

III OUR RECOMMENDATIONS IN MORE DETAIL

1. RECOGNIZING THE COMPLEXITY OF CULTURAL IDENTITIES

The situational, fluid, overlapping, and multi-layered character of human cultural identities pose particular challenges for policy-makers. Minority and other vulnerable culturally distinct 'groups' are never internally homogenous nor completely discrete from other groups. Cleavages exist within and cross-cut group boundaries. This makes co-operation between groups possible, but sometimes difficult to extend to all levels. Moreover, the activities of domestic and outside governments, as well as multilateral institutions, themselves influence how people define their cultural selves and associations. These realities make it difficult to design and implement policies successfully. The tendency is often to assume that, if human cultural identities are not primordial, fixed, mutually exclusive, or monolithic, they are unworthy of recognition. Better policy will emerge when it is accepted that *all* human identities are situational, fluid, overlapping, and multi-layered and that they are formed, contested, maintained, and transformed within political processes in which states and outside NGOs play a part.

Terms such as 'minority' group and 'aboriginal people', drawn from the international human rights discourse, should be used with the awareness that they sometimes obscure the complexity of human cultural identities, marginalize those so identified, or exclude from recognition a significant number of vulnerable culturally distinct groups. The people of Hong Kong and Macau have a distinctive identity and way of life, but are mostly not ethnically distinct from the PRC over the border (Henders 2000). Excluded by conventional definitions rights-bearing group identities within international human rights norms, they *as communities* gain no meaningful protection from these norms. The simplification, exclusion, and marginalization produced by international human rights norms too often benefits governments and others with power in the states concerned.

We recommend the parallel use of the concept of a 'vulnerable community' claiming to be culturally distinct. This term draws attention to the fact that some human associations have needs and interests that are different from those who dominate the institutions of the state and the economy, whether or not they are a numerical minority and whether or not their claim to cultural distinctness is based on conventional ethnic, religious, or linguistic criteria. Thinking outside the human rights model, and the concepts of minority and aboriginal people, helps focus attention on human needs, including demands for cultural recognition and socio-economic justice, both in their universal elements and in their complex local variations.

2. RECONCEPTUALIZING DEMOCRACY

Policy-makers need to adopt a deeper definition of democracy and democratization. It must go beyond the conventional procedural focus on the introduction of free, competitive, multiparty elections, universal suffrage, and representative assemblies, and the liberal focus on individual rights. A narrow, procedural, liberal understanding of democracy tends to direct attention away from the needs and demands of human