liberal democracy. The issues dealt with are numerous, and the problems that arise are thoroughly tackled. Unfortunately, the various difficulties are not clearly resolved. In fact, my criticism of Rawls’s work is to what extent he provides satisfactory solutions, if any at all, that surface within a liberal democracy – a Rawlsian utopia. I shall focus on four of these issues that I consider to be crucial: (i) what is understood by democracy, (ii) the implications of economics, (iii) the place of religion, (iv) and international relations.

No doubt that each of these four issues, democracy, economics, religion and international relations are vast in themselves, nor can they be neatly separated from each other since they are so closely interwoven. This is what makes John Rawls’s liberal democracy rather problematic - not only in implementing the liberal democratic principles he outlines, but also conceptualizing them is challenging in itself. Our world does not function like a computer hard-drive with installed programs: liberal democracy is a kind of government, as Rawls presents it, that runs on predictably reliable programs operated by, or in political terms, governed by, reasonable people. But we need to begin with the premise that, unlike computer programs, government is a ‘messy business’. Why? Because what constitutes a reasonable people is controversial in itself: do we all agree to this ‘reasonable-ness’. Rawls attempts to set out what is meant by reasonable since this is fundamental to a liberal democracy. Let us begin by first looking at Rawls’s well-ordered societies.

2.0 Peoples

Rawls discusses five kinds of peoples: (i) the reasonable liberal peoples, (ii) decent peoples, (iii) burdened societies, (iv) outlaw states, and (v) benevolent absolutism. What I consider to be a serious difficulty is how Rawls’s liberal peoples interact with these other four societies. Rawls further considers the differences between rationality of a state, and the reasonableness of peoples: the latter is associated with a liberal democracy, while the former
For Rawls, reasonable peoples are basically liberal peoples: these are peoples who have their own interests governed by what they believe to be right and just. Among their interests are the defense of their citizens from aggressors, and the insurance of the security and safety of their citizens. Along with this safety is the protection of political institutions that are associated with a free and civil society (Rawls, 1999: 29). Rawls distinguishes between a reasonable peoples and the rationality of a state. This terminology in itself poses problems. The rationality of a state may be shared by what seem to be reasonable peoples; for example, the Germans believed in the 1940s they were ridding their society of undesirable and inferior beings. The WWII genocides for which Germany was responsible would unlikely have occurred in a society as advanced as Germany if the Germans were not led to believe they were doing what was right. What seems reasonable to peoples may very well be the rationality of a state, and an ideology into which the people are indoctrinated. People in western cultures have reasoned the foetal experimentation is acceptable because it is nothing more than tissue; human cloning has already been approved in the UK. Cultures who regard the pre-born as merely tissue have concluded that embryonic experimentation does not violate any rights but, in fact, serves science. At the same time, the cigarette packages in Canada give a warning by the Canadian Medical Association to pregnant women that, “Cigarette smoke is dangerous to your baby’s growth.” For reasonable peoples, such claims should be contradictory.

2.2 Decent Peoples

Why should decent peoples not be part of a liberal democracy? In the Rawlsian vision of democracy decent peoples may be well ordered, but they fail to meet the conditions of a liberal democracy. The significant difference between reasonable and decent peoples is one of degree; decent peoples are capable of achieving that which exists in a liberal society, the problem being that electoral representation is not equal: one person does not necessarily equal one vote. As a
exist, they are not, according to Rawls, according to Rawls. For example, according to Rawls, according to Rawls, according to Rawls, according to Rawls, reasonable. Zimbabwe, for example, would satisfy the criteria for a descent society seeing as all the mechanisms are in place for a pluralist democracy, the only impediment being that Zimbabwe has not made a real transition from a one-party state to a multi-party state. The Swedes and the Dutch may be seen as closer to the Rawlsian liberal democracy than decent societies such as Zimbabwe, but why should African states be expected to conform to Rawlsian reason? African states have attempted to implement western democratic principles, largely due to IMF pressure. These democratic principles should lead to political pluralism but in Africa such pluralism has in many cases actually reinforced ethnic rivalry. Kenya, for example, with a population of almost 30 million, a substantial Muslim community along the coast, and an influential Roman Catholic hierarchy, has been the repeated battleground of ethnic fighting. For some reason, Daniel Arap Moi’s Kalinjin origins keep repeatedly bringing him back to power. To say the least, democracy is more difficult to implement where such political traditions seem foreign, let alone a liberal democracy along the lines Rawls advocates.

Outlaw states cannot be associated with a democracy because they do not respect the sovereignty of other states, nor do they respect the rights of their own citizens. Looking at present-day Iraq it’s apparent that Iraq’s invasion of Kuwait, the development of biological warfare, as well as human rights violations at the domestic level, would identify this country as an outlaw state. Rawls chooses to cite the examples of Spain, France, and the Hapsburg Empire: seeking territorial gain and wealth all three imposed their religion and culture on other parts of Europe (ibid.:106). It seems unreasonable, however, to analyze and evaluate historical events within a context that is foreign to us today. If the normal practice before the French Revolution was to expand one’s kingdom and incorporate the subjects of that kingdom into the religion of the monarchy, can we objectively evaluate such practices? Such is the stance we must take concerning contemporary examples such as Germany’s role in WWII. It cannot be understood simply in terms of territorial expansion and anti-Semitism; instead, Germany’s
Rawls’s assessment of and response to such societies creates a relationship of dependency and leaves burdened societies open to exploitation of their natural resources (Congo-Kinshasa) and labor force (Columbia).

3.1 Rights

The key to Rawls’s Law of Peoples is his account of rights. It is within the framework of citizens’ rights that reasonable peoples are to be understood, and in relation to other peoples rights are understood as principles for respecting the sovereignty of other states – the right of other states to exist. The whole conflict between Israel and Palestine rests on a dispute over which of the two states exists legitimately. Israel seeks its legitimacy on Palestinian land, and thus interprets Palestinian aggression as a refusal to recognize Israel’s sovereignty; whereas, Palestinians, on the other hand, believe they were unjustly driven out of their homeland in 1948 when the state of Israel was carved out of Palestine. The issue is delicate but it shows how ‘messy’ reality is and how theoretically abstracted Rawls’s utopian philosophy is. Rawls’s concept of rights is possible only because citizens are created “free” and “equal” (ibid: 34). The innovative rights that Rawls covers include such things as homosexual relations, divorce and abortion, as well as the more conventional rights such as the right to vote, the right to education, and the right to basic health care. Given this framework for a liberal democracy, such rights would extend to same-sex marriages and the adoption of children by the homosexual couple (as recently recognized by the Dutch government), and euthanasia (also first approved in Europe by the Dutch). In the case of San Francisco, the right to sexual reassignment (sex-change) is not only recognized, but the city of San Francisco has recently introduced financing up to $50,000 for the creative operation. Another civil liberties issue that corresponds nicely to Rawls reasonable peoples is whether illicit drugs in the US should be decriminalized. People such as the Governor of New Mexico, Gary Johnson, represent the reasonable peoples working through issues, such as legal costs and federal spending, to determine whether decriminalization
Rawls thus finds himself in a paradox given that liberal democracy claims that the ultimate good is to be understood as manifest in our collection of rights. If this is not a comprehensive conception of the good, then what is? Yet, the good known as the pursuit of happiness drastically varies over time, and from individual to individual as moral codes erode; therefore, rights simply presuppose a good to which I have the right to fulfill or obtain. If the argument were built on communitarian philosophical principles, however, the value attached to rights is replaced by the value attached to the good. According to such principles, the good of the community precedes any particular right of the individual; hence, the good does not presuppose my rights to that good, since my good must also be the good of the community. We can see here how liberal democracy and a communitarian society differ on fundamental issues. The distinction is one of the interpretations of rights such as the right to sexual entertainment, the right to die, or the right to have my embryo cloned. Are rights a matter of how imaginative we can be with our bodies and our existence? So it seems if our guiding principle is that so long as nobody is harmed, it’s okay. But many acts are not harmful yet we would consider them to be wrong or immoral regardless. Should students in the hot summer months sit naked drinking Coke on the benches? Nobody is being harmed—it may in fact be conducive to a peaceful stress free environment. For cultures that have not been initiated into western ‘tolerance’, many of our actions – guaranteed as our rights – can only be described as deplorable. To export this to other cultures, whereby a Rawlsian liberal democracy serves as a model, can only be seen as absurd. People coming from conservative or traditional cultures, those which Rawls calls decent or absolute benevolence, would distance themselves from such liberal principles. If a western model has any credibility, it is solely because of the wealth associated with the west. Decent people may want to improve their living conditions, but not necessarily to the detriment of their moral convictions.
4.1 Christianity

Philosophers, like historians, tend to stress events in the history of Roman Catholicism, such as the religious wars associated with the Protestant Reformation, to accent the dangers of religion so as to ensure that religion will not exercise the influence that it once held. Rawls discusses events directly or indirectly tied with Catholicism and to a lesser extent Protestantism with the intent of reinforcing his thesis that religion is to be rejected in the political sphere. Thus, Rawls includes both the Saint Bartholomew massacre (Rawls, 1999: 21) as well as Hitler’s anti-Semitism, as the results of Christian hostility. In his first chapter, Rawls immediately makes religion a target - something undesirable not only in the political realm, but even at the social level and, therefore, to be relegated to the rights of individual groups. This treatment of religion apparently ensures no unfair treatment of any religion, and so religion becomes simply a person’s background in a reasonable peoples’ society. With such examples as Hitler and the Saint Bartholomew massacre, who would want religion in the political sphere? Rawls fails to mention the British Empire and Protestant expansionism because this would work against his pluralist argument since as a feature of Protestantism is the regeneration of new churches it ensures no Church dominating, neither at the social level nor at the political level. While Rawls sees this as a strength in relation to democracy (ibid.: 124), from a theistic perspective, doctrinal
continues to stamp passports with the Greek Orthodox Church bearing the faith of the national. The EU is interfering with Greek practice maintaining that it is ‘proselytism’. Greece has responded by refusing to make any changes to the passports, pointing out that the Greek Orthodox Church is not only fundamental to Greek identity, but has been central in preserving the culture of Greece. Liberal democracies of a Rawlsian bend attempting to impose secular values in the name of human rights simply fail to understand the fundamental role of religion in society.

Needless to say there are fundamental differences between Catholicism and Protestantism in the domain of moral theology, as well as ecclesial structure, that can make one Christian tradition more compatible with liberal democracy than another. The plurality of Protestantism needed to make an early start on toleration. Locke’s writing on tolerance were not motivated by his Protestantism, for he was actually an agnostic, but the reality of England during the 17th century as the home to Anglicans, Presbyterians, Quakers, Methodists (interesting enough tolerance was never extended to Roman Catholicism) which required a political structure that would accommodate the varying beliefs. This Anglo-Saxon Protestant phenomenon led to a political vision associated with a particular people in the context of a given culture. Liberal democracy is the consequence of Protestantism, just as capitalism as the consequence of Calvinism. The standard is largely Anglo-Saxon while the world is not. If we respond according to a Kantian system of universality, I wonder how many cultures are prepared to accept the list of dubious rights proposed by Rawls.

4.2 Islam

As mentioned above Rawls is unrealistic with Islam, largely on the basis of the hypothetical Muslim people, the well-ordered Kazanistan – a decent peoples (Rawls, 1999: 75-78). Rawls’s references to Islam serve to ‘correct’ misconceptions regarding women, Jihad, and relations with non-Muslim. Muslim societies are eligible to be considered as decent societies due to Islam’s approval of consultative hierarchy. Rawls finds an example of this in the Ottoman
Afghanistan, as being a political form as in the case of other organizations. Only Muslims can decide.

Rawls points out that in the Ottoman Empire Christians were allowed to practice their faith (a feature of the Kazanistani peoples) showing tolerance, part of Rawls condition for a decent peoples. However, a Muslim consultative hierarchy is democratic as far as the consultative body accepts Sharia. Tolerance needs to be understood in the context of the social, political and economic realities that have radically changed in the last century where the focus has been on individual rights. These rights may or may not be compatible with Islam – and there is no reason why Muslim nations should adapt values that are contrary to their religious beliefs -- unless that is what the people want. The Islamic Revolution in Iran, for example, shows that the Muslims rejected the western values imposed upon them, and instead, struggled and fought for what they believed in.

5.0 International Relations

In contrasting rationality and reasonableness, Rawls points out that there exists a real gulf between states and peoples. This is obvious when we look at the state’s lack of reciprocity, it’s aim to predominate, it’s attempts to impose it’s religious mandate on foreign states, it’s preoccupation with gaining territories, imperial gains, and dynastic claims, as well as increasing its economic strength. This is the rationality of the state not the reasonableness of peoples. Rawls points out that the hallmark of liberal peoples, that is reasonable peoples, is, “the basic interests as that required by the reasonable” (ibid.: 29). The interest of a state, however, may be a rationality that excludes reasonableness, being driven by any non-reasonable motives, as above exposed. In contrast to the state, liberal peoples have their own interests which are fundamental to their own beliefs based on what is right and just. Regardless of this autonomy, liberal peoples can be led to believe that the rationality of the state is also reasonable for the people. I have cited National Socialist Germany as an example of this in section II.
benefits of liberal democracy it will expend, presumably beyond its own borders, because other states will want to have the same benefits. This argument in itself is problematic because it assumes that a liberal democracy is some kind of an ideal or utopia that we would all want. I for example, would neither want it, nor want to see it expand for reasons already given. But how does a liberal democracy interact with, say, outlaw states? When does a liberal democracy itself become an outlaw state, or can it, by supporting outlaw states through economic ties?

5.1 Globalization

With globalization dominating economics we need to ask ourselves how liberal democracies or even decent societies deal with regimes that are repressive, undemocratic, aggressive - what Rawls calls “outlaw” states. Do we maintain that Cuba is an outlaw state because, unlike a decent society, it has failed to adopt a liberalist philosophy? Is it the west that decides what a liberal democracy is? In other words, we have an economic bloc that supposedly extends democratic principles but these democratic principles are in fact self-serving. In Cuba there has been some significant progress since the Revolution, and more recently changes which suggest a more open society including religious tolerance. Cuba should in fact be commended for its success in the area of health and education. Bearing these factors in mind, Rawls would deem Cuba an absolutist benevolent society (although Cuba is more likely to be considered an outlaw state). Yet, Cuba was excluded from the FTAA summit in Quebec City on the basis that the country was not open to democratic principles, and therefore should not reap its benefits. This is hypocritical because we know that trade in the FTAA implies trade with numerous countries that do not abide by democratic principles such as Columbia and Peru, and the quasi-military operations in drug trafficking transpiring in these two and nameless other countries. How do liberal democracies choose their trading partners? Certainly not by there human rights records. Sudan serves as a tragic example where the poverty-stricken southern Sudanese are captured by the northern Sudanese and then sold as slaves. Talisman Energy Inc. of Calgary is a
pressure on recalcitrant states (ibid.: 84), which serves as an incentive. Although applying such incentives can be abused where the incentives reflect economic interests more than human rights issues, the incentives can nevertheless be applied to countries where human rights violations are clearly being reported. The problem, therefore, is what determines whether a state uses this incentive mechanism? Why ostracize Cube yet embrace Sudan?

Rawls’s utopia is challenged by globalization because fundamental human rights would in fact be violated given the voiceless apparatus the state becomes when confronted by international free market agreements. Where reasonable societies enter such agreements they may find themselves entering into agreements with non-democratic states; for example, Congo-Kinshasa. Diamond mining in what was formerly Zaire involves largely Belgian, French, British and American companies (i.e., Anglo-American Inc). The exploitative presence of multinationals operating in states that are not well-ordered societies, such as “Nike” in Guatemala, is commonplace. Once people discover how wonderful it is to be free and rich who needs Marx and why take God seriously? The question then is this: is liberal democracy not a step towards secular globalization? The Indians, the South Africans, and the French-Canadians provide cheap labor for their capitalist masters. Globalization profits on cheap labor or deregulated markets; is a liberal democracy conducive to such an economic climate? I would argue that it is. Liberal democracy leads to the loss of citizen faith in government, voter apathy in spite of the citizen’s right to vote, and finally serves as merely a pillar for global economics shifting the reigns of power from government to corporations.

5.2 War

Rawls maintains that any state has the right to defend itself and I agree. Moreover, reasonable peoples do not go about attacking other states. The difficulty is when a liberal democracy attempts to defend itself and violates certain principles, such as attacking civilian targets of the enemy, which can be justified as the “supreme emergency” (ibid.: 104), or coming
In his liberal democracy, if one were to question the rights of individuals to be conscripted into the army and sent to fight a war to defend democratic rights?

5.3 Disguised Democracies

Although Rawls lists five types of societies, I would like to add a sixth, disguised democracies. These are countries that claim to be democratic and have all the trappings of a liberal democracy, yet their economic support is made possible through the covert operations in vulnerable countries of the developing world; in other words, such liberal democracies appear ideal in nearly paralleling Rawls’s utopia, when in actual fact, just like Rawls’s utopia, the existence of such wealthy states empowering much of the population through education and material well-being, is at the expense of voiceless peoples in many other parts of the world. They are furthermore disguised because they do not provide the apparatus to determine whether self-government and independence is a better option for culturally distinct communities within their state. Liberal democracies do not need to go to war with each other or with culturally distinct populations seeking self-government within the state for the reasons that the state has the national wealth to make local self-government economically unattractive and renders international military conflict untenable because the wealth of the state is secured through the exploitative mechanisms dominating the world economy, especially through the exploitation of poorer nations. This has less to do with democracy and more to do with economics. If Argentina sucked Britain and France of their resources, and then dominated their markets, devaluing the Pound and the Franc, or the Euro, resource competition between the two European states could easily collapse into a showdown. Rather than pointing our fingers to events in history as Rawls often does, we should identify existing states considered democratic, espousing liberal principles, but which are actually disguised democracies in order to understand what real democracy means.
economical structures conducive to egalitarian well-being, along with some communitarian notions of the good, they are doomed to failure. Liberal democracy may seem to function well now but it operates on borrowed time. Perhaps we need another revolution, but a revolution that fills both material needs and the spiritual needs of society. Surely, we can learn from the Jesuits who lived with the Guarani Indians in South America in community-based structures (radacciones) where they lived together to form one family, owning nothing, and sharing the same belief in God.

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3 The Vatican not only maintains diplomatic ties with countries around the world, but it is the only religious body that has a permanent seat at the UN. Because of our secular tendencies, the Pope’s efforts to draw attention to parts of the world where human rights are violated go unnoticed; this has been the case in Sudan and Paraguay, for example. In 1986 the Roman Catholic Church was instrumental in initiating discussion in social and political areas with Paraguay’s Stroessner military regime. As long as the secular media in the west prefer to focus on sensational scandals, in a further attempt to reduce the legitimacy of religion, there is no reason why a secularist should take religion seriously. But, then again, there is no reason why anyone with religious convictions should take a secular liberal democracy seriously.
4 May 5, 2001
5 Since the Revolution, Cuba had sought to eradicate prostitution where women were exploited in a demeaning service; Havana is no longer the brothel of the Caribbean.