"The open society cannot be relied upon to defend itself..."

OPEN DIALOGUE

Edited by Max Wind-Cowie
and Beatrice Karol Burks

DEM☉S

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Foreword

Rt Hon. Nick Clegg MP

The values of an open society — free speech, democracy, pluralism — are increasingly visible around the world. Indeed, this year we have seen them drive the historic changes across North Africa and the Middle East. More and more people want to live in societies where power, wealth, information and opportunity are dispersed, rather than hoarded. They want their nations to be outward looking and internationalist in spirit. That rising tide of openness give any liberal reason to celebrate.

However, today's world poses risks too. Continued economic insecurity puts the cause of openness under threat. History teaches us that, at times of uncertainty, societies become more exposed to the forces of division — populism, chauvinism, separatism, narrow nationalism. An 'us versus them' mentality. When that happens societies begin to fragment, turn inwards, and lose confidence. Vested interests benefit while ordinary people suffer.

And here in the UK our society still remains too closed. Power is still too often concentrated in the hands of the few, whether in the House of Lords, or the giant media empires, or the Square Mile. The British are an open-spirited people, but they are still too often constrained by closed and insular institutions. The most urgent redistribution needed in our nation is of power: in politics, in society and in the economy. That is the route a renewed politics and a more responsible capitalism.

Of course, as this timely collection of essays shows, there is no simple roadmap to the open society. It is not based on an idealised vision of the sorts of lives people should lead. On the contrary, it is built to accommodate difference and to celebrate non-conformity. Most crucially, it rests on an optimism

about the boundless potential for people, collectively and individually, to forge a better future. Popper himself once wrote: 'If we wish to remain human, then there is only one way: the way into the open society.' I heartily agree.

1 Dialogues on the open society

Max Wind-Cowie and Beatrice Karol Burks

This essay collection—a series of provocations concerning modern threats to our open society—is a continuation and extension of a series of conversations on this theme that Demos and the Open Society Foundation (OSF) hosted throughout 2011. The question at each of these sessions was ostensibly the same: 'What are the emerging challenges to our liberal, pluralistic and tolerant frameworks of morality and governance?' And the answers provided by speakers, guests and those writing in this collection—while wildly different in emphasis and conclusion—share a remarkable trait. Almost to a fault, they all point to a series of dichotomies and paradoxes that lie at the heart of our sense of 'openness'. To put it in starker terms, many of those we have engaged with throughout this process have come to the conclusion—in one area or another—that an opening (be it of financial instruments, of ever greater plurality, of dissent and discussion on human rights or on access to information and knowledge) can, ironically and dishearteningly, be causal in a closing of society and a retreat from the very principles that allowed for that opening to occur.

That is not to say that our contributors and speakers are glibly pessimistic about the future of openness—that they somehow dismiss it as a self-eating monster. Rather, the motivating lesson and message of our debates and the provocations contained herein is a sense that we must be alive to the paradoxes inherent in a desire for openness, that we must be careful and balanced—evolutionary rather than revolutionary—in managing further steps towards the opening of our societies, and that we must recognise the risks that spring from progress with every ounce as much enthusiasm and zeal as we recognise the potential benefits. Key to this

argument is a demand for openness-realism — for an articulated and clear mission to promote the openness of our society as a goal and for changes, developments and debates to be tested against that desire robustly rather than simply waved through on the basis of assumptions about the course of history or prejudices about the impact of technological or social change.

We can see — perhaps most easily and most clearly — how this dichotomy works in practice in the debate on the effect and impact of the internet on society. For many evangelists the radical and dramatic opening up of information, knowledge and communication that has occurred over the last two decades — channelled through the emerging technology of new and social media — obviously and necessarily implies an opening of society itself. After all, how could it be that more people might access more learning, sources and other people and yet be less open to new ideas, intellectually tolerant or accepting of pluralism and diversity? For this Whiggish and optimistic strand of thinking the internet's virtues for openness have now been conclusively proved on the streets of Egypt, Tunisia, Syria and Libya. For some, even the social media aspects of tuition fees protests in the UK and the Occupy Wall Street movement in the USA press the case home.

And yet, as Evgeny Morozov, author of the *The Net Delusion: The dark side of freedom and the internet*,[1] pointed out at our discussion 'Through a Web Darkly', the capacity of the internet to diversify the news we see and the views we hear is much overstated. He is concerned that the use of algorithms to tailor what we find when we search ever more closely to what we have clicked on before — what we have agreed with in the past, what we have purchased once and so may well purchase again — actually has the potential to restrict the ideas and products with which we come into contact — that the openness of the internet, once mediated through search engines, can close rather than open our minds. As he said at the event, there is a danger that the internet serves simply to 'direct us to information that is based on what we already think'. And if the internet is directing us, with increasing skill and less and less deliberate decision making on our part, towards what we

already believe to be true, then how can it possibly contribute towards the engagement, discussion and genuine debate required to arrive at communal decisions in a truly open and pluralistic society?

The use of algorithms — of the hidden machinery of search engines — to close minds also brings out the question of power in the internet age. The libertarian, utopian view of the internet — that it ultimately empowers the individual and the community of interest by equipping them with resources, tools of communication and knowledge previously unavailable — was questioned in the course of the debate. The internet is not an unmediated reserve of knowledge and connectivity for most of us; it is accessed and navigated primarily through a third party, which takes our history, behaviour and judgements and uses them to structure and order the seemingly endless abundance that the internet holds. These guides — be they Google, Yahoo! or Facebook — do us a service. They make the internet useful to us. But they hold immense power over the shaping of our ideas, understanding and views. And who is to hold them to account and ensure that they guide us — wherever possible — with a view towards the openness of our politics, society and minds? Evgeny Morozov, referencing *The Filter Bubble* by Eli Pariser,[2] raised the suggestion that Amazon — knowing what we have bought and using that information in order to structure how we are shown books and what culture we are directed towards — ought to be obliged to help us vary our tastes. If someone only ever buys American pulp crime fiction, he proposed, perhaps Amazon ought to have a moral duty to direct that person to some European cultural philosophy every once in a while? It raised a laugh from the audience but — in the end — the power that is wielded over our experiences and the shaping of our minds by search engines is immense; should it not, therefore, be pressed into the service of openness in much the same way that, say, educational curricula have been for so long?

Large swathes of the population have been persuaded that surveillance by the state — be it through CCTV or the growing amount of data that government holds on us — is undesirable

and ultimately antagonistic to the kind of open society in which they wish to live. These concerns have not yet emerged so strongly with regard to the information held by search engines and those who administer the machinery of the internet. Certainly the manner in which they use that insight to purvey information, news and views to us has not entered the public imagination as a source of concern in the same way that, for example, outrage at the use and storage of the DNA of innocent people has. What is more, it is less than clear whether—should the public decide that it is indeed worried by the power of search engines and internet service providers over the shaping of their minds—there will be anything that the public can do. The very internationalism and open nature of the internet makes it hard for domestic governments to tackle or regulate the monopolies found on it and the practices of its giant mediators.

International, powerful, society-shaping and resistant to regulation are all terms that apply to the financial services sector and the cross-border multinationals of globalised capitalism every bit as much as they do to Google and Facebook. And the opening of trade, the liberalisation of the international marketplace, has always been a political ally of those interested in the openness of society. Dark warnings against protectionism, the closed shop—both literally and when applied to those nations that have sought to privilege their own businesses and workers—being the presumed enemy of economic openness and the mutual prosperity that it is perceived allow for greater political pluralism and diversity. But the financial crash, the economic recessions and depressions of the late 2000s and the ongoing crisis in the eurozone beg the question whether openness in trade and the internationalisation of the marketplace have really led us to either prosperity or social and political openness at all.

Lord Glasman—speaking at our debate on capitalism and freedom—reminded us that 15 years ago the German economy suffered from wholly precocious and utterly inaccurate obituary writing across much of the Anglo-Saxon world. The received wisdom then was that Germany's attitudinal predilection for 'protectionism'—be it on inward migration or the preservation

of sector-specific skills and wages in industry—would result in ruination. Meanwhile these same commentators and analysts were praising the way in which Britain had outlined its skills strategy to ensure maximum flexibility, demonstrated its openness on the migration of both skilled and unskilled labour, and successfully peeled away protections and 'closedness' by cutting back the power of trades unions. In the cold light of our post-2008 world—as Germany's economy is admired and emulated by parties of left and right—not only does that confident dismissal of elements of closure seem absurd but it is Germany's embrace of certain kinds of openness that appear her greatest weakness. What is the euro, after all, if not the ultimate gesture of globalisation and economic open-mindedness?

Perhaps, as John Kay—columnist for the *Financial Times* and one of Britain's foremost economic commentators—suggested at the event, the problem is in viewing the marketplace in individualised rather than communitarian terms. Kay argued that a real marketplace—the kind that genuinely lends itself to the pursuit of an open society—is formed from and regulated by shared values, shared history and a shared sense of the fair. Kay asked us to consider two fishing crews, one ordered on

purely rational lines, organised and understood as a purely technical and economic means to a productive end—its aim was only or overridingly to satisfy as profitably as possible some market's demand for fish,

the other where it may still be the case that crew members have each joined in their own economic interest but where new members

have acquired from the rest of the crew an understanding of and devotion to excellence in fishing, the interdependence of the crew in terms of skills, achievement of goods, acquisition of virtue which will extend beyond them to the interdependence of the crew's family members and beyond them to the wider society.

The former, Kay argued, was the 'investment fund model of fishing crews' while the latter—a more communitarian model that is, perhaps, also more protectionist and closed—represented what the market *should* be if it is to serve society, and promote and protect freedom and openness.

Daniel Leighton picked up on this theme in articulating why unfettered 'open' capitalism represents a danger to the open societies that it is often claimed to serve. He argued that unregulated markets, which are stripped of the institutions that protected elements of 'closedness' in the German model, in fact allow for the concentration of wealth and—with that aggregation of capital—the concentration of power. This meant, in Leighton's words, that the Anglo-Saxon model of free markets had in fact allowed for a process through which we have moved 'to oligopoly which then turns to oligarchy'. His argument—and that of other members of the panel—rested in applying the same fervour for flexibility and freedom to capital as we have done to labour so that political discourse does not become subject to capture and 'closedness' at the hands of those who have benefited from our economic openness. Political power has become too concentrated in the hands of those who hold wealth, and the interests of those people are too closely allied, the panel argued, for our politics to be truly pluralistic and diverse enough to be called 'open'.

Diversity, though, was not viewed as an unquestionable boon to openness by all of the participants in our series. Douglas Murray—associate director of the Henry Jackson Society and author of *Neoconservatism: Why we need it*[3]—argued that diversity could in fact be seen as a threat to our open society. His case was not that diversity was intrinsically opposed to openness, but that it represented a paradox for open societies when adopted as an intrinsic good and pursued without regard to the vulnerability of our openness to attack. The problem, he suggested, was 'a matter of scale, a matter of this society not being able to (or not feeling able to) impose its own norms on people who come into the country'. While arguing forcefully for the benefits of diversity as a means to enliven and educating our values, ideas and understanding

as a society, he made the case that open societies can only deal with so many challenges and attacks from individuals who are closed at once.

Zaiba Malik, author of *We Are a Muslim, Please*,[4] rejected Murray's arguments for the need to balance our openness to diversity against the necessity of defending our open society from being overwhelmed by divergent views of the good and attacks from those who oppose particular aspects of liberalism. In her view open societies tend to be robust enough to survive differences within them and, what is more, the trends of economics and demographics will demand *more* inward migration rather than less. She asked 'Who is going to look after our elderly? Who is going to look after our kids?', concluding that 'it certainly won't be the British'.

But that utilitarian notion of the necessity of mass immigration evades and bypasses, rather than confronts, the challenge that Murray articulates. It may well be necessary to sustain a level of openness when it comes to our borders in order to provide labour for the kind of work that Malik is unsure of Britons' willingness to engage in. But the question is what to do if those who arrive—who benefit from our openness—reject other facets of our openness. When migrant communities are offended by homosexuality, broader sexual and religious freedoms or our plurality of political and moral beliefs, what are we to do? And if, as Murray argues, immigration has been at such a level as to provide a realistic and credible threat to those norms of openness, then should our borders become more closed so as to protect our openness in our politics and our social norms?

This particular debate was chaired by a man whose job it is to navigate the difficult, competing claims of different groups celebrated in our open society but not necessarily aligned in their relationship with the open society. Trevor Phillips, chair of the Equality and Human Rights Committee, argued that we should be worrying less about the extent to which differing groups in society relate to particular institutions that we feel somehow embody and represent our openness, but instead should care about how different

groups relate to one another. Perhaps openness is best measured and understood by the fabric of tolerance and interaction in which citizens new and indigenous operate rather than the extent to which they overtly sign up to a constitution of 'openness'. The appeal of this approach could have a great deal to do with the fact that in Britain at least we lack any such constitution anyway. Our openness as a society has traditionally been rooted in the evolutionary and cautious approach — disseminated and arising gradually from communities rather than established through either revolt or direct imposition — and so the means to assessing its continuing health is perhaps more naturally rooted in interactions at the grass-roots level.

If we were to attempt to discern in our history a 'constitution of openness' after all, then an obvious candidate would be the European Convention on Human Rights (ECHR). The fact that it is controversial to write this is indicative of the extent to which the British public appears to have rejected human rights as a narrative and the Convention in particular. And it was this threat to openness that was discussed by Professor Francesca Klug, Professor John Gray, Philip Collins and Aryeh Neier at the first in our series of debates. All of the participants recognised the key role of human rights in underpinning and establishing the limitations of the open society. They differed, however, in the extent to which they felt that human rights can be defended against the onslaught of public opinion, and views as to how we might launch a robust defence differed greatly too. Some participants, particularly Professor Klug, argued for a more overt rooting of the conventions of human rights (and indeed the Convention itself) in British history and legal tradition. After all, she argued, it was British law from which the principles of the ECHR were drawn and it was British lawyers and diplomats who had effectively drafted the Convention and pushed it into international law. The dichotomy of promoting a universalist set of principles and ideals on the basis of an appeal to the particularist and nationalist was not lost on Professor Klug (and is explored later in this collection) but it

was nonetheless important, in her view, that we salvage the reputation of the ECHR from the growing perception of it as a foreign imposition.

This discussion also prompted a further debate of tactics. Aryeh Neier was asked whether utilitarian principles provided an effective argument against the encroachment of human rights, for example, through torture. Rather than make appeals to grandiose notions of the universal, so the question ran, should we not point to the multiple flaws and inherent problems of breaching human rights in this way? Is the more effective argument:

We shouldn't torture because it results in flawed intelligence, because the person will likely not have been found guilty under a fair system of justice and because they may damage your pursuit of intelligence rather than aid it if they are motivated by pain rather than a desire to help?

Neier rejected the utilitarian defence of human rights on the grounds that it is unreliable. All of the practical problems raised with torture were right, he said, but they might not always be right. And, for him, it could never be the case that torture — denied to governments on the basis of its unreliability — should then be allowed to governments on the basis that some means had been developed of making it, suddenly, reliable. For Neier, human rights and the open society must be defended on their own terms in order to avoid the danger of laying rhetorical traps that will undermine them at some later date.

And that lesson is, almost certainly, the one that we take from this programme of work overall. It is only by viewing openness as a good in and of itself that we can equip ourselves to make decisions and to weigh the competing claims of those who claim to work in aid of the open society. Openness is not good *because* it brings prosperity, educates, allows for more workers or is more reliable. It is good because it is good. Therefore, in defending openness, we must look not to the functioning and form of its individual

mechanisms — be that capitalism, the internet, open borders or even human rights — but to their overall, holistic contribution to the relative openness or closedness of our society. It is perfectly possible for something to appear open in its form — Google with its democratisation of knowledge, international banking with its erosion of borders — but to contribute to a net closure of both our society and our minds. And it is right, necessary, for governments to act in defence of openness even when that action might take the form of that which we describe as closed.

The key to defending is discerning — since there is no hope that we will all agree, all at once, on what is a threat to openness and what is an agent of it we must trust in the tension between sectors of society and sectional interests to produce a common, public good. It is in the debates and the dialogues that an understanding of what truly opens and what only appears to open will be found. And that is why we have sought, this past year, to host and provoke some of those debates — not to provide the answers but to create the space in which they might emerge. Openness is not as straightforward as we might hope it to be. But it is in its paradoxes and dichotomies that the truth of openness can emerge and be kept alive, ever evolving and avoiding death and redundancy by stasis. As Trevor Phillips described the dilemma of tolerance and openness — it is best understood in relational rather than institutional terms, considering how individuals and groups negotiate their common good. Not only that, but it is best kept and made safer that way too.

Notes

1   E Morozov, *The Net Delusion: The dark side of freedom and the internet*, New York: PublicAffairs, 2011.

2   E Pariser, *The Filter Bubble: What the internet is hiding from you*, London: Viking, 2011.

3   D Murray, *Neoconservatism: Why we need it*, New York: Encounter, 2006.

4   Z Malik, *We Are a Muslim, Please*, London: Windmill, 2011.

2 The neutral network is neither 'open' nor 'closed'

Jamie Bartlett

In early 2011, around the same time that Facebook activists were calling for a day of protest in Cairo, Anders Breivik is alleged to have written on the English Defence League's Facebook wall, praising the group's effort to 'turn this evil trend' of the Islamisation of Europe. In Egypt, Facebook and other social media sites helped a disparate group organise an 18-day protest, which ultimately led to the overthrow of President Hosni Mubarak. In Norway, Anders Breivik used social media sites to corroborate his view that Europe was suffering from the cancer of multiculturalism, ultimately leading to the murder of 77 innocent Norwegians.

Like any other form of communication and information, the internet can be a force for good and evil. The personal and societal benefits of the internet are incalculable. It has dramatically widened access to knowledge and ideas. It is a source of advice and guidance, even comfort and love. It has brought people together to collaborate in new and exciting ways, even to help overthrow corrupt government. As authors celebrate our digital future as one variously more democratic, oppression-free, even psychologically united than ever before, very few of us could, or would want to, imagine a world entirely offline.

Equally there is also a loudening chorus of voices raising the alarm about a 'darker' side of the internet. Most of these concerns relate to young people, and include the wide availability of pornography, online radicalisation, cyber-bullying, privacy, and online stalkers and groomers. Some writers even point to possible long-term detrimental health effects of online stimulation, such as 'techno-stress', 'data asphyxiation', 'information fatigue syndrome', 'cognitive overload' and 'time famine'.[1]

As ever, there is truth in both accounts. But the true revolution of the internet is the explosion in available information. The sheer amount of material at our fingertips today is unfathomable. When we fire up a browser, we can choose from more than 250 million websites and 150 million blogs, and the numbers are growing. A whole day's worth of YouTube footage is uploaded every minute. The online content created last year alone was several million times more than is contained in every single book ever written. Much of this content consists of trustworthy journalism, niche expertise and accurate information. But there is an equal measure of mistakes, half-truths, propaganda, misinformation and general nonsense.

This information revolution — and it truly is a revolution — is at once the greatest opportunity for the free and open society, but also its greatest risk. There are three main threats, which I will discuss in turn.

Misinformation and misleading information

The democratisation of information means there is more nonsense available than ever before. The ability to judge the merits of different pieces of information is the basis of one of the oldest philosophical disciplines in the Western tradition: epistemology. Epistemology studies the nature of truth — how we acquire, understand and validate knowledge. Simply put, whether offline or online, we need to distinguish good from bad information and that requires the application of personal techniques and skills that allow one to make a careful, reasoned judgement.

Owing to the centrality of the internet in the formation and consumption of information, the ability to apply careful discernment and judgement is more important than ever. The architecture, functionality and usage of the internet itself present some novel difficulties and pitfalls that make judgement even more difficult. As the traditional peer-reviewed journal and specialist anthology are replaced by Wikipedia-style collective-wisdom editing (or, frequently, nothing at all),

there are fewer obvious mediators of quality to help spot the impostors. For many young people, search-engine results act as a substitute: according to our recent paper *Truth, Lies and the Internet*, a third think Google organises its results according to reliability — of course it does not.[2] Typical markers of quality — often the author or publishing house, which give you at least a very general sense of what process might have led to certain claims, are out of the window in a world of anonymous user-generated material. Research shows young people use aesthetics as a sign of trustworthiness — which makes sense, but is not a particularly good guide when professional-looking websites can now be pulled together in minutes.

It gets even more complicated. Dozens of nefarious sites are designed specifically to appear trustworthy, including Holocaust-denial sites dressed with the trappings of genuine historical research. The website *www.martinlutherking.org*, for example, purports to present 'A True Historical Examination' of Martin Luther King Jr, aimed specifically at students writing essays for Martin Luther King Day essay contests. The website is a veiled attack on the US civil rights movement and is quietly hosted by the white-supremacist group Stormfront.

Polarisation

Human beings are homophiles. We are drawn to likeminded friends and acquaintances who think like us. More or less all of us also suffer from what sociologists call confirmation bias: we tend to seek out information that we already agree with. The fact you are still reading this suggests you agree with what you've read so far.

One of the ways in which people manage their internet consumption is through the 'social web' — a selection of filtering, grading and ordering sites. There are many new programmes and filters that help people to distinguish between information of varying quality. Cass Sunstein has argued that people increasingly tailor their consumption to match their preferences, a new form of newspaper he calls 'the Daily Me'.[3]

The general trend toward internet personalisation means we are seeing the 'World Wide Me' too. Eli Pariser's latest work, for instance, indicates that as search engines, online retailers and social media increasingly filter according to their intimate insight of who we are and what we like, we increasingly live in our own, custom-made 'filter bubbles', or a 'unique universe of information for each of us'.[4]

Being surrounded by gate-keepers pre-empting our decisions about the kinds of information we want to see—what Pariser calls 'invisible auto-propaganda'—has serious consequences. Taken to extremes, not being confronted by alternative news, ideas or viewpoints can be dangerous—leading to greater polarisation, even radicalisation, of political views.[5] As people's views find social encouragement, they become more confident, holding a more extreme position. This has been evidenced through hundreds of studies.[6]

The reality is that there is always a news story that will fit your prejudices. Take the example of the English Defence League. Many of the group's chat room forums are populated by news stories from a variety of mainstream and non-mainstream sources. Most of them appear to corroborate the group's predisposition that Europe—and especially the UK—is under threat from hordes of immigrants and Muslims. These stories are shared around the group, like wildfire, fanning the flames of disgruntlement.

The risk of being sucked into the digital world
When stories are shared around a group, people can be sucked into a virtual world of digital escapism, where they become anonymous, uncompromising, disenchanted and deluded; stalking closed forums and wailing at the tragedy of the world without ever really engaging in it. Anders Breivik left the far-right political party the Norwegian Progress Party and confined himself to this world, surrounding himself with historical crusader symbolism and fantasising about his heroic role defending Europe. Switch historical Christian symbolism

with Jihadist and the same pattern forms, as in the case of Roshanara Choudhury, who stabbed the MP Stephen Timms for having voted for the Iraq war.

In our recent research paper *The New Face of Digital Populism*, we quantified this phenomenon.[7] We surveyed 10,000 Facebook fans of nationalist populist groups across 11 European countries, and split respondents into 'keyboard warriors' (those who limited themselves to online activism) and 'bridge activists' (those who combined online engagement with voting, party membership or street 'demonstrations'). In many measures, our bridge activists were more moderate than the keyboard warriors. They appear to be more democratic, have more faith in politics, and are more likely to disavow violence. This suggests—more work is needed—that active involvement in the compromises of real world political and civic life has an important moderating influence.

Conclusion
I am not a digital pessimist, and would not wish to turn back the clock even if it were possible. The benefits of the internet far outweigh the costs. But the full potential of the internet to create a more open society does require our pedagogic system to change. Education, not regulation, is the answer.

In our recent research reported in *Truth, Lies and the Internet* we found that teenagers facing this avalanche of information are struggling to deal with it.[8] They are often unable to find the information they are looking for, or they trust the first item they find. They do not fact-check what they read and are unable to recognise online bias and propaganda; teachers are worried about the effect this is having. Today's teachers and librarians deserve sympathy because the speed of change has been dizzying and education curricula are ever more squeezed. But now might be the first time in history when young people know more about the primary source of information than those charged with educating them. We teach them about how a library works, and yet as soon as the school gates fling open, it is the digital world they navigate.

The era of mass, unmediated information needs to be attended by a new educational paradigm based on a renewal of critical, sceptical thought fit for the online age. Traditional critical-thinking skills, such as recognising authorship bias or verifying sources, are a staple of Western education. But a distinct online component must be added. At a minimum, every school now needs to teach how search engines really work, how videos and websites are made, how online propaganda can be spotted, and how personal data are stored and shared. These are now fundamental to children's lives and well-being—but none of it gets taught. We call this 'digital fluency'—and it must be included as a core part of the new national curriculum.

Kids won't always get it right of course, and neither do any of us. Earlier this year, the *News of the World* was forced to pay damages to a soccer player after reporting an apparent infidelity, which was in fact a Photoshop hoax. We will never live in a society of Socratic clones (and probably wouldn't want to anyway); and we won't be able to prevent every possible Anders Breivik or Roshanara Choudhary. But we shouldn't expect it to, because any realistic notion of a free, open society—where freedom of expression is central to its health—is noisy, messy and awkward. This is as true of the online world as the offline one.

But it is incumbent on us to ensure that young people—all of us—can navigate this open messy society with a little more care, discernment and scepticism. At two clicks lie the pitfalls and traps of misinformation, propaganda and bile—but so do unimagined possibilities and opportunities of openness and emancipation.

Notes

1   For 'Techno-stress', see W Powers, *Hamlet's Blackberry: A practical philosophy for building a good life in the digital age*, New York: HarperCollins, 2010. The other terms are respectively attributable to William van Winkle, David Lewis, Eric Schmidt and Leslie Perlow. See Schumpeter, 'Too much information: how to cope with data overload', *Economist*, 30 Jun 2011, www.economist.com/node/18895468 (accessed 5 Dec 2011).

2   J Bartlett and C Miller, *Truth, Lies and the Internet: A report into young people's digital fluency*, London: Demos, 2011.

3   CR Sustein, *Republic.com 2.0*, Princeton NJ: Princeton University Press, 2007.

4   Pariser, *The Filter Bubble*; see also Pariser's 'TED Talk' at www.thefilterbubble.com/ted-talk (accessed 5 Dec 2011) and the review of *The Filter Bubble*, 'Invisible sieve: hidden, specially for you', *Economist*, 30 Jun 2011, www.economist.com/node/18894910 (accessed 5 Dec 2011).

5   B Bosker, 'As internet use grows, is it polarizing political views?', *Huffington Post*, 29 Mar 2011, www.huffingtonpost.com/2011/03/29/internet-polarizing-politics_n_842263.html (accessed 5 Dec 2011).

6   See, for example, R Brown, *Social Psychology, The Second Edition*, New York: Free Press, 1986.

7   J Bartlett, J Birdwell and M Little, *The New Face of Digital Populism*, London: Demos, 2011.

8   Bartlett and Miller, *Truth, Lies and the Internet*.

3 Wealth is the key to an open society

Julia Margo

Many of those who make the case that greater equality is a necessary first step to greater openness in society—a case most recently, and fervently, put by Richard Wilkinson and Kate Pickett in *The Spirit Level* [1]—do so from a perspective that is overwhelmingly focused on income. They are right to point to inequality as a barrier to openness, political and economic freedom but they are wrong to do so from the starting point that inequality and its impacts are best measured through income. They aren't.

Rather—if we are to look at inequality as the impediment that it is to developing the open society, we must look at wealth. In this essay, I will lay out precisely why the distribution of wealth is a more important determinant of how open, cohesive and fair societies are than is the distribution of income. This is because of the unique impact that familial asset levels have on the parenting style of families, the character traits of the children brought up within them and on the ability of people emerging from all strata of society to contribute to debates about the common good and to make the case for their interests. Only a society where sectional interests have a relative equality of capabilities can be truly described as 'open' and the surest route to that society is through the redistribution of wealth, not income.

Research from the USA shows us how much better wealth is than income in predicting the kind of education outcomes for children that are vital in laying the groundwork for an open society in which power and voice are more equal. Shanks and Destin examined the Panel Study of Income Dynamics (PSID) and the accompanying Child Development Supplement (CDS), and found that assets could predict educational attainment and likelihood of attending university, and once they were

factored in, income no longer became significant. They also found that income from investments or inheritance was more important than income from the labour market in explaining differences in child attainment.[2] Shanks also found that once assets were factored into the analytical model, the effect of income became insignificant.[3] Further bodies of work that analysed large longitudinal data sets to explore the relative influence of assets and income on life chances include Hill and Duncan's work in 1987, who also used an analysis of the PSID and Conley.[4] Conley's study showed that the role of assets was highly significant: a doubling of assets while controlling for other variables was associated with an 8.3 per cent increased probability of attending university, and a 5.6 per cent greater chance of graduating.

A large body of work shows that access to resources in childhood, including owning a home (particularly duration of home ownership), have a positive impact on emotional wellbeing including the likelihood of teen pregnancy,[5] fewer behavioural problems[6] and less chance of depression and conduct disorders. Wealth shapes who we are as individuals much more powerfully and directly than income, and it is who we are—our character and capabilities—that shapes our society as a whole and predisposes it either to be closed and sectional or open and communal. But how is this influence explained?

The influence of wealth takes several forms. The research shows that access to resources impacts on individual self-esteem and confidence. Both of these character traits are reflective of what is required of citizens if they are to function successfully in an open, pluralistic society and are to make genuine contributions to discussions and debates on the common good. Without a spread of confidence, self-esteem and the ability to articulate and demand across society the soft power of character becomes concentrated at the top. Wealth—and the distribution of it—is therefore key to promoting a society that is robust enough to cope with openness and to reap its benefits.

Wealth also has an impact on stability and security in the home and levels of stress,[7] and the ability of parents to buy access to positive social activities. Margo et al show how trends in parental spending on activities for children increased radically in the last ten years in middle-class families, creating a socialisation divide with poorer families unable to offer their children the same quality of structured sport, art or drama and music based activities.[8] Although there are no data to show this, it is likely that assets and wealth also enable parents to spend more quality time with children, particularly in the early years. For instance, it is highly likely that parents with more resources and savings can take longer periods of parental leave than those with no savings to draw on; and that wealthy families are able to make freer choices about the balance of work and child caring.

But perhaps the most significant influence of wealth is its impact on the home environment and quality of parenting.

Character development, social mobility and unlocking the open society

Very recently, there has been much more interest in the quality of parenting. This is because of recent evidence of the role of early years experiences in developing the skills base necessary to succeed in today's economy and society—and the fact that schools are thought to account for only around 14 per cent of variance in children's outcomes.[9] Leon Feinstein's work has demonstrated the relative importance of academic, psychological and behavioural attributes in childhood in defining success in adulthood. Feinstein finds that non-cognitive abilities—character capabilities—at age 10 have substantial implications for adult outcomes. 'Conduct disorder' in boys, for example, predicts later adult unemployment—whereas 'self-esteem' predicts earnings. For women, 'locus of control'—or agency—is a particularly important predictor of labour market success.[10]

There is some evidence that character capabilities have become more important in recent decades. In an influential report, *Freedom's Orphans*, the ippr compared longitudinal studies from 1958 and 1970 and found that 'in just over a

decade, personal and social skills became 33 times more important in determining relative life chances'.[11] The same study reported that measured capability for application at the age of ten has a bigger impact on earnings by the age of 30 than ability in maths. In an open society, social mobility and success on merit are visible realities. Character and parenting style are increasingly key to achieving those political ends.

The development of character capabilities and life skills is strongly related to economic background. Over the past couple of generations, material deprivation has become a strong predictor of a deficit in social and emotional skills. Evidence presented in *Freedom's Orphans* suggests that although the development of character capabilities among children born in 1958 was not related to income, it was strongly associated with income among those born in 1970.[12] The implications of these findings are potentially profound, since it appears that the opportunities to develop character capabilities narrowed in lower-income households, just as those capabilities became more important to life chances. The evidence for inequalities in the development of character capabilities is particularly striking against a backdrop of slowing social mobility. As above, Margo et al explained this as the ability of the wealthy to buy positive developmental experiences for their children (arts activities, music lessons and so on), intuitively higher aspirations within more successful families, the impact on character development of foreign holidays, frequent engagement with culture, and the strong and extensive social networks that exist within the professional middle classes.[13] But there is also evidence that access to wealth creates a different emotional environment in the home.

The growing importance of character capabilities has not been lost on policymakers and other stakeholders. As well as *Freedom's Orphans*, there have been other influential reports including *Early Intervention: Good parents, great kids, better citizens* by Graham Allen MP and Iain Duncan Smith MP, and *A Good Childhood*, published by the Good Childhood Inquiry in 2009.[14]

In one sense the response in political circles has been gratifying, with huge buy-in to the idea that character and skills are the explanation for why material inequality impacts so hugely on life chances. Yet the policy response has been disappointing: it almost assumes that the role that money plays in allowing access to positive developmental experiences can be replaced by the state. It has been easier to sell to the public the idea that the state can step in and support poorer families in providing positive activities and strong parenting for their children than promoting a redistributive agenda would have been, but it is wholly flawed when we consider the psychological benefits of having access to resources.

Lack of access to wealth contributes to insecurity and instability in the home, decreases options and results in lower aspirations. Soboloweski and Amato showed how lack of access to resources contributed to parental anxiety, which in turn destabilised relationships in the home.[15] Zhan and Sherrraden found that mothers who were homeowners or had savings of $3,000 or more had higher expectations of their children's attainment.[16] No significant effects were found when the same analysis was done with income as the variable. Zhan found that one-third of the relationship between wealth and student attainment was explained by mothers' expectations for their children.[17] Yeung and Conley found that wealth could predict parental warmth and spending more time with children.[18]

In landmark research published in 2009, Demos identified four distinct 'parenting styles', which define the parental approach to child rearing.[19] Children with 'tough love' parents—who combine warmth with discipline—were twice as likely to develop good social, emotional and behavioural competencies—character capabilities—by age five as children with 'disengaged' parents, and did significantly better than children with 'laissez-faire' (relaxed) or 'authoritarian' (strict but lacking warmth) parents. The point of the report was to show that it is not resources in themselves that define a child's life chances, but the way in which those resources impact on a parent's ability to parent well. *Building Character* found:

· Children from the richest income quintile are more than twice as likely to develop strong character capabilities as children from the poorest quintile.

· 'Tough love' parenting is less frequent in low-income backgrounds. Although the 'love' element was consistently distributed throughout economic groups, consistent rule-setting and authoritative parenting was associated with wealthier families.

· When parental style and confidence are factored in, the difference in child character development between richer and poorer families disappears. Poorer parents tended to be less confident, which was associated with poorer development of character capabilities.

So one of the key findings of this report was that poorer families are simply much less able to provide the effective 'tough love' parenting that children need. To recap, poorer parents are often less confident and experience more instability and stress, which makes them less likely or able to enforce consistent rules in the home.

There is a wider body of evidence about the psychological effect on adults of having access to resources in Sodha and Reed's *Mind the Wealth Gap*.[20] The salient point for this discussion, however, is that wealth can have an impact on parenting confidence and ability, and on other factors in the home known to influence outcomes — security, stability and aspiration — and it directly impacts opportunities for young people.

Politicians interested in defending and advancing the open society must accept, understand and act on this point. If we are to be able to arrive at notions of the common good by discussion and dialogue rather than by imposition — if we are to be open rather than closed — we must equip individuals and families at all levels of our society with the tools, skills and capabilities they need in order to contribute. Your character — your soft skills of negotiation, self-regulation

and emotional robustness — is the key to your ability to play your part in the open society. Wealth and — importantly — the distribution of wealth within society play such a core role in determining your character and capabilities that we must focus on that rather than obsessing about income. Gift taxes, a land value tax, stricter inheritance tax laws and a mansion tax — with an associated renewal of our mechanisms of redistribution in order to focus on wealth — are the tools needed to build the tax and benefits system that can build the open society. Income is simply insufficient.

Notes

1   RG Wilkinson and K Pickett, *The Spirit Level: Why greater equality makes societies stronger*, London: Bloomsbury, 2009.

2   TR Williams Shanks and M Destin, 'Parental expectations and educational outcomes for young African American adults: do household assets matter?', *Race and Social Problems* 1, no 1, 2009.

3   TR Williams Shanks, 'The impact of household wealth on child development', *Journal of Poverty* 11, no 2, 2007.

4   SM Hill and GJ Duncan, 'Parental family income and the socioeconomic attainment of children', *Social Science Research* 16, no 1, 1987; D Conley, 'Capital for college: parental assets and educational attainment', *Sociology of Education* 7, 2001.

5   RK Green and MJ White, 'Measuring the benefits of homeowning: effects on children', *Journal of Urban Economics* 41, no 3, 1997.

6   D Haurin, R Dietz and B Weinberg, 'The impact of neighborhood homeownership rates: a review of the theoretical and empirical literature', *Journal of Housing Research* 13, 2002.

7   JM Sobolewski and PR Amato, 'Parents' discord and divorce, parent–child relationships and subjective well-being in early adulthood: is feeling close to two parents always better than feeling close to one?', *Social Forces 85*, no 3, Mar 2007.

8   J Margo et al, *Freedom's Orphans: Raising youth in a changing world*, London: ippr, 2006.

9   S Sodha and S Guglielmi, *A Stitch in Time: Tackling educational disengagement*, London: Demos, 2009.

10   L Feinstein, 'How early can we predict future educational achievement?', *Centrepiece*, summer 2003.

11   Margo et al, *Freedom's Orphans*.

12   Ibid.

13   Ibid.

14   G Allen and I Duncan Smith, *Early Intervention: Good parents, great kids, better citizens*, London: Centre for Social Justice, 2008; and R Layard and J Dunn, *A Good Childhood: Searching for values in a competitive age*, The Children's Society, 2009.

15   Sobolewski and Amato, 'Parents' discord and divorce, parent–child relationships and subjective well-being in early adulthood

16   M Zhan and M Sherraden, 'Assets and liabilities, educational expectations, and children's college degree attainment', *Children and Youth Services Review 33*, no 6, 2011.

17   M Zhan, 'Assets, parental expectations and involvement, and children's educational performance', *Children and Youth Services Review* 28, 2006.

18   WJ Yeung and D Conley, 'Black–white achievement gap and family wealth', *Child Development* 79, no 2, 2008.

19   J Lexmond and R Reeves, *Building Character*, London: Demos, 2009.

20   S Sodha and J Reed, 'Mind the wealth gap' in N Pearce and J Margo (eds), *Politics for a New Generation: The progressive movement*, Basingstoke: Palgrave Macmillan, 2007.

4 Free markets and the open society

Lord Glasman

I'd like to start by acknowledging the importance of Karl Popper in my development as a thinker. Reading *The Poverty of Historicism*[1] as a 17-year-old was one of those transformational moments, which really knocked any incipient Marxism on the head. Clarifying the meaning of Popper's phrase 'Open Society', with an equal stress on both words, has informed the questions underpinning my own work ever since. And successfully or unsuccessfully I have made strenuous efforts to avoid being one of its enemies.

I want to highlight an enigmatic paradox at the heart of the term open society: societies are underpinned by relationships and institutions that need a degree of closure to function effectively. A lack of attention to the distinctive practices that characterise societal institutions led to a conflation of society and the market in the open society tradition inaugurated by Popper and those close to him, notably Hayek. I will argue that this leads to a moral and administrative overburdening of the state, and the outcome Popper and Hayek so strenuously sought to guard against.

Second, in elaborating the political implications of his notion of the open society, Popper put together three of the ugliest words in the English language and turned them into the central challenge of contemporary politics. I refer here to the idea of 'piecemeal social engineering', which appears in chapter 9 of *The Open Society and its Enemies*[2] and defined the legitimate role of politics in a free society. On the face of it every word is wrong and nothing can make it right. First, engineering is a very poor way of conceiving of political action. Both communism and Fabian social democracy gave it a central role, and that is not accidental. Then there is the whole idea of the social, which Hayek famously said voided

of meaning anything that comes after it.[3] So if you talk of social justice you know that person speaking doesn't mean justice, and so on. Finally, the concept of piecemeal: as far as I know piecemeal means an ad hoc, unplanned and very nasty employment method in the textile industry in the nineteenth century.

I acknowledge that this choice of words has honourable origins in Popper's revulsion towards organic metaphors — the biological trope that underpinned determinist social science, particularly economics, in Germany and which was tied to a particular interpretation of evolutionary theory. This metaphor also justified the irrational communalism that characterised totalitarian societies, such as China today, which manages to combine state oppression and market exploitation in a perfect equilibrium. It was the combination of uncritical scientific modernism and unmediated atavistic moralism that motivated Popper's phrasing and also disturbed Hayek so deeply in relation to fascism and communism. Unplanned and ad hoc interventions were superior to systematic change.

Popper opposed the notion of piecemeal social engineering to that of utopian social engineering, with its disruption of space and the beginning of a new time. The application of bad science to the creation of moral and happy people could only end badly. Popper defined bad science as determinist, dogmatic and teleological. In the history of science, according to Popper, all outcomes are provisional, contingent, and open to refutation and supersession. When these outcomes are transferred to the realm of politics, democracy was seen as the peaceful means of winning an argument or removing a government within a state in which all conclusions are provisional and contingent.

In my book *Unnecessary Suffering* [4] I wrote about the possibilities and limits of politics by asking what is 'necessary suffering'? What lies outside the sphere of public amelioration and what is unnecessary in that it lies within the sphere of concerted democratic action? Further, how can that be made compatible with a free society? Instead of pursuing a straight reworking of the distinction between public and private, I

looked at the power of political consensus. This partly involved looking at what is held to be reasonable to believe, what Popper called cognitive norms. But I also looked at the power of interests and institutions, and how they are to be understood in developing the very necessary idea of public reason.

Central to what I'm suggesting here is that understanding and moving beyond the limitations of both Popper and Hayek's conceptualisation of an open and a closed society, of the relationship between state and market, is crucial to the renewal of the particular tradition of liberty and contingency that animated its origins.

In *The Open Society and its Enemies*, Popper saw the 'origins of our troubles lying in something that is admirable as it is dangerous; it is the impatience to better the lot of our fellows'. He spoke of the:

longing of unknown, uncounted men to build an open society which rejects the absolute authority of the merely established, while trying to preserve, to develop, and to establish traditions, old or new, that measure up to their standards of freedom, humaneness and of rational criticism.

He defines the task in hand as:

the unwillingness to sit back and leave the entire responsibility to ruling the world to human and superhuman authority and our readiness to share the burden of responsibility of avoiding suffering and to work for its avoidance.

He then talks about the strain of civilisation, the tension between desire and law, writing:

[the] strain of civilisation is that we are becoming more and more aware of the gross imperfections of life, of personal as well as institutional imperfection, of avoidable suffering, of waste and of unnecessary ugliness. And while it is not impossible for us to do something about all of this, such measures are just as hard as anything that humans have tried to do.[5]

I am very sympathetic to the traditions of the open society, of avoiding unnecessary suffering, of trying to understand, despite the ugliness of the phrase, what Popper meant by piecemeal social engineering. I would also agree that the exclusive reliance we have had in recent years, not just on financial markets but also the methodology that underpins financial markets as a condition of an open society, has led to what George Soros famously called market fundamentalism. Yet while the danger of state domination is well articulated in the open society tradition, the power of markets and the power of money remain very underdeveloped and under-conceptualised within it.

It is worth noting that mathematical academic economics fits Popper's definition of bad science in that it is deterministic, dogmatic and circular. It assumes that individuals are understood with no tradition, place, language or ethics, and their only rational capacity is a ranking system for ordering their limitless wants under conditions of resource and time constraints.

Issues such as the balance of power and corporate oversight, a constitution within firms, managerial tyranny and domination remain elusive within the Popper and Hayek tradition. That remains unsatisfactory because the whole point is to create the conditions of sustainable critical appraisal and organise people's interests so that they can take on dictatorship, over-mighty power and dogmatism. So in many ways, paradoxically, personal liberty has not been extended to the economic sphere, and nor has democracy. An unaccountable unconstrained interest has been left unchecked. In economic language, invariably on the piecemeal social engineering side of beauty, this leads to the concept of the principal agent problem. This is essentially about irresponsibility, the abuse of power, and a lack of relationships and reciprocity within firms and between them.

We know that financial markets lead to speculative bubbles and not to efficient allocations. We know that this is particularly the case where there is no balance of interest within firms and no effective shareholder oversight. The consensus developed in the last half of the 1970s, which has remained with us ever since and dominated New Labour as well, is responsible for the fetishisation of financial markets. But this is rooted in a deeper conceptual problem for Popper and Hayek in which they see the necessary and sufficient institutions of an open society, in which a market economy plays a fundamental role, as being the price system and the rule of law. What Hayek respectively called catalaxy (the spontaneous order brought about by many individual economies in a market) and nomocracy (a political order limited by negative law, which exists independently of the legislative assembly).

The preference for these as the overriding and dominant institutions is rooted in the socialist calculation debate in the 1920s in Vienna, an obscure but pivotal debate that people don't really talk about any more. And here I'd like to introduce a third interlocutor, Karl Polanyi, who along with Popper and Hayek was present in that debate.[6] They weren't the dominant voices but they all cut their teeth in that debate and were to develop significant academic reflections on its consequences. On one side there was a group of socialist thinkers who thought it was possible to calculate future needs and demands. The dream was that you could build a big enough computer, input all the relevant data, and plan rationally for future needs and wants. This was the basis of a planned socialist economic system. On the other side was a group of economists around Ludwig Von Mises, to whom Popper and Hayek became increasingly attracted, who argued such a thing was impossible. It was impossible because the decentralised process of the price system relied on a huge amount of information that was not calculable or knowable; price setting was a subjective process that gave a signal about what people wanted and this was essentially unpredictable and unknowable. I'm from that dissident socialist tradition that thinks that Hayek and Von Mises won that argument. This critique of state planning, of socialist calculation, in many ways set the terms for Popper and Hayek's development and the close interaction between the two of them.

I want to focus on Hayek as he addressed the market more directly than Popper. In his sociological, anthropological and historical work Hayek uses three concepts. He works with instinct on the one side, reason on the other and then tradition as a mediating principle. In other words, Hayek says that an open society, a catalaxy, is grounded in certain traditions of thought that preserve ethics, honesty, law abidingness, traditions of trust, skill and honesty that are not reducible to either instinct or reason. He considers instinct alone a terrible threat as it is essentially communitarian and atavistic. He considers rationality alone as a terrible threat as it is instrumentalising and self-defeating. Tradition plays a mediating role between instinct and reason.

Hayek did not develop a mediating concept in his economic thought, so there is just a choice presented between state and market, between catalaxy and telocracy, between an open and a closed society. There are multiple problems that stem from this. In Hayek's economic thought the market takes the complete burden of the sphere of freedom. You then have no ability to conceptualise the institutions that are necessary for the functioning of effective markets. What are those non-market institutions that develop a non-pecuniary ethic and underpin the development of sustainable, efficient price-setting markets?

This is the importance of Karl Polanyi, who rejected both statist and market orders and tried to conceptualise the decentralised institutions that could resist commodification and oppression. Citizenship, vocational institutions, Christianity and agricultural interests all formed local practices and institutions that embedded the economy in local institutions. There was equilibrium between state, market and society.

In our time the German social market economy exhibits a set of decentralised institutional arrangements that underpin reciprocity, relationships, trust and knowledge that are not captured by the distinction between state and market. With Keynes and Marx, Hayek perpetuated a duality between state and market that does not allow for the conceptualisation of an open society. If you see the market as the sphere of freedom and the foundation of an open society then the state is necessarily closed, authoritarian and a threat. The market, however, has been voided of all ethical or vocational considerations and there is therefore no institutional constraint on individual action outside an abstract general law. The state then becomes overburdened with morality and is called on to do things it cannot and should not do. This was very pronounced under New Labour. Over the past decade the state was going to make the fat thin, teenagers chaste, bad people into good parents, and increase everyone's capabilities. But this was an overburdening of the state, and once again a diminishment of the possibilities of society. The mediating institutions of society were ignored in the development of character, responsibility and vocation.

The distinctiveness of the social market is that there are non-state decentralised institutions with effective power in the governance of the economy. I'll just mention three very important ones with a hint at a fourth. The first is vocational training. People who work with their hands as well as their minds are given the same status as we have here for lawyers, accountants, dentists and the professions. Labour market entry is controlled by the completion of an apprenticeship that leads to mastery. Hayek and Popper have no mediating principle within the economy so there is no tradition of translating, in terms people can understand, the vast flow of information that provides data, no common framework of judgement. What vocational training does is allow people to renew skills. So you have the paradox that institutions described by Gordon Brown in 1996 as Jurassic and pre-modern are the very basis of the efficiency and the very high value end of German industrial innovation. The preservation of patterns of trust, reciprocity and skill that are outside market forces but function as a power within the market economy are an essential condition of an open society, a good society and above all a society that actually has meaningful economic growth. The addition of tradition as a mediating principle between instinct and reason works well in the economy too.

The second facet is the representation of workers on the boards of companies. Here firms are conceived not as private entities but as public goods, with governance underpinned by the idea that there has to be a balance of interests. This directly contrasts and offers an alternative to the complete collapse of effective corporate oversight, which was the core feature of the financial crash. Going back to the principal agent problem that so preoccupies economists, money managers were unconstrained, institutionally and ethically. What I said about Murdoch in a speech in the Lords also applies to the money managers in the City of London: Aristotle argued that anybody outside relationships, outside law, was either a beast or a god; in the case of the City of London they managed to be both. The representation of expert and specific knowledge that can provide effective oversight tied to interests can only come from within the workforce. In a highly specialised economy only internal regulation is effective. What we have had is very poorly conceptualised forms of external regulation, which had no real effect, owing to a lack of knowledge as well as resources. The practice of reciprocity and relationships, ideas of vocation and virtue, in other words a balance of interest, turned out to be far more effective in the economic sphere than unconstrained managerial prerogative. Workers have an interest in the flourishing of their company.

The third element is regional banks, which cannot lend outside the area in which they are based. Another cause of the enormous existential distress of the financial crash is that the demand for investor value led to the denuding of the country of its pensions and savings. Rates of return were much higher in financial speculation, so the rational incentive was to put your money into the City. The rates of return, however, turned out to be fantastical. The result was the bail out and the intensification of the deficit. It turned out that having banks constrained to lend within the region led to far better capitalist market development. The distinction between productive and predatory capital turned out to be real.

The fourth facet of the German social market economy, which I won't go into in as much detail here, is the co-determination of pension funds. The idea is that pension funds are linked to productivity of the sector and it is split 50–50 between owners and workers. This leads to an incentive to virtue among employees, an example of which was workers in Germany taking a wage cut in a boom in order to go through corporate restructuring. But it also leads to some form of common good within the firm and sector.

To recap, then: the key decentralised non-market institutions embedded within the economic system are vocational training, the representation of workers in corporate governance, regional banking and pension co-determination. None of these can be conceptualised by the distinction between catalaxy and nomocracy or the state–market dichotomy that Hayek and Popper work with. With this idea of the decentralised diversity of institutions in the regulation and governance of the economy, we can begin to talk of genuine ways of confronting the power of bad. And the power of bad is essentially self-interest, with the capacity to act in unlimited ways to pursue it. That is what happened in the City of London, with the Murdoch press, and in the summer 2011 riots in London and elsewhere. You have to have organised forces for the good incentives to virtue that are tied to interests.

So what does piecemeal social engineering look like now? If it's not possible to have systematic and centralised reconstructions of society—and I'm completely with Popper and Hayek on that—then how do we domesticate the voracious acquisitiveness of financial markets, particularly when they are championed by the most extraordinary lobbyist in the history of the world, with a thousand years of financial lobbying under its belt, namely the Corporation of the City of London? The Corporation is a great and ancient civic institution, has enormous resources, we don't know what they amount to because—as an ancient city from time immemorial never having been in debt—it has never had to declare its assets. I once spoke to its treasurer who said, 'Dr. Glasman, I can't tell you what they are but I assure you our assets are truly colossal.' And as far as I know they include hunks of Wall Street, Hong Kong as well as the Corporation being the original freeholder

for a seven-mile radius of the city. What we have in the City is enormous resources and ancient privileges exclusively in the service of market fundamentalism.

To take on these forces in order to ameliorate unnecessary suffering we have to go back to what we mean by reason. Reason, as Popper and Hayek taught, is not essentially abstract and mathematical but has to involve comparison between different cases. Fifteen years ago I was told by academics that the sad fact was that the German economy was going to be blown away by globalisation and that the British economy with its transferable skills and finance strategy would emerge triumphant. I think the results are in: it has taken 15 very painful years but we have to conclude that institutional arrangements of the German economy are a much better place to start than the institutional arrangements than we have in Britain now. The honouring of the workforce, knowledge, vocation, ethics and incentives to a common good are going to be an absolutely vital part of creating a more humane society. City democracy is not an insignificant part of this.

So piecemeal social engineering today is about establishing institutions—embodying not abstract values but values linked to actual practices. And these practices are threefold. Reciprocity is the most vital one. We know about contract, which is immediate exchange between hands using equivalents. We know about redistribution, which is the move to the state and back out into society. But what we have lost is reciprocity, which is based on give and take of relationships that are human; humaneness is the concept that Popper used. The engagement of the knowledge and commitment of the workforce in the governance of firms is also going to be vital. We also have to reconceptualise the meaning of vocational institutions and support them in the governance of the economy.

My final reflection is that the problem with the open society discussion as initiated by Popper is that the choice is seen as being between open and closed. But society is always open and closed; the dichotomy doesn't help articulate what should be open and should be closed. One of the paradoxes is that institutions such as universities, vocational institutions

or regional banks had a degree of closure that enabled them to adapt to and mediate change effectively. They had real traditions, embodied in institutions and defined by democratic governance, through which they could interpret new information and turn it into local knowledge. Without that they essentially disintegrate. And when there are no ethical practices existing in the economic sphere, there is the overburdening of the political sphere and the state, which can't possibly fulfil its responsibilities. If we are to honour the noble motivations of the open society tradition we must move beyond seeing the market as the sphere of freedom and put far greater emphasis on the social institutions in which the open society must be embedded in order to function in a humane and genuinely efficient manner.

That is the task of 'piecemeal social engineering' in our time. Popper did not talk of an open economy or an open state but of an open society. The democratic governance of free institutions must play a central role in this. Oxbridge colleges provide a surprising exemplar of what an open society of the future could look like.

Notes

1   K Popper, *The Poverty of Historicism*, London: Routledge, 2002.

2   K Popper, *The Open Society and its Enemies*, vol 1, London: Routledge, 2003.

3   F Hayek, *The Fatal Conceit: The errors of socialism* (ed WW Bartley III), Chicago: University of Chicago Press, 1991.

4   M Glasman, *Unnecessary Suffering: Managing market utopia*, London: Verso, 1996.

5   Popper, *The Open Society and its Enemies*.

6   See K Polanyi, *The Great Transformation: The political and economic origins of our time*, Boston: Beacon Press, 1991.

5 Solidarity, diversity and the open society

David Goodhart

'Openness' depends on our mutual sense of obligation, our confidence in ourselves and our belief in our interconnection with one another. Although often described in universal terms—human rights, democracy, free expression—the open society in fact depends, to some extent, on how attached we are to the particular, on how sure we are about where we belong. The reason being that the open society, with its looser rules and dependence on sharing and caring, requires a prior solidarity that gives each of us a robust sense that as we respect the rules and pay our share so, too, will others. A nation without solidarity can never be truly open; its families—so much more dependent on only themselves—will close themselves off and insulate themselves against the different, the alternative and the new.

This is the paradox that all mature politics must grapple with—that true openness also requires the right kind of closure. All human associations and communities need boundaries of some kind. They can be easier or harder to join but require some means of demarcating between insiders and outsiders. The philosopher Michael Walzer puts it like this: 'The distinctiveness of cultures and groups depends on closure and, without it, cannot be conceived as a stable feature of human life.'[1]

The modern nation state has become far more internally inclusive in recent generations—the idea of the equal status of all citizens is underpinned by historically unprecedented social provision, free to all insiders—but towards the outside world it has become, if anything, more exclusionary. There is nothing perverse or mean-spirited about this. As the value of national citizenship in rich countries has risen, and the cost of physically reaching those

countries has fallen, so the bureaucracy of exclusion — the much maligned Border Agency — has had to grow.

If that bureaucracy were to be abolished or even relaxed it would lead to more random and pernicious exclusions at a lower level. Walzer talks about 'a thousand petty fortresses'. It is already possible to see signs of this in the growing levels of both ethnic and social class segregation in many of Britain's major towns and cities.

This all leads back to the necessary tension between solidarity, with its requirements for boundaries, and diversity, which likes nothing more than to cross them. How has this tension played out in Britain in the post-war period?

Britain in the 1950s was a country stratified by class and region. But in most of its cities, suburbs, towns and villages there was a good chance of predicting the attitudes, even the behaviour, of the people living in your immediate neighbourhood.

In many parts of Britain today that is no longer true. The country has long since ceased to be Orwell's 'family' (albeit with the wrong members in charge). To some people this is a cause of regret and disorientation — a change which they associate with the growing incivility of modern urban life. To others it is a sign of the inevitable, and welcome, march of modernity. After three centuries of becoming more alike (and equal) through industrialisation, urbanisation, nation-building and war, the British have become freer and more varied (and more unequal). Fifty years of peace, wealth and mobility have allowed a greater diversity in lifestyles and values. To this 'value diversity' has been added ethnic diversity through two big waves of immigration: the mainly new commonwealth immigration from the Caribbean, Africa and south Asia in the 1950s and 1960s, followed by a broader spectrum of asylum seekers, east Europeans and immigrants from Africa, Asia and the greater Middle East after 1997.

The diversity, individualism and mobility that characterise developed economies — especially in the era of globalisation — mean that more of our life is spent among strangers, of both British and foreign ancestry. Ever since

the invention of agriculture 10,000 years ago, humans have been used to dealing with people from beyond their own extended kin groups. The difference now in a developed country like Britain is that we not only live among stranger citizens but we must also share with them. We share public services and parts of our income in the welfare state; we share public spaces in towns and cities where we are squashed together on buses, trains and tubes; and we share in a democratic conversation — filtered by the media — about the collective choices we wish to make. All such acts of sharing are more smoothly and generously negotiated if we can take for granted a limited set of common assumptions. But as Britain becomes more diverse that common culture is being eroded.

And therein lies one of the central dilemmas of political life in developed societies: sharing and solidarity can conflict with diversity. This is an especially acute dilemma for progressives who want plenty of both solidarity — high social cohesion and generous welfare paid out of a progressive tax system — and diversity — equal respect for a wide range of peoples, values and ways of life. The tension between the two impulses is a reminder that serious politics is about trade-offs. It also suggests that the left's recent love affair with diversity may come at the expense of the values and even the people that it once championed.

This 'progressive dilemma' lurks beneath many aspects of current politics: national tax and redistribution policies; the asylum and immigration debate; development aid budgets; EU integration and the euro crisis; and even the tensions between America (built on political ideals and mass immigration) and Europe (based on historic nation states with core ethnic-linguistic solidarities).

Thinking about the conflict between solidarity and diversity is another way of asking a question as old as human society itself: who is my brother? With whom do I share mutual obligations? The traditional conservative Burkean view is that our affinities ripple out from our families and localities, to the nation and not very far beyond. That view is pitted against a liberal universalist one which sees us in some

sense equally obligated to all human beings from Bolton to Burundi—an idea associated with the universalist aspects of Christianity and Islam, with Kantian universalism and with left-wing internationalism. Science is neutral in this dispute, or rather it stands on both sides of the argument. Evolutionary psychology stresses both the universality of most human traits and—through the notion of kin selection and reciprocal altruism—the instinct to favour our own. Social psychologists also argue that the tendency to perceive in-groups and out-groups, however ephemeral, is innate. In any case, Burkeans claim to have common sense on their side. They argue that we feel more comfortable with, and are readier to share with, and make sacrifices for, those with whom we have shared histories and similar values. To put it bluntly—most of us prefer our own kind.

The category 'own kind' or in-group will set alarm bells ringing in the minds of many readers. So it is worth stressing what preferring our own kind does not mean, even for a Burkean. It does not mean that we are necessarily hostile to other kinds or cannot empathise with outsiders. (There are those who do dislike other kinds but in Britain they seem to be quite a small minority.) In complex societies, most of us belong simultaneously to many in-groups—family, profession, class, hobby, locality, nation—and an ability to move with ease between groups is a sign of maturity. An in-group is not, except in the case of families, a natural or biological category and the people who are deemed to belong to it can change quickly, as we saw so disastrously in Bosnia. Certainly, those we include in our in-group could be a pretty diverse crowd, especially in a city like London.

Moreover, modern liberal societies cannot be based on a simple assertion of group identity—the very idea of the rule of law, of equal legal treatment for everyone regardless of religion, wealth, gender or ethnicity, conflicts with it. On the other hand, if you deny the assumption that humans are social, group-based primates with constraints, however imprecise, on their willingness to share, you find yourself having to defend some implausible positions—for example, that we should

spend as much on development aid as on the NHS (we in fact spend 25 times more on the latter), or that Britain should have no immigration controls at all. The implicit 'calculus of affinity' in media reporting of disasters is easily mocked—two dead Britons will get the same space as 200 Spaniards or 2,000 Somalis. Yet every day we make similar calculations in the distribution of our own resources. Even a well-off, liberal-minded Briton who already donates to charities will spend, say, £200 on a child's birthday party, knowing that such money could, in the right hands, save the life of a child in the third world. The extent of our obligation to those to whom we are not connected through either kinship or citizenship is in part a purely private, charitable decision. But it also has policy implications, and not just in the field of development aid. For example, significant NHS resources are spent each year on health tourists, especially in London. Many of us might agree in theory that the needs of desperate outsiders are often greater than our own. But we would object if our own parent or child received inferior treatment because of resources consumed by non-citizens.

The modern idea of citizenship goes some way to accommodating the tension between solidarity and diversity. Citizenship is not an ethnic, ancestry-based concept but a more abstract political idea—implying equal legal, political and social rights (and duties) for people inhabiting a given national space. But citizenship is not just an abstract idea about rights and duties; for most of us it is something we do not choose but are born into—it arises out of a shared history, shared experiences, and, often, shared suffering; as the American writer Alan Wolfe puts it: 'behind every citizen lies a graveyard'.[2]

Both aspects of citizenship imply a notion of mutual obligation. Critics have argued that this idea of national community is anachronistic—swept away by globalisation, individualism and migration—but it still has political resonance. When politicians talk about the 'British people' they refer not just to a set of individuals with specific rights and duties but to a group of people with a special commitment to one another. Membership in such a community implies

acceptance of moral rules, however fuzzy, which underpin the laws and welfare systems of the state.

In the rhetoric of the modern liberal state, the glue of ethnicity ('people who look and talk like us') has been replaced with the glue of values ('people who think and behave like us'). But British values grow, in part, out of a specific history and even geography. Too rapid a change in the make-up of a community not only changes the present, it also, potentially, changes our link with the past. As Bob Rowthorn wrote, we may lose a sense of responsibility for our own history—the good things and shameful things in it—if too many citizens no longer identify with it.[3]

Is this a problem? Surely Britain in 2011 has become too diverse and complex to give expression to a common culture in the present, let alone the past. Diversity in this context is usually code for ethnic difference. But that is only one part of the diversity story, albeit the easiest to quantify and most emotionally charged. The progressive dilemma is also revealed in the value and generational rifts that emerged with such force in the 1960s.

Greater diversity can produce real conflicts of values and interests, but it also generates unjustified fears. Exposure to a wider spread of lifestyles, plus more mobility and better education, has helped to combat some of those fears—a trend reinforced by popular culture and the expansion of higher education (graduates are notably more tolerant than non-graduates). There is less overt homophobia, sexism or racism (and much more racial intermarriage) in Britain than 30 years ago and racial discrimination is the most politically sensitive form of unfairness. But 31 per cent of people still admit to some degree of racial prejudice. Researchers such as Isaac Marks at London's Institute of Psychiatry warn that it is not possible to neatly divide the population between a small group of xenophobes and the rest. Feelings of suspicion and hostility towards outsiders are latent in most of us, including members of minorities.

The visibility of ethnic difference means that it often overshadows other forms of diversity. Changes in the ethnic composition of a city or neighbourhood can come to stand for the wider changes of modern life. And some expressions of racism, especially by old people, should be read as declarations of dismay at the passing of old ways of life (though this makes it no less unpleasant to be on the receiving end). But if welfare states demand that we pay into a common fund on which we can all draw at times of need, it is important that we feel that most people have made the same effort to be self-supporting and will not take advantage. We need to be reassured that strangers, of British or foreign ancestry, have the same idea of reciprocity as we do. Absorbing outsiders into a community worthy of the name takes time.

But is there any hard evidence that the progressive dilemma actually exists in the real world of political and social choices? In most EU states the percentage of GDP taken in tax is still at historically high levels, despite the increase in diversity of all kinds. Yet it is also true that Scandinavian countries with the biggest welfare states have been the most socially and ethnically homogeneous states in the west. By the same token the welfare state has always been weaker in the individualistic, ethnically divided USA compared with more homogeneous Europe. And the three bursts of welfarist legislation that the USA did see—Franklin Roosevelt's New Deal, Harry Truman's Fair Deal and Lyndon Johnson's Great Society—came during the long pause in mass immigration between the First World War and 1968. (They were also, clearly, a response to the depression and two world wars.)

In their 2001 research paper 'Why doesn't the US have a European-style welfare state?', Alberto Alesina and colleagues argued that the answer is that too many people at the bottom of the pile in the USA are black or Hispanic.[4] Across the USA as a whole, 70 per cent of the population is non-Hispanic whites—but of those in poverty only 46 per cent are non-Hispanic whites. So a disproportionate amount of tax income spent on welfare is going to minorities. The paper also finds that US states that are more ethnically fragmented than average spend less on social services. The authors conclude that Americans think of the poor as members of a different

group, whereas Europeans still think of the poor as members of the same group. Robert Putnam, the analyst of social capital, has also found a link between high ethnic mix and low trust in the USA.

Most political scientists in Britain and the rest of Europe see the trade-off between ethnic diversity and welfare solidarity as a peculiarly American problem. But there is some evidence that it is creeping across the Atlantic. Researchers at Mori found that the average level of satisfaction with local authorities in Britain declines steeply as the extent of ethnic fragmentation increases. Even allowing for the fact that areas of high ethnic mix tend to be poorer, Mori found that ethnic fractionalisation still had a substantial negative impact on attitudes to local government. And recent cuts to certain welfare benefits that are particularly associated with immigrants and a native underclass, such as housing benefit, have encountered very little public resistance.

Sweden and Denmark may provide a social laboratory for the trade-off between solidarity and diversity in the coming years. Starting from similar positions as homogeneous countries with high levels of redistribution, they have taken rather different approaches to immigration over the past few years. Although both countries place great stress on integrating outsiders, Sweden has adopted a moderately multicultural outlook. It has also adapted its economy somewhat, reducing job protection for older native males in order to create more low-wage jobs for immigrants in the public sector. About 14 per cent of Swedes are now foreign-born and it is expected that by 2015 about 25 per cent of under-18s will be either foreign-born or the children of the foreign-born. This is a radical change and Sweden is adapting to it rather well. But not all Swedes are happy about it.

Denmark has a more restrictive and 'nativist' approach to immigration. Only 6 per cent of the population is foreign-born and native Danes enjoy superior welfare benefits to incomers. If the solidarity–diversity trade-off is a real one and current trends continue, then one would expect in, say, 20 years' time that Sweden will have a less redistributive welfare state than

Denmark; or rather that Denmark will have a more developed two-tier welfare state with higher benefits for insiders, while Sweden will have a universal but less generous system.

What are the main objections, at least from the left, to this argument about solidarity and diversity? Multiculturalists stress Britain's multiple diversities, of class and region, which preceded recent waves of immigration. They also argue that all humans share similar needs and a common interest in ensuring they are met with minimum conflict; this, they say, can now be done through human rights laws. And hostility to diversity, they conclude, is usually a form of 'false consciousness'.

Critics of the dilemma also say, rightly, that the moral norms underpinning a community need not be hard for outsiders to comply with: broad common standards of right and wrong, some agreement on the nature of marriage and the family, respect for law, and some consensus about the role of religion in public life. Moreover, they add, there are places such as Canada (even Australia) which are happily combining European-style welfare with an officially multicultural politics. London, too, has US levels of ethnic diversity but is the most left-wing part of Britain.

In the autumn 2003 issue of the US magazine *Dissent*, two academics, Keith Banting and Will Kymlicka, showed that there is no link between the adoption of multiculturalist policies in countries like Canada, Sweden and Britain, and the erosion of the welfare state. But many of the policies they described are either too technical (allowing dual citizenship) or too anodyne (existence of a government body to consult minorities) to stimulate serious tax resistance—indeed few citizens know that these multicultural policies exist. (What they do know in the case of Canada is that immigration has been highly selective and most immigrants do well, fit in and draw on welfare less than the majority population.) Banting and Kymlicka also assume too swift a reaction to growing diversity—these are forces that take effect over decades, if not generations.[5] Similarly, two British academics, Bhikhu Parekh and Ali Rattansi, have offered a critique of the solidarity vs diversity thesis, which also assumes an implausibly rapid

connection between social cause and effect. They argue that because the expansion of Britain's welfare state in the late 1940s coincided with the first big wave of non-white immigration into Britain, ethnic diversity cannot be a drag on social solidarity.[6] But the post-1945 welfare state was the result of at least 100 years of experience and agitation. The arrival of a small number of immigrants in the 1940s and 1950s was unlikely to have much bearing on that history. Parekh, Kymlicka and others also argue that labour movement strength, not ethnic homogeneity, is the best indicator of the size of a welfare state. But labour movements themselves are stronger where there are no significant religious or ethnic divisions. In any case, we are not concerned here with the formation of welfare states so much as with their continued flourishing today.

A further point made by the multiculturalists is more telling. They argue that a single national story is not a sound base for a common culture because it has always been contested by class, region and religion. In Britain, the left traces democracy back to the peasants' revolt, right back to Magna Carta, and so on. But while that is true, it is also the case that these different stories refer to a shared history. This does not imply a single narrative of national identity any more than a husband and wife will describe their married life together in the same way. Nor does it mean that the stress on the binding force of a shared history (or historical institutions like parliament) condemns immigrants to a second-class citizenship. Newcomers can and should adopt the history of their new country as well as, over time, contributing to it—moving from immigrant 'them' to citizen 'us'. Helpfully, Britain's history includes, through empire, the story of many of our immigrant groups—empire soldiers, for example, fought in many of the wars that created modern Britain.

I would add a further qualification to the progressive dilemma. Attitudes to welfare have, for many people, become more instrumental: I pay so much in, the state gives me this in return. As we grow richer the ties that used to bind workers together in a risk-pooling welfare state (first locally, later nationally) have loosened—'generosity' is more abstract and compulsory, a matter of enlightened self-interest rather than mutual obligation. Moreover, welfare is less redistributive than most people imagine—most of the tax paid out by citizens comes back to them in one form or another so the amount of the average person's income going to someone they might consider undeserving is small. This, however, does little to allay anxieties based on perceptions rather than fiscal truths. And poor whites, who have relatively little, are more likely to resent even small transfers compared with those on higher incomes.

Despite these qualifications it still seems to me that those who value solidarity should take care that it is not eroded by a refusal to acknowledge the constraints on it.

Supporters of large-scale immigration after 1997 focus on its quantifiable economic benefits, appealing to the self-interest rather than the idealism of the host population. While it is true that some immigration is beneficial—neither the NHS nor the building industry could survive without it—many of the claimed benefits of mass immigration are challenged by economists such as Adair Turner and Richard Layard. It is clear, for example, that immigration is no long-term solution to an ageing population for the simple reason that immigrants grow old too. Keeping the current age structure constant over the next 50 years, and assuming today's birth rate, would require 60 million immigrants. Managing an ageing society requires a package of later retirement, rising productivity and limited immigration. Large-scale immigration of unskilled workers does allow native workers to bypass the dirtiest and least rewarding jobs but it also increases inequality, does little for per capita growth, and skews benefits in the host population to employers and the better-off.

But large-scale immigration, especially if it happens rapidly, is not just about economics; it is about those less tangible things to do with identity and mutual obligation, which have been eroded from other directions too. It can also create real—as opposed to just imagined—conflicts of interest. One example is the immigration-related struggles over public

housing in many of Britain's big cities in the 1970s and 1980s. In places like London's east end the right to a decent council house had always been regarded as part of the inheritance of the respectable working class. When immigrants began to arrive in the 1960s they did not have the contacts to get on the housing list and so often ended up in low quality private housing. Many people saw the injustice of this and decided to change the rules: henceforth the criterion of universal need came to supplant 'sons and daughters' policies. So if a Bangladeshi couple with children was in poor accommodation they would qualify for a certain number of housing points, allowing them to jump ahead of young local white couples who had been on the list for years. This was, of course, unpopular with many whites. Similar clashes between group based notions of justice and universally applied human rights are unavoidable in welfare states with increasingly diverse people.

The 'thickest' solidarities are now often found among ethnic minority groups themselves in response to real or perceived discrimination. This can be another source of resentment for poor whites who look on enviously from their fragmented neighbourhoods as minorities recreate some of the mutual support and sense of community that was once a feature of British working-class life. Paradoxically, it may be this erosion of feelings of mutuality among the white majority in Britain that has made it easier to absorb minorities. The degree of antagonism between groups is proportional to the degree of cooperation within them. Relative to the other big European nations, the British sense of national culture and solidarity has arguably been rather weak—diluted by class, empire, the four different nations within the state, the north–south divide, and even the long shadow of American culture. That weakness of national solidarity, exemplified by the 'stand-offishness' of suburban England, may have created a bulwark against extreme nationalism. We are more tolerant than, say, France because we don't care enough about each other to resent the arrival of the other!

When solidarity and diversity pull against each other, which side should public policy favour? Diversity can

increasingly look after itself—the underlying drift of social and economic development favours it. Solidarity, on the other hand, thrives at times of adversity, hence its high point just after the Second World War and its steady decline ever since as affluence, mobility, value diversity and (in some areas) immigration have loosened the ties of a common culture. Public policy should therefore tend to favour solidarity—that requires strong downward pressure on immigration flows, more encouragement for minorities to join the common culture and a welfare system that is visibly protected from something for nothing 'free riding'. It also requires a more confident and coherent national narrative, one that can provide a glue for a multiracial society but also draws on the best of the country's traditions.

Is there a 'tipping point' somewhere between Britain's roughly 15 per cent ethnic minority population and America's 30 per cent, which creates a wholly different US-style society—with sharp ethnic divisions, a weak welfare state and low political participation? No one knows, but it is a plausible assumption. And for that tipping point to be avoided and for feelings of solidarity towards incomers not to be overstretched it is important to reassure the majority that the system of entering the country and becoming a citizen is under control and that there is an honest debate about the scale, speed and kind of immigration. It is one thing to welcome smart, aspiring Indians or east Asians. But it is not clear to many people why it is such a good idea to welcome people from poor parts of the developing world with little experience of urbanisation, secularism or Western values.

We on the progressive centre-ground, concerned to protect the open society and solidarity in the face of diversity's challenge, must try to develop a new language in which to address the public's anxieties, one that transcends the thin and abstract language of universal rights on the one hand and the defensive, nativist language of group identity on the other. Too often the language of liberal universalism that dominates public debate ignores the real affinities of place and people. These affinities are not obstacles to be overcome on

the road to the good society; they are one of its foundation stones. People will always favour their own families and communities; it is the task of a realistic liberalism to strive for a definition of community that is wide enough to include people from many different backgrounds, without being so wide as to become meaningless.

Notes

1   M Walzer, *Spheres of Justice: A defense of pluralism and equality*, New York: Basic Books, 1983.

2   A Wolfe, *An Intellectual in Public*, New York: University of Michigan Press, 2003.

3   B Rowthorn, 'Migration limits, *Prospect* 83, Feb 2003.

4   A Alesina, E Glaeser and B Sacerdote, 'Why doesn't the US have a European-style welfare state?', Harvard Institute of Economic Research, 2001, www.economics.harvard.edu/pub/hier/2001/HIER1933.pdf (accessed 5 Dec 2011).

5   K Banting and W Kymlicka, 'Multiculturalism and welfare: an emerging debate', *Dissent* 50, no 4, 2003.

6   B Parekh and A Rattansi, 'Britain's progressive dilemma', *Wilson Quarterly*, Jun 2004.

6 The particular and the universal

Max Wind-Cowie

How can we defend the language, narrative and legal structures of human rights as the public begins to reject them wholesale? And should we?

Let's deal with the latter question first. Open societies require a controlling framework that enables the plurality that they embody and cherish to thrive within established and shared boundaries. Human rights serve that purpose—they provide us with a bottom line. What's more, that bottom line also serves us by prioritising human dignity and essential freedoms above and beyond the needs or demands of government, state and calls to utilitarian sacrifice. They have served us well in that regard—they have succeeded in providing us with a universal framework from which we can negotiate both at home and with other communities and nations. To throw them away now, or to damage our credibility in making calls to and based on them, would seem not just a shame but a dangerous and self-harming act of moral nihilism. Because, while we may have become frustrated with the excesses of the way some international legislation has been applied, which mainstream British political party can claim no longer to believe in the articles of the European Convention on Human Rights? Who are the masses of angry voters who would wish away the right to life? Or the right to a fair trial? Or freedom from slavery and discrimination? Especially once they know that this very convention—so often accused of inflexibility in the face of common sense—contains within it caveats that permit states to suspend aspects of it in defence of our safety?

The need to defend human rights springs, also, from the lack of reasonable alternatives. They are not—in and of themselves—an essential good. But they serve the open society

in a way that no other code or framework appears capable of. If we are to be pluralistic about religion, politics and personal morality then we must have at least a basic law to which to turn in times of competing claims and conflict.

As to how we are to defend them, how we are to salvage their tarnished reputation, here we must turn to the particular in order to save the universal. Human rights as a concept have been harmed by the perception among the British people that they are an alien law dictated to us from afar. The truth — that they have evolved out of British history, our legal tradition and the norms and values of English liberty — has somehow become lost. We must recapture it, and root human rights in our own culture and historic narrative, if we are to defend them from attack.

A series of perverse and absurd decisions from the European Court of Human Rights (ECHR) have hurt those in British society whose duty it is to defend the principles and practice of human rights. From prisoners' votes to overturned criminal deportations, the ECHR has a terrible recent record, which has undermined our collective dispensation towards human rights as a concept and allowed the enemies of human rights to describe them as an ever more absurd foreign plot again British values and British common sense. It is this perversity that makes the ECHR the single biggest threat to human rights — and to the open society that they underpin — in the UK.

In order to defend the principles of human rights, then, we must go on the attack. The paradox of open societies — as discussed in the introduction to this collection and at length in the debates that have informed it — is that sometimes we must take action that appears closed in order to defend them.

The British political class, if it is to rescue human rights and re-engage the British people with them, must close down the primary source of frustration with them by pressing forward reform to the ECHR as a priority. The court's decisions have given solace and ammunition to those who oppose human rights intrinsically — they have provided a layer of practical evidence to support an otherwise esoteric and unpopular perspective. The Government's commitment to a 'British bill of rights' — while perhaps welcome — misses the point here. The key aim of action should not be to replace the ECHR's role in our lives but to ensure that the ECHR is a competent, capable and coherent court that reflects the convention on which it was founded (and to which most British people can easily subscribe). Reform of the court's structures — to ensure that those who sit on its benches are, in fact, judges — and a tightening of its competencies — to ensure that its judgments are, in fact, rooted in the Convention itself — are all that is truly needed. To supplement it with a British bill of rights is all well and good but will not — unless root and branch reform of the Court itself is undertaken, or we withdraw entirely from its jurisdiction (a startlingly melodramatic and fiendishly complicated path to take) — solve the problem of alienation from human rights here in the UK.

The behaviour of the ECHR has to be resolved through diplomacy and reform. But rebuilding British trust in its rectitude and sanity will be a long, slow process. The problem is that British people have been convinced that human rights as a concept, an idea, are somehow removed and detached from our national narrative, norms and traditions. The ECHR's enemies — emboldened by the Court's idiosyncratic approach — have peddled successfully the myth of human rights as an alien and foreign imposition. In doing so they have steadily eroded our collective confidence in one of the key underpinnings of our open society. Reform to the ECHR must, therefore, be accompanied by a genuine commitment from those in politics to also reform the narrative of human rights as an idea — ironically, the best way to do this is to undertake a particularisation of the universal.

Rooting the story of human rights in the story of Britain is important to defending their place in our law and to protecting Britain's ability to argue persuasively and convincingly from a position of strength when it comes to our international relationships and responsibilities.

I say that because, over the last year especially, our attitude towards human rights has been more than a little

schizophrenic. Bravely, rightly, we have pressed forward in assisting in the opening up of societies across the Arab world. Britain, with France, persuaded a world weary of intervention in the Middle East that it was insufficient to bemoan Gaddafi's genocidal lunacy—that we had to act. How did we do this? With the language and zeal of human rights. We talked of 'crimes against humanity' that must be prevented; we spoke of the 'responsibility to protect'; we argued that the free expression, right to political representation and—most dramatically—right to life of the Libyan people were too important to be dismissed or ignored. And yet, at the Conservative Party Conference 2011, the biggest controversy concerned a senior politician misrepresenting the application of the Human Rights Act in the UK in order to score a populist point against it. To subscribe to the view that human rights are important is not to bind you to every judgment made in their name—nor does it demand that you approve of asylum seekers' pets playing a role in deportation hearings—but it surely means that you resist the desire to mislead and wilfully demonise them? As active agents for human rights on the world stage—as the Coalition Government has demonstrated itself to be—we must be careful of how we treat them at home. To be careless with human rights is to be careless with our capacity to effect change and liberalisation around the world.

Particularising human rights entails developing a narrative about what they are in the everyday of British society. We need to talk about human rights not as some philosophical will—as a good in and of themselves that lies above all else we do for good or ill—but as the contract that underpins our relationship with the state and our dealings with one another. Britain has almost always had such contracts, uniquely among European nations, and the argument politicians must be seen to be making is one that characterises modern-day human rights frameworks as the descendants of the Magna Carta and the Charter of Liberties rather than as somehow oppositional to them. We are a nation that has always recognised the distinction between the state and the person, between the law and the king—that is the foundation-stone of human rights

and should be the starting point for our defence of them in the UK. But more than that, more than a revelling in our uniquely liberal history, must be a recognition that human rights are there to serve a purpose and are not a purpose in and of themselves. They are the deal that allows citizens some level of equity when dealing with either an over-mighty state or dominating and powerful institutions and corporations. They are the starting point for the negotiation between interests that allows order to reign in an ever-more diverse community. They are the rules that bind our peculiarly and exceptionally open society together. That case—that they are British, that they are a starting point and that they serve the purpose of preserving and safeguarding our particular values against threats—is not made often enough. Instead, the British people are often subjected to a polarised and unhelpful argument between those who claim patriotism in the face of a foreign court and those who appear to believe that human rights have an almost Biblical weight of import whatever might be done or said in their name.

To a very substantial degree human rights have harmed their purpose—the more open society—by becoming overbearing, alien and self-serving. A court that acts in their name appears to hand down judgments that prioritise the letter of human rights law above the spirit in which those laws were written, and the advocates of their importance too often appear to lobby for them for entirely their own sake. An open society domestically depends on a robust, shared and implementable human rights framework in order to maintain solidarity and cohesion in the face of diversity and discord. Internationally, an open and globalised world requires human rights and human rights law in order to provide a functioning, porous and humane environment in which trade, prosperity and interdependence are possible. But the open society will lose support for its guiding framework if those laws and ideals are seen to become a purpose in themselves, a vain secular religion that over-amplifies its own importance. We must defend human rights for the sake of openness but we can only do so effectively by

particularising them—reforming the ECHR and creating
a new, more localised narrative of what human rights are
and mean are central to that aim. But most important is a
recognition, and restatement of the fact, that human rights are
there to serve our open society and to smooth our dealings
with one another as individuals, communities and states.
They are not God, they are simply a rulebook.

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In a period of unprecedented economic uncertainty, mass unemployment, recession and an increasingly populist political discourse the open society is under threat. From growing discontent about the enforcement of human rights to the atomising impact of the internet, from free market capitalism to the paradox of diversity, the pillars of liberal democracy are being called into question. An additional irony is that many of the threats to our openness have come from ideas and interventions that have been regarded as crucial components of the open society.

Over the course of 2011, Demos hosted a series of debates and discussions about the open society and the threats it faces. This collection is the result of those debates. It explains some of these paradoxes of openness, describing how they emerged in our discussions and why they matter for policymakers.

A key first step to reinvigorating the open society, the collection suggests, is to recognise the contradictions and dichotomies inherent within it and to identify where being more closed may allow us to be more open. Whether it means regulating financial services more heavily to avoid domination, protecting skills and labour, particularising human rights or monitoring and engaging with developments in social media, *Open Dialogue* argues that it is sometimes necessary to protect our social and political openness by rejecting some of the tropes of conventional liberalism.

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