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Contemporary European liberalism

Exclusionary, enlightened or romantic?

Gina Gustavsson

Introduction

What is the state of contemporary European liberalism? According to an emergent literature on immigration and ethnic relations, this question has become increasingly difficult to disentangle from the heated debate over how to handle the growing presence of Islam in Europe.

Consider, for example, the wave of veil bans and mandatory citizenship tests for immigrants that swept across Europe at the beginning of the twenty-first century. As we will see later in this chapter, many of these measures promote a shared European identity of liberalism, rather than a specifically national one (Joppke 2004, 2007). Indeed, the largely secular majority seem to experience the growing Muslim immigrant minority as a threat not only to their national identity as French, English or German, but also, conspicuously, to their ideological identity as liberals (Sniderman et al. 2004; Sniderman and Hagendoorn 2007; Adamson et al. 2011; Triadafilopoulos 2011). This is the background against which contemporary European liberalism must be understood.

This chapter takes a closer look at what is often described as a repressive turn in European liberalism, a turn towards a tougher, exclusionary liberalism that is generally believed to have its roots in the Enlightenment liberalism of Immanuel Kant. The turbulent beginning of the twenty-first century has placed these concerns at the top of the agenda for European politicians, intellectuals and citizens alike.

In March 2004, Europe experienced its first large-scale Islamist terrorist attack along the lines of 9/11: the Madrid train bombings. In the same month, the French affaire du foulard, which had been heatedly debated for over a decade, culminated in a legal ban on wearing the Muslim headscarf and other conspicuous religious symbols in public schools. Later that year, Theo van Gogh, a Dutch film-maker and vehement critic of Islam, was murdered by a Muslim fundamentalist in an Amsterdam street – and before the year was out, the Dutch populist Geert Wilders had founded the new self-avowedly liberal Freedom Party, which advocates the banning of the Quran and the Muslim veil in the name of liberty.

In the subsequent year, 2005, Islamist terror struck London. A few months later, the Danish newspaper Jyllands-Posten published 12 cartoons of the prophet Muhammad; according to the
editor, this was an attempt to fight back against self-imposed censorship among liberal intellectuals and artists on the topic of religion. The publication sparked violent protests throughout the Muslim world as well as in European countries, most notably the UK. The cartoon controversy also gave rise to an intense European debate on freedom of speech and of religion, a debate that quickly came to include the problematic topic of the Muslim veil.

At the heart of this debate lurk the elusive nature of liberalism and its often slippery core concepts of freedom and tolerance. The aim of this chapter is to clarify the nuances of various types of liberalism – and the related ideals of freedom – that take centre stage in these debates.

In the following analysis, I first briefly summarize the core aspects of liberalism, which is best understood as a family name shared by a number of concepts at odds with one another. The subsequent section turns to consider the empirical rise of a repressive or exclusionary liberalism in Europe, most notably exemplified by the recent surge in bans against the Muslim veil. I then return to political theory to understand the roots of this liberalism, which are often traced back to the Enlightenment and its ideal of reflective autonomy. This is followed by a section on public opinion, in which I use survey data to investigate the support for these different ideals of liberty in European public opinion. Finally, I consider some recent critiques of the theoretical framework of ‘enlightenment liberalism’, suggesting that there is a need to focus in more depth on its neglected cousin: ‘romantic liberalism’. This results in a novel theoretical framework for assessing contemporary debates within liberalism.

**The liberal family**

The political theorist Michael Freeden proposes that liberalism exists in three forms: first, in the world of abstract principles, there is liberal political philosophy; second, in the contemporary world of politics and debate, we find liberalism as an ideology; and, third, in history, liberalism takes the shape of a certain narrative (Freeden 2004: 5). Because this chapter is not an exercise in conceptual history or a semantic analysis of the use of the term ‘liberal’, we need not dwell on definitions of liberalism as a political label or historical concept. Instead, let us focus here on its first shape: liberalism as a political philosophy.¹

In the first chapter of *The Making of Modern Liberalism*, Alan Ryan suggests that the varied nature of liberal thought should discourage us from trying to establish exactly what liberalism is once and for all; our focus should instead be on liberalisms in the plural (Ryan 2012: 22). Nor do we here need to establish any more than the external borders of what I suggest we call the ‘liberal family’. In other words, we need a minimal definition of liberal political theory that excludes other families, such as conservative or socialist political theory, but still leaves room for considerable variation between the different members of the liberal family.

The lowest common denominator among the liberal family members is undoubtedly their overriding – critics would say obsessive – concern with individual liberty, as can indeed be deduced from the etymology of the word ‘liberalism’ itself. Under the section on liberalism in *The Encyclopedia of Philosophy*, the British philosopher Maurice Cranston laconically observes: ‘By definition a liberal is a man who believes in liberty’ (Cranston 1967: 459). More recently, Gerald Gaus began his book *Contemporary Theories of Liberalism* with the following words:

> The liberal tradition in politics is, first and foremost, about individual liberty. Although its roots go far back in the history of political thought, liberalism emerged as a distinct political theory as a call for freedom of speech and of thought.

> (Gaus 2003: 1)
The author then goes on to quote the famous Oxfordian John Plamenatz, who said that freedom of thought ‘is an idea which emerges slowly in the West in the course of the sixteenth and seventeenth centuries; and yet today, in the eyes of the liberal, it is this liberty which is most precious of all’ (Gaus 2003: 1). Indeed, it is the defence of this liberty of the individual that we find at the centre of the canonical works of liberal philosophy, such as John Locke’s *Two Treatises of Government* (Locke 2005 [1689]), Benjamin Constant’s *Principles of Politics Applicable to All Representative Governments* (Constant 1999 [1815]) and finally John Stuart Mill’s *On Liberty* (Mill 1991 [1859]).

The state, liberal philosophers typically argue, should not concern itself with the fostering of good, virtuous citizens, but rather with upholding its citizens’ rights to cultivate themselves in the manner they see fit. A crucial element of liberalism in this philosophical sense is thus that it seeks to prioritize the right over the good (Manent 1995: xvi). The reason I say ‘seeks’ is that, as we shall see later in this chapter, many contemporary liberals concur with John Rawls that the liberalism of J. S. Mill, for example, builds on a certain conception of the good, a certain idea of what constitutes the best and highest life (Rawls 1993: 98). However, there is no doubt that Mill understood his purpose in *On Liberty* to be the separation of politics from the pursuit of the good life. His goal was undoubtedly to defend a separation between politics and ethics (albeit for ethical reasons, according to some interpreters).  

In summary, in the words of liberal theorist Brian Barry, the core of liberal political philosophy is the following:

> The basic idea of liberalism is to create a set of rights under which people are treated equally in certain respects, and then to leave them to deploy these rights (alone or in association with others) in pursuit of their own ends.  

(Barry 2003: 538)

With its declaration of this universal right to pursue one’s own good in one’s own way, and its links to a cosmopolitan view of justice and human rights, liberal philosophy is typically uncomfortable with the nationalist project, if not entirely in opposition to it. This is not to deny that liberalism historically developed in close alliance with nationalism throughout the nineteenth century; this is evident, for example, in the case of Giuseppe Mazzini (1805–72), one of the central figures behind the unification (*il Risorgimento*) of Italy, who was just as much a committed liberal as he was a national romantic (Vincent 1997: 277). However, during the later part of the twentieth century contemporary liberal parties in Europe were consistently the least nationalist and the most cosmopolitan and pro-European (Magone 2011: 356–9).

Moreover, we are concerned here with liberalism as a political philosophy and how it has been invoked in debates, rather than with liberalism in history or in relation to party identification. Of course, a few liberal theorists, most notably Will Kymlicka and David Miller, have argued for the need to combine liberal principles with a sensitivity to the individual’s need to belong to a culture or nation (Kymlicka 1989; Tamir 1993; Kymlicka 1995; Miller 1995). Nevertheless, the majority of liberal theorists have remained lukewarm (if not altogether cold) in response to demands for national belonging or cultural similarity. It is fair to say that in liberal thought individual liberty typically takes priority over the need to identify with a given community, culture or nation (Beiner 2003).
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Liberalism in the European debate

Hard-line trends in liberalism

In the less philosophical and more empirical literature on immigration and citizenship, liberalism has been typically viewed as the arch-enemy of any political force that seeks to limit cultural and ethnic mixing, close national borders or differentiate citizenship (Hollifield 1992; Soysal 1994). Yet, this opposition between liberalism on the one side and culturalism on the other has been increasingly challenged by recent events in European politics.

Scholars of immigration policy and ethnic relations have suggested that European liberalism is currently undergoing a major shift on the levels of both policy and discourse. They claim that, rather than defeating nationalism, liberalism is now in the process of replacing it, quickly assuming the role of the principal ideology of belonging in Europe today. The three main examples they return to are veil bans, mandatory civic integration tests and an increasingly harsh public debate that characterizes Muslim immigrants as the intolerant ‘other’, for example in the Muhammad cartoon controversy of 2005 (Rostbøll 2009; Kostakopoulou 2010: 842–3; Rostbøll 2010; Adamson et al. 2011).

It is worth noting that these trends are often viewed as examples of the alleged turn away from multiculturalism. However, while European politicians have certainly announced the ‘death of multiculturalism’, the extent to which this rhetorical shift has been paralleled by a change in policy is questionable (Kymlicka 2010) – as is, indeed, the extent to which multiculturalist policies can ever have been said to play an important role in (for example) republican France.3 In any case, what concerns us here is not the purported death of multiculturalism, but rather the birth of a new liberalism that plays a pivotal role in the harder line that many European governments have adopted towards immigrants and Muslim citizens.4

Adam Tebble has suggested that we are currently witnessing the rise of ‘identity liberalism’, a particularly aggressive and exclusionary version of the liberal ideology. Among his most vivid examples is the famous Dutch immigration video from 2006 which tests the liberalism of would-be immigrants by showing them pictures of topless women, young people smoking marijuana and gay men kissing each other. This video certainly sends a strong message of the uncompromisingly radical identity of Dutch culture and the non-negotiable duty of all immigrants to adjust themselves to these liberal values (Tebble 2006: 474).

Other scholars have suggested that this new liberalism is inspired by Carl Schmitt’s view of politics as ‘based on the identity-constituting process of distinguishing between friends and enemies’. In the paradigm of this ‘Schmittian liberalism’, immigration policy becomes a weapon in a civilizational struggle between ‘us’ and ‘the other’; neutrality and compromise are thus construed as impossibly naïve, since they represent the first step down the treacherous path of losing one’s own cultural identity (Triadafilopoulos 2011: 871).

The Swiss minaret referendum vividly illustrates this toughened liberalism. In November 2009, a majority of 57.5 per cent of the Swiss electorate surprised much of Europe by voting ‘yes’ in a referendum on a constitutional amendment banning the construction of minarets in Switzerland. Although at the time of the referendum there were only four minarets in Switzerland, the pro-ban campaign posters featured a Swiss flag almost entirely covered by pointed black minarets, together with the ominous figure of a burqa-clad woman. The minarets bore a conspicuous similarity to rocket missiles, and their menacing presence on the Swiss flag also invoked associations with the spread of some form of pestilence or infection spoiling the previously clean nation of Switzerland. Despite this overtly racist imagery, the pro-ban campaign presented itself as the defender of the universal values of liberalism, which were portrayed as

Perhaps the crudest case of liberalism as an identity that differentiates enemy from friend can be found in the near-exhilaration with which several influential liberal opinion-makers have reacted to Islamist terror attacks. For example, the French *nouveau philosophe* Pascal Bruckner, a self-professed believer in ‘enlightenment liberalism’, has declared that liberals should welcome the challenge from Islamist radicalism because it invigorates us and clarifies our self-perception:

> let us agree that we now have an enemy and that this helps us remain vigilant, in a state of alert. Here we can truly say with Thucydides: ‘Your hostility does us less harm than your friendship.’ The adversary puts us in the contradictory position of wanting to defeat him and wanting to preserve him in order to retain the energy he instills in us. He is at once detestable and desirable.

(Bruckner 2010a: 138)

### Civic integrationism as exclusionary liberalism

Turning to the policy debate rather than the media discourse, some of the most influential work has been done by Christian Joppke. Although he is not as alarmed by the hard-line liberal trend as many others are, and in fact finds both veil bans and mandatory citizenship tests to be acceptable (cf. Joppke 2010: 115), he nevertheless maintains that ‘liberalism now does the “exclusionary” work which, at an earlier time, had been done by racism or nationalism’ (Joppke 2010: 2).

One of Joppke’s recurring examples of this type of exclusionary liberalism is the recent convergence of several European countries toward similar policies of civic integration (Joppke 2007). In 1998, for example, the Dutch parliament passed the Law on Civic Integration for Newcomers. This law, which made 600 hours of language and civic lessons mandatory for non-European migrants, was intended to show that, after decades of parallel schools and health and community services for immigrant minorities in one of the most multicultural regimes in Europe, newcomers were now expected to thoroughly integrate into their host society. Many liberals believed it was time to stand up for their own culture, demanding that immigrants with supposedly illiberal values adopt the liberal norms of Dutch society. There was a rising concern that multiculturalist policies had contributed to a polarized and fragmented society, leading to the radicalization of young Muslims in immigrant neighbourhoods (Joppke 2004: 248). This concern was heightened by the murders of the gay right-wing populist Pim Fortuyn in 2002 and the Islam-critical film-maker Theo van Gogh in 2004 – although only the latter could be connected to Islam; Fortuyn’s assassin was a vegan activist, whereas van Gogh’s murderer was a Dutch-Moroccan Muslim enraged by the portrayal of Islam as a misogynist ideology in *Submission*, a film van Gogh had made with the Somali-born Dutch feminist Ayaan Hirsi Ali (Joppke 2007: 7–8).

Over the first few years of the new millennium, mandatory civic integration programmes, intended to teach newcomers the values of their host countries, spread beyond the Netherlands to France, the UK, Belgium, Austria, Germany, Denmark, Norway and Finland (Joppke 2004: 248). For example, following the intense riots in many British cities in 2001, the Labour government launched an investigation into the increasingly polarized race relations in the UK. According to the resulting *Cantle Report*, one of the main roots of the problem was that ‘people “tiptoe around” the sensitive issues of race, religion and culture’. Home Secretary David Blunkett (Labour) thus urged a new, harsher line on integration: ‘We have norms of acceptability’, he
declared, ‘and those who come into our home – for that is what it is – should accept those norms’ (Joppke 2004: 249).

Since then, the UK’s migration and citizenship policies have undergone what Tony Blair referred to as no less than a ‘citizenship revolution’ (Blair 2006), i.e. the continuous stepping-up of requirements that migrants and asylum-seekers adhere to British norms and values, in line with Dutch, German and Danish policies (Kostakopoulou 2010: 832–7).

However, the Dutch, German, British and other nationally defined values that the new civic classes wish to reinforce are, upon further scrutiny, conspicuously similar across Europe. The main characteristic of these values, Joppke shows, is that they are liberal. Becoming a good German or British citizen, it seems, means first and foremost supporting human rights, anti-discrimination policies, the rule of law, democracy, gender equality and respect for both religious and secular views; in other words, one must become a good liberal (Joppke 2004: 253).6

At the same time, paradoxically, the experience of terrorism has led some of these countries, most notably the UK, to adopt what are unquestionably illiberal measures in the defence of liberal values. Only hours after the Islamist terror attacks in London in July 2005, Prime Minister Tony Blair proposed a list of certain ‘exceptional measures’ in response to those who used terror to prove their determination to destroy the liberal way of life in the UK (Mavelli 2013: 166). These measures included the detainment of terrorist suspects for up to three months without charges and the legal use in British courts of ‘evidence extracted under torture as long as British agents were not complicit in the abuses’ (Tsoukala 2008: 7). Despite their dubious liberal credentials, these measures were portrayed as necessary means of safeguarding liberalism itself (Dalgaard-Nielsen 2009).7

Simultaneously, political actors on the new right appropriated a distinctly liberal yet aggressive stance, portraying themselves as defenders or even martyrs of liberty and advancing an anti-Muslim agenda – not because Islam is somehow un-Dutch or un-German, but rather, they claim, because it is illiberal. Thus, Geert Wilders, in many ways Pim Fortuyn’s successor and the leader of the strikingly named anti-immigrant Partij voor de Vrijheid (Freedom Party) in the Netherlands, advocates the banning of mosques and the Quran in the very name of freedom. Their German sister party, Die Freiheit, similarly calls for veil and minaret bans in the name of liberty (Halikiopoulou et al. 2013).

In the wake of this development, the more traditional representatives of liberalism have also sharpened their tone against Islam. In Sweden, it was none other than the liberal party (Folkpartiet Liberalerna) that in 2010 helped school principals obtain more power to ban veils and suggested mandatory language tests for new citizens. Similarly, it was a liberal MP Jeanine Hennis of the Volkspartij voor Vrijheid en Democratie (People’s Party for Freedom and Democracy), who called for a Dutch hijab ban in 2011. Among UK politicians, Liberal Democrat Evan Harris, notorious for his radical support of euthanasia, soft drugs and extended abortion rights, has been the most outspoken supporter of a potential burqa ban (Harris 2010).

Indeed, the clearest example of this new coupling of liberalism with an exclusionary stance towards immigrants is the demand for bans on Muslim veils in the very name of liberty. In the following analysis, we shall see that liberalism has played a major role in these decisions (see Table 4.1).

Enlightening veiled women?

In a concise book entitled Veil: Mirror of Identity (2010), Joppke offers an intriguing treatment of the crucial role played by different understandings of liberalism in the headscarf and veil debates in France, the UK and Germany. As in his analysis of integration tests, he traces the idea of
Table 4.1 Legislation against Muslim veils in Europe

### The headscarf (‘hijab’)

<table>
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<tr>
<th>Country</th>
<th>Description</th>
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<tr>
<td>France</td>
<td><em>L’affaire du foulard</em> (the ‘headscarf affair’) began in 1989, when several female pupils were suspended from school by their principals for refusing to remove their headscarves. In 2003, after more than a decade of heated debate, a laïcité commission led by Bernard Stasi and including many French intellectuals was created for the purpose of studying ‘the application of the principle of secularism in the Republic’. In 2004, upon the recommendation of the commission, a law was passed that banned the wearing of conspicuous religious symbols in schools.</td>
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<td>Germany</td>
<td>The German debate has concerned the headscarves of teachers and civil servants rather than those of pupils and ordinary citizens. The most influential court case took place in 2003, when the Federal Constitutional Court decided that the refusal to hire a teacher in Baden-Württemberg – on the grounds that she wore a headscarf – constituted an unwarranted restriction of the freedom of religion of teachers. In the wake of this decision, however, the matter became highly politicized. Chancellor Gerhard Schröder, for example, expressed his opposition to headscarves worn by civil servants. By the end of 2003, half of all German states had passed legislation prohibiting teachers and, in some cases, civil servants, from wearing headscarves. Whereas some states, such as Berlin, also banned all other religious symbols, other states, such as Baden-Württemberg, introduced exemptions for the wearing of Judeo-Christian symbols.</td>
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<td>Kosovo</td>
<td>Headscarves were banned from public schools in 2009.</td>
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### The full veil (‘burqa’ and ‘niqab’)

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<th>Country</th>
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<tr>
<td>France</td>
<td>In September 2010, a law was passed ‘prohibiting concealment of the face in public space’, effectively banning the wearing of the <em>burqa</em> or <em>niqab</em> in public. Violations of the law lead to fines and/or mandatory citizenship education.</td>
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<tr>
<td>Belgium</td>
<td>In 2010, a ban on concealment of the face in public that was very similar to the French ban was accepted almost unanimously by the parliament.</td>
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<tr>
<td>Netherlands</td>
<td>In 2012, a Dutch minority coalition enacted a ban on face-covering clothing – with exemptions for sports, health and masquerades – popularly called the ‘<em>burqa</em> ban’.</td>
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<tr>
<td>Italy</td>
<td>In 2011, a draft law that banned face covering in public was approved by an Italian parliamentary commission. Because of the severe government crises, however, the law is still not in effect at the time of writing.</td>
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<tr>
<td>Switzerland</td>
<td>In September 2013, as this chapter is being written, a referendum in a predominantly Italian canton in Switzerland resulted in a ban on full-face covering.</td>
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<tr>
<td>UK</td>
<td>No general legislation has been passed against any type of veils, but in the autumn of 2013, while this chapter was being written, a debate on whether or not to ban the <em>niqab</em> in British schools and hospitals was initiated by Liberal Democrat and Home Office Minister Jeremy Browne.</td>
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<tr>
<td>Spain</td>
<td>Between 2010 and 2013, a dozen municipalities in northern Spain introduced full veil bans. In 2013, however, the Supreme Court decided that any such bans must be based on constitutional law. The court did not, however, answer the question of whether a government can ban the veil or not.</td>
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Source: author’s compilation.
banning the scarf in the name of freedom back to ‘enlightenment liberalism’. In contrast to a more tolerant liberalism that does not seek to enforce common values but instead prioritizes a political equilibrium that allows different lifestyles to co-exist in peace, enlightenment liberalism stands for liberalism as ‘a way of life in itself – one that is conducted autonomously and rationally’. According to Joppke, the French republicanism that inspired many of the defenders of the headscarf ban in French schools can be understood as a branch of this enlightenment understanding of liberalism, according to which a good liberal must try to emancipate Muslim girls from their supposedly irrational and insufficiently autonomous desire to wear the veil (Joppke 2010: ix; also see 118).

This concern with enlightenment liberalism resonates with much of the literature on the recent veil bans. For example, in her neo-republican reading of French antagonism towards the veil, Eoin Daly interprets it in the context of the French history of open hostility towards religion, rooted in the idea that it is an obstacle ‘to the advance of reason and enlightenment amongst citizens’. The veil ban, in her account, thus represents a contemporary example of a centuries-old ‘teleological commitment to science, reason and epistemic positivism’ in France (Daly 2012: 301–4). It is therefore yet another outlet for the ‘perfectionist spirit’ that, in the words of Sudhir Hazareesingh, already in the late nineteenth century ‘sought to turn France away from the ignorance and servility of its past and promote a conception of the good life based on the flowering of human reason’ (Hazareesingh 1994: 71).

In another account of the debate that draws on secularism, the political theorist Cécile Laborde traces French opposition to the veil back to Kantian spiritualism and ‘the Enlightenment search for natural religion’. In France, she suggests, these gave rise to the influential notion of ‘laïcité as an ethic independent of religion, based on reason and conscience’, an ethic that ‘strongly rejected the “heteronomy” involved in subjecting political authority to religious institutions, transcendental foundations and revealed truth’. Again, opposition to the veil is portrayed as an attempt to safeguard ‘autonomy’, ‘reason’ and the heritage of the Enlightenment (Laborde 2005: 317; see also Laborde 2008: 3–4, Ch. 5).

Other scholars take a more post-colonial perspective on the whole controversy, but Enlightenment values remain central to their accounts. Liz Fekete, for example, suggests that throughout Europe veil bans are welcomed as a way for immigrants to ‘cast off their “backward culture”’ and ‘assimilate into the modern, secular values of the Enlightenment’ (Fekete 2006: 8). According to Fekete, forcing girls to unveil (and restricting their access to education and the public space if they do not) is an expression of a fundamentalist commitment to the Enlightenment value of ‘personal autonomy’, the natural result of which is the elitist belief that Western intellectuals can know ‘the inner state and thought processes of any Muslim girl better than she does herself’ (Fekete 2006: 17).

In a similar vein, Monica Mookherjee concludes that the stern opposition to the veil on the part of Elisabeth Badinter, the doyenne of French feminism, stems from her ‘Millian view that a person cannot freely submit to slavery, nor prefer a slothful life to one of Socratic questioning’. In other words, banning the veil is defended as a means of imposing reason and reflection on the supposed laziness of uncivilized Muslims (Mookherje 2005: 33).

Finally, in one of the richest books on the French veil debate, the gender historian Joan Wallach-Scott connects French hostility to the veil to (among other themes) the old idea that by lifting the veil of Muslim women the French liberators in fact ‘stripped them, as it were, of the protective power of superstition and so exposed them to the “light”’ (Wallach-Scott 2007: 63). Banning the veil, she argues, was yet another attempt at the French civilizing mission, rooted in colonial ideas of Arabs as ‘excessively and unacceptably sexual’, even ‘perverse’, and thus in need of containment and control (Wallach-Scott 2007: 51–2).
In sum, the explanations for veil bans range from secularism, post-colonial arrogance, the quest to impose unity over cultural differences and the Western self-image as a beacon of female emancipation, to specifically French traditions of *laïcité*, republicanism and even sexual openness. Yet, they are strikingly similar in one crucial aspect: they all connect the ideals that the supporters of a veil ban were trying to safeguard to the values of the Enlightenment, as found in the liberal heritage of Immanuel Kant and John Stuart Mill.

What, then, is the more specific nature of this type of liberalism? In order to answer this question, we must become more closely acquainted with some of the key members of the liberal family.

**Disputes among the liberal family in political theory**

*Post-Enlightenment liberals*

Of course, there are a number of dimensions along which conceptions of liberalism may differ; for example, there are what we might call cousins of liberalism that differ in their views towards economic redistribution and the relationship between the state and the market. However, as our guiding concern here is the impasse in which contemporary European liberalism finds itself with regard to Islam, I shall limit myself to conceptions of liberalism that differ on one specific but crucial issue: the question of how to handle diversity of a cultural and religious nature. In the previous section, we briefly explored the notion of ‘enlightenment liberalism’. In order to make sense of this concept, we must revisit a highly influential discussion in liberal theory, namely the debate over political v. comprehensive liberalism.

Having resuscitated liberal contract theory from centuries of neglect in *A Theory of Justice* (1971), Harvard philosopher John Rawls quickly became somewhat of a messianic figure in contemporary liberal theory. When Rawls amended his original theory in the highly influential *Political Liberalism* (1993), he proposed a conception of liberalism that remains neutral with regard to citizens’ comprehensive ideals. Rawls had been convinced by what he called ‘the fact of pluralism’: human values, it now seemed to him, would always be a matter of reasonable disagreement. Given the diversity of reasonable and yet mutually oppositional religions and moral outlooks on life that seems to arise in any free society – in other words, given the intractable pluralism that characterizes such societies – Rawls came to the conclusion that a legitimate liberal regime would have to uphold a requirement he had previously neglected: the requirement of neutrality. In order for a liberal regime to respect each citizen as a free and equal member of society, the basic structure of the regime must be presented as independent from any comprehensive views on life, since reasonable citizens disagree on these ideals. Only such a non-comprehensively justified regime would be liberal in this political sense.

The main alternative to this political understanding of liberalism is, in Rawls’s terminology, ‘Enlightenment liberalism, that is, a comprehensive liberal and often secular doctrine founded on reason and viewed as suitable for the modern age now that the religious authority of Christian ages is said to be no longer dominant’ (Rawls 1993: xl). Since this conception of liberalism takes the position that the goal of liberal institutions should be to promote ‘Kant’s ideal of autonomy and Mill’s idea of individuality’, Rawls argues that enlightenment liberalism fails to justify liberal institutions for the many citizens who do not embrace the comprehensive ideals of the Enlightenment (Rawls 1993: xlv, 98).

Rawls can be seen as one of the first philosophers to spell out what Gerald Gaus calls a ‘post-Enlightenment’ type of liberalism. After Rawls, other theorists have argued that we must go even further in rejecting enlightenment liberalism in favour of what they view as a more truly...
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tolerant and less anti-religious liberalism (Larmore 1996a; Gray 2000; Kukathas 2007).
Nevertheless, the common characteristic here is that all post-Enlightenment liberals defend
essentially the same kind of liberal institutions that were once defended by Kant and Mill, but
attempt to justify this project in a very different manner, namely by the recognition that reason
does not lead us to one single truth on moral matters and that a permanent feature of free societies
is widespread pluralism (Gaus 2003: 18–19).

This post-Enlightenment discussion among political theorists remains too abstract for our
purposes here, however. In order to identify some kind of typology that might help us navigate
the more concrete empirical use of liberal arguments for citizenship tests and veil bans, let us
turn instead to the theory most often invoked in the empirical literature on immigration: that
of William Galston, who offers a helpful distinction between ‘enlightenment liberalism’ and

Reformation v. enlightenment liberalism

The political theorist William Galston has suggested that we should understand many of the
current debates over ‘education, rights of association, and the free exercise of religion’ as rooted
in two essentially inimical strands of liberalism. Each of these stems from a different historical
impulse: the first, reformation liberalism, was born out of the experience of the religious wars
that dominated Europe and the American colonies in the seventeenth century; the second,
enlightenment liberalism, was steeped in the ideals of human rationality and scientific progress
that characterized the eighteenth century (Galston 1995; Galston 2002: Ch. 2).

With its background in state absolutism and the constant threat of civil war, reformation
liberalism conceives of liberal institutions as a means of advancing diversity, of promoting
‘legitimate differences among individuals and groups over such matters as the nature of the good
life, sources of moral authority, reason versus faith, and the like’. Enlightenment liberalism, by
contrast, assumes the ultimate goal of the liberal project to consist of the fostering of autonomy,
a specific conception of the good life. According to Galston, enlightenment liberals, unlike
reformation liberals, thus tend to interfere in choices that are seen as the result of unswerving
faith or tradition rather than rational self-reflection (Galston 2002: 24–6).

It is important to note here that enlightenment liberalism is not by definition anti-religious.
Immanuel Kant, the enlightenment liberal par excellence, was certainly critical of religious
institutions and, as he saw it, their focus on empty ritual; nonetheless, he was a firm believer
in the Enlightenment’s natural religion, and it has even been suggested that he saw his own
ethical project as the completion of the Christian message that urges us to overcome the human
tendency towards moral inconsistency, or pointing out the speck in our brother’s eye while
remaining oblivious to the log in our own (Devigne 2006: 24; Nussbaum 2012).

Nor does Galston link the ideal of autonomy to an atheist or agnostic perspective. Instead,
he repeatedly equates the ideal of autonomy that enlightenment liberalism seeks to promote
with the process of reflection, and often with self-reflection specifically (Galston 1995: 522–5;
2002: 21–4). This is a liberalism committed to Kant’s and Mill’s ideal of ‘sustained rational
examination of self, others, and social practices’ (Galston 1995: 521).

But why would this seemingly innocuous notion of autonomy lead enlightenment liberals
to interfere unduly with the choices that people make? Why can they not simply accept that
some people, for example, freely choose to wear a religious symbol such as a veil – without
drawing the problematic conclusion that such a choice cannot be autonomous?

In order to answer these questions, let us return to Galston’s intellectual source of inspiration:
the influential liberal thinker and historian of ideas Isaiah Berlin, who famously cautioned against
the potential perversion of autonomy into tyranny.
Positive and negative liberty

In a seminal lecture presented in Oxford in 1958, Isaiah Berlin proposed a distinction between positive and negative liberty. This remains the most widely recognized, yet nevertheless heatedly debated, typology of the various ideals of freedom at the heart of liberal theory.10

For decades, Berlin was interpreted as defending the negatively defined concept of liberty as ‘freedom from’, as opposed to the positively defined concept of ‘freedom to’ (McCloskey 1965; Ryan 1965; Macfarlane 1966; Gray 1995; Taylor 1997; Harris 2008). This distinction, many objected, was in fact flawed; for example, Gerald MacCallum argued that freedom must be understood as a triadic idea. In other words, it is always a matter of someone or something being free from certain constraints while also being free to engage or not engage in certain activities (MacCallum 1967).

More recently, however, a number of Berlin scholars (Galipeau 1994: 8–9; Gray 1995: 17; Crowder 2004: 78; Edge 2013: 375) have argued convincingly that, in Berlin’s view, negative and positive liberty were not concepts, but rather conceptions of liberty that a person might value – both, as he explicitly acknowledged, with ‘an equal right to be classed among the deepest interests of mankind’ (Berlin 2008a: 212). As I have elaborated upon elsewhere, this psychological rather than philosophical concern of his is precisely why his typology can be unexpectedly fruitful for understanding the contemporary political debates centred around liberalism in Europe today (Gustavsson 2012: 246; 2014b: 269).

Negative liberty, says Berlin, answers the following question: ‘What is the area within which the subject . . . is or should be left to do what he is able to do or be, without interference by other persons?’ (Berlin 2008a: 169). In his view, this was the true liberal creed, since it formed the basis for the liberal notion of equal individual rights, requiring some form of ‘absolute barriers to the imposition of one man’s will on another’ (Berlin 2008a: 211). Positive liberty, by contrast, answers the question of ‘[w]hat, or who, is the source of control of interference that can determine someone to do, or be, this rather than that?’ (Berlin 2008a: 169). The primary goal here is not to establish the outer boundaries of a man’s freedom (as it is for the negative counterpart), but to attain an inner state of control. To enjoy positive liberty is to be one’s own master – the very meaning of autonomy in Plato’s sense of the term (Berlin 2008a: 178).

Berlin believed that this positive concept of liberty as self-mastery, valuable as it is in itself, nevertheless opens up to tyranny. For who among us is unfamiliar with the experience of failing to master oneself even though there is no outside interference? Could we not be said to be slaves to our own desires, or our fears and neuroses? Berlin worried that positive liberty, with its view of man as divided against himself, thus too easily invites us to conclude that we can force or restrain people against their explicit wishes while calling ourselves their liberators, as long as we can claim that we are simply freeing their ‘true’, latent self from its internal shackles (Berlin 2008a: 179–80).

This risk and its nature have been much questioned and debated. Many have pointed out that the logical link between positive liberty and tyranny is broken by several philosophical flaws (cf. Christman 1991: 359; Crowder 2004: 86). However, as Berlin clarified in the introduction he later added to his essay, his fear was not that positive liberty philosophically justified tyranny in the name of liberty, but that there was a psychological affinity between the two that has led to positive liberty often being linked to tyranny as a matter of historical fact (Berlin 2008b: 37; this interpretation is further elaborated in Gustavsson 2014b).

We can now recognize that Berlin’s fear of the inversion of positive liberty into tyranny parallels the concern that animates much of the literature surveyed in this chapter: the worry that enlightenment liberalism is in some sense illiberal because it may end up in conflict with
the liberal values of diversity and tolerance. As Berlin suggested, the apprehension is that by placing liberty as self-mastery at the heart of the political project, enlightenment liberalism introduces the disturbing possibility that we will begin to ‘liberate’ those whom we consider insufficiently autonomous – by going against their explicit wishes in the name of liberalism itself.11

Positive liberty in public opinion

The topic of our concern here is European liberalism, which is often contrasted with the putatively more tolerant and diversity-oriented American counterpart. After all, veil bans and mandatory tests of the liberal disposition of would-be immigrants have only been propagated by European, not American, liberals (cf. Nussbaum 2012: Ch. 1; Baehr and Gordon 2013: 249). Thus, after having examined European liberalism in the realms of immigration policy and political philosophy, let us now briefly consider its role in contemporary public opinion, comparing this to the mind-set on the other side of the Atlantic.

Figure 4.1 shows the attitudes to a veil ban in four of the largest European countries and the United States, respectively, as measured by responses to the following question: ‘Some countries are considering a ban on Muslim women wearing full veils that cover all of the face except the eyes in public places including schools, hospitals, and government offices. Would you approve or disapprove of such a ban in (survey country)?’

As can be seen from Figure 4.1, there is overwhelming support in all four of these large European countries for banning full Muslim veils. For Americans, however, the numbers are more or less reversed: whereas 59 per cent (Spain) to 82 per cent (France) of the European sample approve of a veil ban, as many as 65 per cent of the US sample disapprove of a veil ban.

This European antagonism towards veils, one might add, applies across the socio-economic spectrum. Intriguingly, in Spain and Germany the highest-income group is even slightly more in favour of bans than are lower-income groups (Pew Research 2010). In a German study on attitudes towards headscarves rather than full veils, Jolanda van der Noll likewise finds that higher
socio-economic status is correlated with stronger opposition to headscarves (van der Noll 2013: 10). Other studies have similarly revealed that, when controlling for perceived threat, high-income groups turn out to be the most amenable to the idea that immigrants need to commit to ‘our way of life’ (Green 2009). Still others have shown that extremely negative attitudes towards Muslims have increased among young Swedes with a university education (Mella and Palm 2012), i.e. the very group that Ronald Inglehart and Shalom Schwartz suggest value self-expression, liberty and intellectual autonomy the most in an international comparison (Inglehart and Welzel 2005: 112–13, 220; Schwartz 2006: 152).

All this suggests that veil bans are supported not only by the typically illiberal members of society, but also by the typically liberal: the young, the highly educated and the economically privileged. These are the very people who tend to be the most open towards other out-groups, such as immigrants or gays (cf. Chandler and Tsai 2001). How can we make sense of the seemingly puzzling finding that those who are the most in favour of veil bans belong to the very group where we also find the highest support for liberal values such as freedom and self-expression?

According to the theories we have examined thus far, at least part of the explanation could be that the liberal Europeans who support veil bans value liberalism of a certain kind: a liberalism built around the Enlightenment ideal of autonomy (or, in Berlin’s terminology, positive liberty). Although here I can do no more than scratch the surface of this theory, in the following analysis I offer a first attempt at probing its empirical relevance. To this end, I shall use the two indices of positive and negative liberty that I developed in a recent article, in which I showed that Berlin’s positive and negative liberty ideals do indeed form two distinct dimensions in public opinion, and that they have divergent effects on free-riding and moral permissiveness (Gustavsson 2012).12

Figure 4.2 shows the levels of support for positive and negative liberty in European countries and the US, respectively. Both the positive and negative liberty indices range from 0 to 3; the columns represent the percentage of respondents who scored above 2 on each index. Since we are here interested in the most privileged socio-economic groups, the figure displays only the
results for respondents who have completed at least secondary school of a university-preparatory type, including all those who have gone to university; however, the results for respondents who went to a vocational secondary school or had an incomplete education from a university-preparatory secondary school are highly similar to those of their better-educated peers. In contrast, among the respondents with no education or only primary-school education, the systematic differences between Europe and the US largely disappear.

Figure 4.2 does indeed suggest there might be something to the idea that Europeans defend veil bans because they value positive liberty. Although these measures are far from perfect, the pattern they reveal is striking. The European countries examined here exhibit a majority in favour of veil bans (as seen in Figure 4.1); among their highly educated inhabitants, positive freedom is also consistently much more popular (ranging from 12.4 percentage points more popular in Spain to 18.6 percentage points more popular in Germany) than among the highly educated in the US. At the same time, highly educated Europeans in all countries but Germany tend to value negative freedom slightly less than do highly educated Americans. Finally, looking at the variation within Europe, the French and German respondents have more positive views of veil bans than the British and the Spanish ones, as we saw in Figure 4.1; in addition, here we see that they are also stronger supporters of positive freedom.

Of course, a number of other country-level differences can influence the attitude towards veil bans. The data in this section only allow a speculative discussion of the causal relationship between valuing positive liberty and veil bans. In order to actually establish any causal relationship, further analyses would need to be undertaken, especially at the individual level. The main conclusion we can draw from this exercise is instead descriptive and cross-national: the data clearly show that highly educated Europeans in France, Germany, Britain and Spain are consistently more interested in positive liberty than their American counterparts.

A romantic liberalism in disguise?

Before concluding, the predominant picture of contemporary European liberalism as rooted in the Enlightenment requires further nuance, however. My own work suggests that ‘enlightenment liberalism’ is sometimes a misleading label, under which we may find ideals that actually belong to the opposing and much stormier tradition of early Romanticism (Gustavsson 2014a; 2014b: 290). As this section will briefly show, there are indeed both theoretical and empirical reasons to recognize the existence of a ‘romantic liberalism’.

First of all, the dangers that Isaiah Berlin saw in positive liberty are hardly exhausted by the Enlightenment ideal of autonomy. Many scholars have erroneously concluded that Berlin was mainly or even solely concerned with ideals of liberty that emphasize the rule of reason and rationality over desire (Christman 1991: 354–5; Galipeau 1994: 101; Gray 1995: 21). In fact, Berlin found romantic ideals of liberation, ‘abandoning reason altogether’, just as disconcerting as the Enlightenment ideal of being governed by reason alone. Romantic ideals of liberty invite their proponent to conceive of himself ‘as an inspired artist, who moulds men into patterns in the light of his unique vision’. Humanity thus easily becomes reduced to ‘the raw material upon which I impose my creative will’ (Berlin 2008a: 197; this is further developed in Gustavsson 2014b). Indeed, in the precursor to ‘Two Concepts of Liberty’, entitled ‘Two Concepts of Freedom: Romantic and Liberal’, Berlin warned against this romantic yearning to be liberated from ‘too much critical reflection’, since it invites us to engage in ‘ruthless self-realisation of whatever burns within one, at all costs’ (Berlin 2008c: 201, 197).

Second, my own empirical work suggests that self-avowed ‘enlightenment liberals’ often take recourse to precisely this romantic ideal of dedicated self-realization and expression, rather than
the Kantian ideal of autonomy (Gustavsson 2014a). Consider, for example, the case of the Muhammad cartoon controversy. In the autumn of 2005, *Jyllands-Posten*, one of the largest Danish newspapers, published 12 cartoons of the Muslim prophet Muhammad. In part because any images of the prophet are typically considered impermissible in Islam, and in part because some of the cartoons depicted Muhammad as a blood-thirsty villain and a suicide bomber (although other cartoons made fun of the editor who commissioned the cartoons), the publication led to both non-violent and violent protests by Muslims around the globe, as well as a heated debate concerning freedom of speech and of the press in Europe.13

In the ensuing debate, many self-professed liberals not only defended the editor’s right to publish these cartoons, but also deemed the use of this right to be laudable. A good liberal, they seemed to suggest, has a duty to mock and encourage the ridicule of religion in general and Islam in particular (cf. Hansen 2006a, 2006b; O’Leary 2006; Rose 2010). Several scholars have interpreted this stance as yet another case of enlightenment liberalism (Modood 2006: 6; Berthaut et al. 2007: 59; Laegaard 2009: 319; Lentin and Titley 2012: 125–6). According to the political theorist Christian Rostbøll, for example, the goal of those defending the cartoons in this way was to challenge Muslims to become more autonomous, to ‘critically assess their faith’ – or, at the very least, to reveal that through their supposed lack of autonomy, Muslims ‘hinder the type of public discourse that autonomous people have among themselves’. Either way, Rostbøll claims, this position was rooted in what Galston calls ‘enlightenment liberalism’; the cartoons were purportedly justified because they led to a more enlightened debate involving more ‘critical self-reflection’ (Rostbøll 2009: 643, 629).

However, in a recent article, I took a closer look at the arguments put forward by the editor Flemming Rose in defence of his decision to commission and publish the cartoons. Contrary to what previous research has assumed, this exercise revealed that although Rose certainly invoked the political ideals of the Enlightenment – such as the separation of church and state – the conception of the good life in which his liberalism is rooted is not that of reflective autonomy. He therefore does not qualify as an enlightenment liberal in the sense that Galston and this chapter use the term (Gustavsson 2014a).

Instead, Rose’s stance on freedom of expression builds on the romantic ideal of the authentic life, that of sincere and dedicated self-expression at any cost, even to the point of martyrdom. I have suggested we call this position ‘romantic liberalism’. Romantic liberalism, I propose, is at odds both with reformation liberalism – because it prioritizes authentic self-expression over tolerance and diversity – and with enlightenment liberalism – because its emphasis on self-expression over autonomy leads it to welcome conflict and violent clashes of opinion, rather than the calm and reflective public debate that is conducive to autonomous self-questioning (Gustavsson 2014a).

Indeed, I would suggest that romantic liberalism is also likely to be at work in many of the veil debates. Consider, for example, the repeated concern among some of its most vehement opponents that the veil turns women into ‘nonpersons’ or even ‘clones’, ‘invisible and erased, denied individual singularity’ (Bruckner 2010b). For these commentators, the goal of unveiling Muslim women is not so much to fight non-reflection with enlightened autonomy, but rather to conquer docility (Hirsi Ali 2010: 16) by helping Muslim women to cultivate their ‘still-undeveloped individuality’ (Hirsi Ali 2007: 32, also see 152) and offering them ‘the most fundamental right of existence – the right of recognition’ (Bruckner 2010b; this is further developed in Gustavsson 2014b: 289–90).

Moreover, as we have already seen, many also welcome conflict between liberals and Muslims as an opportunity for liberal self-realization (Bruckner 2010a: 138). For example, Christopher Hitchens stated that after 9/11 he rejoiced in the recognition of a ‘direct, unmistakable
The primary value that justifies liberal rights

- **Diversity**
- **Autonomy**
- **Self-expression**

The main goal of the public debate

- **Tolerance**
- **Self-reflection**
- **Self-disclosure**

Central conception of liberty in Isaiah Berlin’s terminology

- **Negative (freedom from external obstacles to de facto preferences)**
- **Positive (freedom from internal obstacles to reason)**
- **Positive (freedom from internal obstacles to the authentic self)**

Sources of philosophical inspiration

- **John Locke**
- **Immanuel Kant**
- **J. S. Mill**

Empirical examples

- **Wisconsin v. Yoder**, the landmark 1972 case in which the US Supreme Court ruled that the fundamental right to freedom of religion superseded compulsory education laws, thus allowing Amish parents to withdraw their children from compulsory education after the 8th grade
- **Resistance to the Muslim veil in the name of reason**
- **Defence of the Muslim cartoons in the name of authentic self-expression; resistance to the veil in the name of individuality**

Source: author’s compilation.

Confrontation between everything I loved and everything I hated’ (cited in Robin 2004: 158). Others, like the Somali-born Dutch feminist Ayaan Hirsi Ali and the French philosopher Paul Cliteur, have openly claimed to be waging a ‘liberal jihad’, a holy war for liberalism itself (Spruyt 2007: 325).

Although all these statements have been interpreted as examples of enlightenment liberalism, I would suggest that romantic liberalism is a more correct label for them. The concerns raised and ideals invoked by these self-professed ‘enlightenment liberals’ would certainly resonate with the early Romantics, but would be deemed deeply problematic by the philosophers of the Enlightenment. In conclusion, then, there are good reasons not to take the self-categorization of purported enlightenment liberals at face value. If we scratch the surface, their ideals may turn out to be more romantic than enlightened.14 The framework presented in Table 4.2 summarizes the three strands of liberalism which I have argued help categorize current and future debates.

Conclusions

This chapter has tried to make sense of the growing concern that contemporary European liberalism has joined forces with the project of differentiating between those who belong and
those who need to be excluded. While some scholars prefer to speak in terms of a rise of ‘identity liberalism’ (Tebble 2006), others of ‘Schmittian liberalism’ (Triadafilopoulos 2011) and still others of a liberalism that is ‘repressive’ (Joppke 2007), ‘exclusionary’ (Joppke 2010) or even ‘illiberal’ (Adamson et al. 2011), we have seen that there is much agreement on one underlying observation. The recent shift from multiculturalism to a harder line towards Muslim immigrants in several European countries, it is agreed, does not simply boil down to ordinary xenophobia or nationalism; rather, there is also something distinctly liberal about it – which makes it all the more insidious.

The prime suspect, as we have seen here, is enlightenment liberalism, a comprehensive understanding of liberalism that justifies liberal institutions as a means of cultivating the character ideal of reflective autonomy. What is at stake here, I have argued, is ultimately the very same fear that animated Isaiah Berlin in his famous critique of positive liberty: the fear that if we place positive liberty at the heart of our political project it may lead us to force others to act against their explicit wishes in the name of their ‘true’ freedom. The frequent portrayal of the Muslim veil ban as an act of liberation – even of those who explicitly want to wear the veil – certainly seems to be a case of this liberal arrogance.15

Indeed, as the attitudinal data reveal, support for both veil bans and positive liberty is considerably and consistently higher in Europe than in the United States. Although these results do not allow more than speculative conclusions, the pattern they suggest is nevertheless in line with the suspicion that contemporary European liberals are less concerned with promoting diversity than with the fostering of liberalism as a specific lifestyle, one that is assumed to be incompatible with wearing the Muslim veil.

The more precise nature of this liberal lifestyle – or, in the language of Rawlsian political philosophy, this conception of the good – remains a question for future research to tackle. The survey measures I have used here include both Enlightenment ideals (autonomy) and Romantic values (self-realization). Indeed, as I suggested in the previous section, we must be alert to the risk that enlightenment liberalism may sometimes conceal the more conflict-prone and self-assertive stance of romantic liberalism. Future research should thus study enlightenment liberalism in practice more closely. Perhaps this will reveal that romantic liberalism is in fact also at stake in debates other than the free-speech controversy initiated by the Danish cartoons.

As has been recently noted, there is a particularly urgent need to study the positions of influential opinion-makers (Adamson et al. 2011: 854). Often self-avowed enlightenment liberals, opinion-makers such as Ayaan Hirsi Ali who are widely read by the educated public and praised by liberal parties, wield considerable influence over public opinion as well as the political agenda (Verkuyten and Zaremba 2005). It has even been suggested that the anti-veil policies adopted throughout Europe (and especially in France) must be understood in light of the powerful role of social theorists and intellectuals in the legislative process – a role that in the United States is often reserved for the judiciary (Baehr and Gordon 2013: 252). The behaviour of these opinion-makers is especially intriguing, as it seems to contradict the typical complaint that there is no such thing as a common European debate. For example, in 2007, when a heated controversy raged over ‘Islam in Europe’, European intellectuals of various liberal brands – including the aforementioned Pascal Bruckner, as well as Necla Kelek, Paul Cliteur, Ulricke Ackermann and Bassam Tibi – wrote a long series of articles in the largest national newspapers around Europe, as well as on the Sign and Sight forum, with the motto ‘Let’s talk European.’16 Both political theorists and scholars with more empirical interests in liberalism would be well advised to keep an eye on such discussions, where the real meaning and identity of a liberal Europe are constantly negotiated and the future boundaries of the open society are put to the test.
Notes

1 For an excellent overview of the semantic history of ‘liberalism’ and ‘liberal’ as political labels and concepts in Europe, see Freeden (2004) and Leonhard (2004).

2 For an overview of this discussion and a nuanced extension of it, see Zakaras (2009: 31–4).

3 Moreover, there is much disagreement on the philosophical relationship between liberalism and multiculturalism. While Will Kymlicka (1995) claims that liberalism entails a certain measure of multiculturalism, Brian Barry (2001), for example, insists that the two are at odds with each other.

4 Scholars who have studied the unsettling historical links between liberalism and the history of colonialism and slavery would of course object that this is nothing new in the history of liberalism (cf. Mehta 1990, 1999; King 1999; Losurdo 2011).

5 An informative if somewhat biased account of these events and the Dutch context can be found in Spruyt (2007).


7 While this chapter was being written, British anti-terrorism laws were used in direct violation of the liberal principle of freedom of the press. The UK Terrorism Act of 2000 allows the police to detain and question any individual at a port or an airport without any grounds for suspicion in order to determine whether they are involved in terrorism. Introduced a year before 9/11, the Terrorism Act was originally directed at Irish Republican terrorists. In the summer of 2013, however, Europe was shaken by the news that the Terrorism Act had been used to detain David Miranda, the partner of Guardian journalist Glenn Greenwald, for more than nine hours at Heathrow Airport, eight of which without a lawyer. His laptop, mobile phone and camera were all confiscated, and he was forced to surrender the passwords to his electronic accounts. The background here involved no suspicion of terrorism whatsoever, but rather the fact that Miranda’s partner, Greenwald, had exposed how British authorities record and monitor the telephone calls and electronic contacts of its entire population. This revelation was based on data from Edward Snowden, who in 2013 famously leaked information about the comprehensive surveillance of the American National Security Agency against ordinary people in the United States and Europe (Watts 2013).

8 Although it is certainly true that it is, historically speaking, difficult to separate the claims for liberal freedom of thought and conscience from those of property and market (Smith 1980: 2), as José Magone notes in Chapter 1, I strive here to keep the two analytically distinct. In more recent theories of political philosophy, most notably John Rawls’s A Theory of Justice, it is in fact rather common to combine a liberal concern for freedom of thought with an egalitarian or even social-democratic stance on economical issues, including a far-reaching redistribution of welfare (Rawls 1971).

9 Regarding the objection that Rawls’s political liberalism does not actually manage to legitimize the coercion of non-liberal persons, see Sleat (2013: 348).

10 Among the other important and related conceptions of liberty, we find Benjamin Constant’s famous lecture ‘De La Liberté des anciens comparée à celle des modernes’ from 1819, in which the author distinguishes between ancient, participatory liberty and modern, more individualistic liberty, advocating a mixture of both (Constant 1988 [1819]). Another fruitful yet much less frequently discussed distinction is that of Steven Lukes (1973: 127–31) regarding the ‘three faces of freedom’: personal autonomy, lack of public interference and the power of self-development. More recently, politico-philosophical discussions on liberty have turned more towards what Quentin Skinner refers to as the neo-roman ‘third concept of liberty’ (Skinner 2002), or, in Philip Pettit’s words, ‘freedom as non-domination’ (Pettit 1997). The argument here is that republicanism is better equipped than liberalism to provide us with liberty, the true meaning of which is not non-interference but rather non-domination; in other words, to be unfree in the republican account does not necessarily imply interference by the law, but rather living in a state where the political power has the capacity to interfere with one’s choices on an arbitrary basis, without reference to one’s own interests.

11 For a summary of how Berlin’s positive–negative liberty distinction relates to the distinction between reformation and enlightenment liberalism, see Table 4.2.

12 Positive liberty is here measured by an index consisting of these three variables: ‘I decide my goals in life by myself’ (agreement on a scale from 1 to 4), ‘I seek to be myself rather than follow others’ (agreement on a scale from 1 to 4) and it is important ‘to think up new ideas and be creative; to do things one’s own way’ (agreement on a scale from 1 to 5). Negative liberty is measured by an index consisting of these three variables: citing ‘independence’ as an important quality to teach a child (a
dichotomous measure), seeing ‘more respect for authority’ as a bad thing (a dichotomous measure) and thinking it is not important ‘to always behave properly; to avoid doing anything people would say is wrong’ (agreement on a scale from 1 to 5). Unfortunately, with these survey questions, it is more likely that respondents will agree with the positive liberty measures than with those of negative liberty. Although this is a problem for comparisons between positive and negative liberty, it should not represent a problem for our main purpose here, which is comparisons across nations, since we can simply assume that negative liberty is consistently higher everywhere than what these measures show. For a more thorough discussion of measurement problems, see Gustavsson (2012: 249–52).

13 An informative overview of the debate can be found in Lindekiide et al. (2009). The cartoons can be seen at http://www.muhhammadcartoons.com (accessed 28 October 2013).

14 For other accounts of the overlap between romantic and liberal ideas, cf. Rosenblum (1987); Taylor (1991); Larmore (1996b); Berlin (2001); Stolzenberg (2009).

15 I do not mean to deny that the veil is sometimes also donned involuntarily, as a result of parental or spousal demands, for example. The point is rather that there are at the same time many cases in which the veil is voluntarily chosen, and that to force a woman to remove a veil in these situations in the name of her liberty is an inversion of positive liberty along the lines that Berlin warned against.

16 See http://www.signandsight.com/features/1167.html (accessed 30 September 2013). See, for example, ‘Enlightenment Fundamentalism or Racism of the Anti-racists?’ and ‘A Reply to Ian Buruma and Timothy Garton Ash’ by Pascal Bruckner; ‘Mr Buruma’s Stereotypes’ by Necla Kelek; ‘Falling Prey to Relativism’ by Paul Cliteur; ‘In Praise of Dissidence’ by Ulrike Ackermann; and ‘Europeanisation, Not Islamisation’ by Bassam Tibi.

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