making the very demand of the possibility of it) in the domain of liberal democratic states. The notion of liberty and freedom permit the groups to demand, to approach, to segregate, and to establish their own interpretation of justice. We are not sure if it is legible for multiculturalism to question any of the provisions of liberal democracy. Are they perfectly right to make a claim against that which granted them to make such claim? This is where deconstruction becomes inevitable.

When I say deconstruction, it does not mean to dismantle anything at all. Deconstruction is not to be understood as something negative, something destructive, which many have already concluded as such, but it is just a realization of the underlying functionality. Deconstruction, as Derrida has suggested, is full of expectations, inventions, and transformation. I am not explaining deconstruction thoroughly here, but I shall try to reveal the undeconstructibility of deconstruction, that deconstruction as such, and its inevitability; inevitability as necessity par excellence in any discourse or establishment, any attempt to replicate the presence, and particularly in this very discourse on multiculturalism. Though I haven't talked about deconstruction in the last few paragraphs, deconstruction has been in work without the need of any explicit exposition. In plain language, what I intend to show is the basic functionality of deconstruction, which is also 'deconstruction', while making possibility the notion of justice.

Deconstruction has its impact in many domains. Jacques Derrida's humungous work provoked many disciplines. Among them, language, philosophy face the major blow. Explaining deconstruction does not demand the normal process of explication in a dialectical way. But deconstruction never denigrate logical reasoning. It is simply absurd to define deconstruction, but we can present the itinerary of its functioning. Popular conception of deconstruction is somehow inclined towards the sceptic approach of nihilism responsible for destructing the foundations of theories and formulations. It has been recognized as perceptively anti-foundationalist, challenging the common notion of development, or assertive epistemic framework. But deconstruction, for Derrida, is a way of realizing that there cannot be an established hierarchy. The truth claims of 'x', and the following significance of it over 'not-x' is found to be ambiguous in the true sense of the term. For instance, the binary opposition between presence and absence, speech and writing, nature and culture, good

¹ In the book *Justice and Politics of difference*, Iris argue against the modern conception of civic public because such universality threatens the group differences, passion, and play.

and evil, etc. remains to be an ambiguous claim in such a way that the superiority of the one over the other is truly inexplicable. The deconstructive task always tries to reveal that there is no true opposition between the two ends of the binaries (example between nature and culture), or rather there is no true binary opposition. Instead, what deconstruction finds is the undecidability of the binaries. This is the brief explication of the functionality of deconstruction.

Multiculturalism can be traced back to ancient times, more importantly to the classical period, at least in principle, in theory, implicit in those grand political theories. This is an arduous task for a political historian. But we are marking here the very debate that arises out of communitarianism, cultural diversity and re-evaluation of group politics, minority rights on account of deprivations, marginalization and alienation of groups and sections in terms of differences generated by biology, cultures and economy etc.

In the first place, justice was deduced out of the notion of economic and political equality. This led to crumble the feudal system and its operative hierarchy; leading to the deliverance of intolerable injustice to the serfdoms, and at different levels both qualitatively and quantitatively. Thus, giving rise to the principle of liberty and rights, and those other appropriate political ideology of democracy. Within this salvation, Marx rightly pointed out the significance and meaning of human history as class struggle by exposing the sinister part that has led to unbearable economic exploitation of one group or class by the other. This very clash of class is also a war in the name of justice. This war can also be interpreted as 'seeking justice inside justice'. Again, Marx's ultimate, that is the dictatorship of the proletariat, which implies power in the hands of the few, evidently proved to be pervaded by the injustice; a thorough deprivation of rights and liberty and many other aspects in this dynamic practical world. This is just an explication and we do not validate the later against the former. In Derrida's words, this is a mere reading, because there are texts, and texts are the context, and "nothing is outside the text" (Derrida 1974). By this, Derrida meant to address the infinite tracing, sourced out by the principle of indication. This further means that the perceptive dominance of the one by the other, the rightful claim by the one over the other, is inherently the reverse of what the majority generally presume. There cannot be a final presentation in the form of a grand narrative that could reasonably outlast the other that stood at the other side of the bank. Simply, what Derrida insists is, there cannot be a true winner who could make a legit(reasonable) claim of the throne; most of the claims are shrouded by the undecidability of their eligibility. For example, in a text, what we generally agree is the significance of the *phones* over the phonetic signs. This led to the dominance of the speech over writing, because we presumed that signs or symbols are the representation of the actual sounds, or speech. But, according to Derrida, these *phones* come alive only when there are spaces, punctuations, etc. which are purely non-phonetic. Thus, any attempt to deduce justice out of their theories could be self-reporting of its own contradictoriness. Again, what we have presented here is [or should not be] not in a chronological sense, or neither any kind of senses of events. These has to be a product of contemplation sorted out as an inter-connected network, transcending the spacio-temporal framework, because any philosophical ideas or theories does not fit, strictly, in a given timeline.

Now, for a period, we were doomed or condemned to embrace the contextual interpretative understanding of rights, equality, and liberty. That means, we are not completely/absolutely free nor are we ultimately/perfectly equal. This has been working out in the name of fundamental democratic principle and in the name of justice. The profound concept of liberty and equality is diluted, filtered, and regulated by law through a contractarian model of nation building policy in the form of a drafted, agreed, and signed constitution. Theoretically, there are numerous forms and interpretations of justice from Hobbes to Rawls. But this is the *de facto* situation that persists as evidence to the claims, visions, and dreams.

Finally, the whole dialectics is challenged by the idea of multiculturalism inspired by plurality and difference principle. Now, honestly, here, the idea of justice seems to be blurred; blurred as to the clarity sought earlier because justice is everywhere, and also justice is nowhere. It sounds like multiculturalism posed a threat on justice itself, leading to the denial of the basic unification theories, or principles that underlies the present workable political ideologies. This is a deviation from the unanimity, from the common consensus, from the popular ideologues etc. Now for me, this deviation is valid and the threat we mentioned is far from reach.

The Verdict

We shall try to conclude the paper by showing two pertinent points; first, deconstruction is the under current that was guiding, transforming, and formulating through the entire dialectics. Second, deconstruction is/should be the justice embedded in all its variations, or deconstruction is the justice which inspires multiculturalism, and at the same time resides within it. What distinguishes between us as talking about deconstruction, and any other theorist or researcher who happens to participate in the spontaneity of the dialectics is that, we see and focus [and stuck] on the undecidability, and on the other hand they indulge on objective elucidation of the hypothetical postulation and thus claiming 'justice is x'. Again, we are not denigrating them on any account concerning their claims and judgments. This very hunt for justice so as to conclude 'justice is x', and the resulting dynamics, is a linear progress of denial and affirmation. It is always an arrival of something new and if this something new dominates over the other, or the previous alterity, then we reaffirm Marxian conception of history. This manifests itself as the history of trace, a trace of the trace, a trace within a trace, and so on. Some see this as the reality at work; the basic principle of existence. But few of us can be situated on a plane that transcends the logocentric advancement. A novel transition from one political

system to another, presupposes an idea of injustice that was inherent within the previous system. To be very critical, the incumbent system was also a product of another revolution; an adaptation, a change for a better world, which happened in an age determined by the context, the period, through reasoning. May be reasoning itself could have been influenced by traditions, beliefs, while ours at present is influenced by science. This point, of determination of human rationality by the historical process, is the major task undertaken by the French thinker Michel Foucault. Oksala observes, "In short, Foucault argued that what was presented as an objective, incontrovertible scientific discovery (that madness is mental illness) was in fact the product of eminently questionable social and ethical [and political, I would add] commitments." (OKSALA 2019).

Therefore, establishing something new is highly debatable; debatable in the sense that not only the present form is equipped with internal flaws, but the question is, is it entirely a case of justice comparing to the previous one? We are not delving deeper here, but for the sake of reality; the complex complicated reality that present itself in its aporetic, or undecidable, character.

Now, what fascinate us are the contexts and the prevailing/adopted principles of justice. For any principle, in case of its adoption, it needs to be presented with ample justifications; justification in the form of law, explicating and highlighting all the possibilities of justice in case of conformation, and the possibilities of injustice in the case of violation or denial. This prevents the theory to become stagnant or sterile. Also, deliverance of contextual justice is guaranteed. This 'enforceability' is the problem that invokes a cause for alterity, transformation or invention. This 'enforceability' incarnates itself as law, and according to Derrida, it is not possible for the law to deliver, or even anticipate, a pure case of justice. This is ironic with the present understanding of 'law', 'judicial', and 'justice'. For Derrida, pure justice is when the judgment transcends law; "a decision made at singularity mark by undecidability" (DERRIDA, FORCE OF LAW 1992). Pure judgements are always made on the level of the impossibility of law; against law, beyond law. This is because, a mere adoption of law, or the codes, means there is simply a robotic respond to a programme or algorithm; an inauthentic literal translation of laws. Decisions are decisions because it marks the significance of undecidability; decisions are the product of a dilemma. Decision in the form of judgment cannot be something which was determined prior to the situation of undecidability or the dilemma. Derrida is also not blind to the fact that laws are responsible for the situation of singularity and thus justice. This compounded nature of law-undecidability-justice is intrinsic within the dialectics of politics and justice. The thesis and antithesis of political discourse is also the effect of the overthrowing, dismantling, substituting events, imposed and proposed by the masquerading theory of political or economic justice. They are masquerading because there is no absolute, substantial, or pure justice.

Multiculturalism is also a product of logocentric formulation of justice. This began with the enforceability; enforceability as part and partial of universalization, which could, or has been interpreted as another facets of violence. The civil rights guaranteed by the liberal democracy on the individual level has transformed into a threat to the community, or to the standard ethos of the group, voluntarily or involuntarily. The problem of economic redistribution, or the status recognition can be solved by reviewing certain provisions which was the hurdle in neutralizing this hierarchy. For instance, Group-A can co-exist with Group-B through proper redistribution and maintaining the recognition. This could be the simplest form of multiculturalism. Because, here the basic principle of equal rights and liberty has been upgraded from micro to macro; from individual to group, but still, the principle remains intact, unharmed and unquestioned to certain extent. But injustice still prevails, in one form or the other. This is because the deconstructive strategy, partially understood as specifically of diminishing the hierarchy, took a wrong turn. Injustice still prevails in the name of benign neutralization, absorption of minorities to larger sector, thus leading to the loss of group identity, loss of closed cultural values etc. This problem is due to a very simple reason, or what I've just said – a wrong turn; the substitution of one by the other, the substitution of inequalities by equalities, of differences by universalization, and so on. That is why the hard earn basic civil rights and liberties of individuals pose a threat to the sustenance of group identity.

Multiculturalism does not/should not tantamount to any kind of polarity. This includes a gradual or immediate rise of power from any particular level or hierarchy. Multiculturalism could be nothing more than the accommodation of differences. Thus, a true multiculturalism should not take the form of logocentric substitution of the other; the annihilation followed by erection. Instead, true multiculturalism should realize the diversity and embrace it. Precisely, this diversity should be understood as undecidability; undecidability between equalities and inequalities, universalization and segregation, identity and difference etc. because justice is not in annulling the one and adopting the other but "in the essence of the singularity of the situation which is determined by the undecidability". Justice is always with a decision and its possibility is provided by the undecidability. On the other way around, the determined ends of undecidability, which is a product of knowledge, is the situation upon which a true decision has to be made. This decision, Derrida warns, cannot be made by the part of me or us that knows. It should be made by the other inside me. Because, if you know what your decisions will be, the decision to come, the 'perhaps' that is always impossibly possible, then there is no pure decision. Here, the sanctity of the decision, as something new, as justice, has been entirely lost in the discourse. (DERRIDA, HOSPITALITY, JUSTICE AND RESPONSIBILITY: A DIALOGUE WITH JACQUES DERRIDA 1999)

The Conclusion

Therefore, multiculturalism as undecidability is the situation and this situation always anticipate of a coming justice, and this anticipation in the state of undecidability is itself justice. The only principle of justice that can be accommodated in the domain of multiculturalism, or the very core of multiculturalism which determines the dynamics of the idea of multiculturalism, is the principle of undecidability. In other words, the idea of multiculturalism must essentially be founded against the principle of hierarchy, gradation, subordination, etc. and this is possible only in the state of undecidability. And this sense of multiculturalism should be the principle of justice, because the aporetic character of it never led to raise the possibility of injustice. Thinkers like Amartya Sen observed that, justice, rather than trying to grasp the objective definition substantially, lies in eliminating maximum injustice. (Sen 2010)

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