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Debate on Bernard Yack's book
Nationalism and the Moral Psychology of Community

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Jonathan Hearn (chair): Opening Remarks

Bernard Yack's *Nationalism and the Moral Psychology of Community* (2012) was the subject of the eighth in a long-running series of debates hosted by the Association for the Study of Ethnicity and Nationalism (ASEN) and the journal *Nations and Nationalism* in November of 2013. These debates bring together the authors of recent important works in the study of nationalism and ethnicity with appropriate scholars to explore the questions they have provoked. On this occasion Professor Yack was joined by Professor Chandran Kukathas and Professor David Miller.

Chandran Kukathas holds a Chair in Political Theory in the Department of Government at the London School of Economics. His work addresses the history of liberal thought, contemporary liberal theory and issues of multiculturalism. He has examined the work of John Rawls and F. A. Hayek, and advances his own justification of liberalism and multiculturalism in *The Liberal Archipelago: A Theory of Diversity and Freedom* (Oxford) (Kukathas 2003), in which he argues that the looser image of the 'archipelago' is a more fitting metaphor for this form of society than 'the body politic' or the 'ship of state'.

David Miller is Professor of Political Theory, Politics and International Relations, at Nuffield College, Oxford. His writing on political theory has been particularly concerned with issues of justice and equality, and the themes of nationality, citizenship, territory and immigration. A distinguishing feature of his work is the use of evidence from the social sciences to inform debates in political philosophy. Recent work has been particularly concerned with global and social justice, and problems of collective responsibility. He recently published *Justice for Earthlings: Essays in Political Philosophy* (Cambridge UP) (Miller 2013).

Bernard Yack is Lerman-Neubauer Professor of Democracy and Public Policy in the Department of Politics at Brandeis University. He works on political theory and the history of political thought, and has been increasingly concerned with questions of nationalism and cultural pluralism. Our alienations from, and understandings of, 'modernity' are the respective key themes of his books *The Longing for Total Revolution* (Yack 1986) and *The Fetishism of Modernities* (Yack 1997). The book that is the subject of the present debate, *Nationalism and the Moral Psychology of Community* (Yack 2012), takes further some of the ideas developed previously in *The Problems of a Political Animal: Community, Conflict, and Justice in Aristotelian Political Thought* (Yack 1993). He has also edited a volume of essays, *Liberalism Without Illusions* (Yack 1996), on the work of the late Judith Shklar, who was his PhD supervisor.

The main argument of *Nationalism and the Moral Psychology of Community* is that to understand nationalism and its hold on people's minds we need to understand it as composed of two things: a sense of community, and the idea of popular sovereignty. For Yack national community arises out of a shared heritage of experiences, which can have quite diverse bases, and associated feelings of what he calls 'social friendship', meaning genuine mutual concern, not just abstract obligation. Thus he formulates a very open and flexible conception of community – highly contingent and variable in its origins, but nonetheless 'fateful' in how it circumscribes political possibilities. Central to his concern here is to break with the idea of community as somehow 'traditional', an aspect of our lost past, or something to be recovered in a utopian future. National community in his terms is a present reality.

After developing his conception of modern national community, the latter half of the book grapples with the consequences of the idea of popular sovereignty, which he sees, fairly conventionally, as a theory of political legitimacy that arises in the eighteenth century. Modern nationalism takes shape when patterns of national community are variously drawn into the new politics of sovereignty. Two general conclusions arise out of his argument. On the one hand, we should not condemn national sentiments or assume that we can easily transcend a nationally organised world. Yack expresses scepticism towards cosmopolitan 'solutions' to nationalism and national identity. On the other hand, this general condition will lead to intractable conflicts if we assume that concordance between territory, community and sovereignty can always be achieved. Moreover, when national interest, solidarity and a sense of injustice become strongly aligned, we are prone to a certain moral blindness, easily losing sight of our basic moral respect for and recognition of those outside the national community, with whom 'our' group has come into conflict. In sum, we need to be prepared to compromise and moderate our national sentiments, but we must also 'learn to live with nationalism'.

In keeping with Yack's style of thought, the book's argument does not offer 'solutions' or attempt to replace one theory with another. Rather, it offers a more nuanced assessment of 'the problem', and includes many interesting and

rewarding by-ways and auxiliary arguments along the way, that have not been summarised here. In what follows, Professors Kukathas and Miller offer critical engagements with Yack's argument.

Comment by Chandran Kukathas

Nationalism was supposed to have gone away, yet persists, and is perhaps growing, as a major force in the world. Attitudes to it have ranged from despair at the inability of human beings to shake off the primitive tribal attachments that lie at the source of group conflict, to contempt for the susceptibility of people to this destructive ideology, to an aspiration to reconceive national loyalty in civic terms such that the old reality of attachment to particular groups is transmuted into a new reality of commitment to a community of citizens. Bernard Yack has shown convincingly that these understandings of nationalism, and the consequent attempts to address the problems that nationalist sentiment pose, are inadequate. We need a better understanding of what nationalism is, as well as a more sophisticated approach to dealing with it theoretically and institutionally.

Professor Yack has given us a much clearer picture of the nature of nationalism, but I am not sure he has supplied us with the best answer to the problem of how to deal with the reality of group attachment. The problem lies in the original aspiration: Yack's commitment to 'the liberal project of rendering coercive authority accountable to the people who created it' (Yack 2012: 17). His view is that liberals have failed to tell a convincing story that recognises the particular attachments human beings have and that at the same time explains how they can see themselves as also part of a larger whole that exercises power over them. They have failed, first, because they have failed to appreciate the importance of communal sentiment – because they have not understood the moral psychology of community – and second, because they have been distracted by a wrong moral theory, and have therefore pursued poor institutional remedies – trying either to foster self-determination or suppress difference. He thinks we can tell a better story, and come up with better institutions. While he has presented us with a very sophisticated and illuminating analysis, and I am substantially in agreement with it, I am not sure he has the moral psychology entirely right inasmuch as he may have overstated the importance of understanding it, and have some doubts about the institutional lessons he draws. I suspect that the source of the problem is the failure to question the liberal project itself.

Let me start with the moral psychology. Yack wishes to reject two myths: the myths of ethnic and civic nationalism. The first tries to assimilate the nation to a natural community, suggesting that peoples are distinctive or at the extreme even autochthonous – as if they had sprung from the earth or the lands they inhabit. The second tries to present the national community as a chosen community, making nationhood something we construct for our own

purposes. Yet community is something that is neither wholly natural nor entirely artificial but something in-between. We can shape and transform communities, but not easily or at will. We come into the world as members of communities and grow up with attachments to them; our moral life is substantially a product of our communal life. We are capable of developing intense communal loyalties but also of stepping back and reviewing our commitments, particularly to the extent that we are members of different communities and recognise each as a partial community. The good of community is thus something we should neither overrate nor despise. Nationalism, then, is more than just a strong attachment to one's nation and its members but the result of the working of more complex forces. It gets its impetus from our capacity for communal loyalty or attachment, but is given shape by beliefs we acquire about political legitimacy. It is not just a matter of loyalty to a group; but neither is it something that can be created among people who lack that sensibility or feeling of attachment (Yack 2012: 158).

This seems to me to be substantially correct, and indeed very illuminating. From this analysis Yack goes on to argue that the moral problem with nationalism arises out of the 'intensification of communal hostility inspired by this convergence of sentiment and conviction, rather than from the intrinsic limitations of either communal loyalty or popular sovereignty' (Yack 2012: 158). The problem is not our 'disposition to form contingent communities like the nation' but the propensity to become hostile to other communities when national sentiment strengthens.

Yet the obvious questions to ask are why such sentiments should develop in this way and why this should inspire communal hostility? The thought seems to be that the greater the sense of group loyalty the more powerful must become the antipathy towards other groups. But must it be this way? And if it must, what is driving this development? What is missing in Yack's analysis is an answer to these questions and much turns on this. If the answer is that what inspires communal hostility is just the growth of national sentiment it is hard to see what exactly that answer is telling us. To fill the explanatory gap I suggest we must recognise the role of particular actors – political elites – in this process. For national sentiment is not something that springs spontaneously from the community but is rather something that is provoked into existence by particular actors who have something to gain by generating it.

Communal memberships, as Yack has recognised, are partial memberships to the extent that people belong to different groups or communities. Not all attachments we have are of equal importance but the salience of one or another is not given by the nature of the group or community as such but by the circumstances that shape beliefs. For example, in the interwar years many Jews saw themselves as Germans first and Jews second, but after the war this changed dramatically. One important cause shaping communal loyalty or attachment is the efforts of political elites to create a sense of commitment to a particular community. Such elites might not only create the sense of commitment (though success is never guaranteed) but also create the community to

the extent that it defines and gives intellectual substance to the group it identifies. The efforts of Shiv Sena, the Hindu nationalist political movement created by Bal Thackeray in 1966, is an example of this. None of this is to suggest that anyone could create communal loyalty to anything. What marks the skillful political activist is the ability to discern which sensitivities to highlight and exploit in pursuit of an agenda. But the efforts of such actors are important if communal identities and loyalties are to emerge or intensify.

The reason this is important is that Yack's analysis of the moral psychology of community is the basis for an explanation of the relations between groups, and the thought seems to be that the psychology explaining commitment or attachment is important for our understanding for why there might be differing commitments that lead ultimately to conflict between groups – or lead to conflict between national minorities and the states in which they are embedded. But is it the case that in such instances the conflicts that arise are the result of differences between collectives themselves rather than the product of the political activity of particular elites who mobilise groups in order to secure their own ends? This is not to deny the reality of group-based difference or the fact of antipathy between peoples, but it is to question the importance of group attachment or loyalty as an explanation of inter-group relations or group conflict.

I raise this in part because I am struck by how often political theorists allude to the problem of group conflict in an effort to explain the function of political institutions, which are established in order to remedy a pre-political problem. The most commonly invoked example, also mentioned by Yack, is that of the so-called 'wars of religion' in 16th century Europe. The standard argument in political theory is that this was a period of religious conflict among states divided on matters of doctrine, and that peace was secured by the establishment of the modern state as a secular political institution. What is missing from this analysis is an appreciation of the fact that conflicts in question in the 16th century were not religious conflicts between warring Protestant and Catholic sects but political conflicts between republics, principalities, and kingdoms contending with one another and with larger states as well as with powerful actors within the Holy Roman Empire. Warring factions were divided not along religious lines but political ones, since some Catholic princes fought other Catholic princes, and some Protestant rulers allied with Catholic ones to combat other Protestant rulers. These were not wars of religion but wars among religious entities in a world in which everyone was religious. There did exist religious disagreements, and there was religious persecution; but this does not mean that the conflicts were the product of differences of religious conviction among the peoples of Europe rather than the political ambitions of rulers looking to gain territory or consolidate their hold on power. I don't think we would understand these conflicts better if we tried to get a better grasp of the moral psychology of religious commitment.

When it comes to national or ethnic conflict I think a very similar story could be told. Ethnic groups and nations have coexisted peacefully in some

circumstances and entered into bitter and bloody conflicts in others. The question is why the difference. The answer cannot lie in a better understanding of the nature of ethnic or national attachments, since that is what is constant. The answer has to look more closely at the way in which ethnic identities are created or consolidated and national sentiments intensified.

Where Yack is right to address the problem of understanding the moral psychology of community in trying to understand nationalism is in his effort to answer or criticise those who think that nationalism can be dismissed as an irrational attachment, or overcome by the establishment of a civic identity. But a fuller understanding of the phenomenon needs a greater emphasis on its roots in political affairs.

Let me turn then to what Yack has to say about the way in which we should respond to nationalism institutionally. There are two positions he rejects: one that panders to nationalism by pushing for national self-determination, and a second that hopes to wash it away by creating cosmopolitan democracies. I will focus on his critique of the cosmopolitan alternative since it forms the basis of his own institutional recommendations. The cosmopolitan democrat comes in two varieties, one vulgar and the other sophisticated. The vulgar cosmopolitan simply envisages the dereliction of national sovereignty, which will simply disappear as a force in the world. But the sophisticated cosmopolitan is one who sees it rather as an ineffective means of dealing with the problems of the modern world, though one that persists nonetheless. Both see the national sovereign state as something that has had its day. Yack's view is that the principle of popular sovereignty is the principle that lies at the heart of the modern understanding of political legitimacy. As commitment to or belief in this principle has spread, our understanding of political community has been nationalised as we have come to regard the community as defined or shaped by peoples who share some common identity, and our understanding of nationality has been politicised as the people must exercise its power to legitimise authority. Nationalism and popular sovereignty go hand in hand, and that means that nationalism is not going to go away anytime soon.

The worry, however, is that sovereign states acting with the authority of a people can also exercise tyrannical power over their subjects. And the more secure it is as the authority instituted by the people the more dangerous it can be. Such a state would be troubling because there might be no area into which it could not reach to legislate since it is autonomous once authorised by the people. It would also be troubling because if it is authorised by the collective there are no rivals to challenge its exercise of power. The nation state could turn out to be an unlimited and oppressive one. Yack articulates this worry in order to meet it head on, but concludes that the problem is manageable under liberal democracy if we have a proper appreciation of the virtues of structures of internal sovereignty. States need not be understood as Hobbesian or Bodinian sovereigns, unlimited and undivided in their authority. They can be both limited and divided.

To explain how this might be possible, Yack turns to John Locke. The worry that Hobbes and Bodin addressed was that if the arbitrariness of authority were checked by the medieval mechanisms of independent and plural centres of power, individuals would simply be subject to the goodwill of notables, even if this did provide individuals with refuge from the power of the state. Internal sovereignty was dangerous. But Locke solves this problem by dividing authority: vesting sovereign authority in the people as a whole, and giving coercive – legislative and executive – authority in the structure of political institutions. Modern liberal states, Yack argues, have adopted this division in their political institutional arrangements and thereby tamed absolutism to supply limited government. Constitutional government has given us the best of all possible worlds.

My worry here, however, is that Yack is too sanguine about the success of modern constitutional states as institutions of limited government. What he has tried to do is to revise our understanding of community to present nationalism and popular sovereignty as working together to underpin legitimate authority. Liberalism and nationalism might be in tension, but in the end the modern nation state can work to fulfill liberalism. Yet here much turns on judgments about the nature of the modern state and the extent of our success in preserving limited government – on judgments of how benign such states really are. I think there are substantial grounds for scepticism if one considers the extent of the modern state's capacity to monitor its citizens and control its borders. Not even the absolutist states of early modernity could establish a direct relationship with every individual within its borders in the way the developed states of today can. Today we take for granted something which once would have been considered astonishing: that states have the right 'to a monopoly of all the force within the community, to make war, to make peace, to conscript life, to tax, to establish and dis-establish property, to define crime, to punish disobedience, to control education, to supervise the family, to regulate personal habits, and to censor opinions.' (Lippman, cited in Cavanaugh 2011: 28).

If Yack is right, the modern constitutional state can deal quite well with nationalism because it relies upon the development of national sentiment to secure its own foundations, and by structuring itself appropriately it is able to limit the power of particular groups or communities. The problem that arises here, however, is that a unitary state cannot be limited, for there are no forces to oppose it. As the English pluralists recognised, a limited state could only exist 'where social space was complexly refracted into a network of associations, that is, where associations were not 'intermediate associations', squeezed between state and individual, at all.' (Cavanaugh 2011: 32) It would not do to subject the diversity of publics (that existed where there once was a network of communities) to the authority of a single sovereign will. To the extent that such a will is asserted and its legitimacy is insisted upon, what is bound to happen is the some part of the whole will establish its dominance over the entirety.

The success of Yack's conceiving of the nation as a kind of community that can be given expression in the modern liberal democratic state may be that it describes accurately what has emerged in the world in which we live. But I am not sure that the story it tells is altogether reassuring.

Comment by David Miller

It is a great pleasure to be asked to comment on Bernard Yack's fine book, from which I have learned a great deal. It is a wonderful example of deep scholarship lightly worn: it is an ocean away from those depressingly familiar books in which each sentence seems to have a Harvard-style reference at the end while containing a clumsy paraphrase of the cited author's thought. The book poses a particularly strong challenge to those like myself who have defended the position that has come to be labelled 'liberal nationalism'. It is particularly strong because it is mounted from a position close by, so it comes near to being an internal critique. Unlike liberal cosmopolitans, for instance, Yack accept the value of belonging to a national community; he accepts that it is reasonable to display national loyalty and national partiality; he does not look forward to a bright new future where nations have withered away and everyone has become a citizen of the world – a condition that Isaiah Berlin once described as 'a tremendous dessication of everything that is human'. (Gardels 1991: 22) Nevertheless Yack is worried about nationalism, understood as an attempt to make nation and territorial state coincide, geographically. He is insistent that 'nation' and 'people' – the latter understood as the set of persons who are subject to the authority of a state, and more recently regarded as the ultimate holders of sovereignty – must be kept separate. If nationalism is 'morally problematic' as he puts it, then a fortiori this must also apply to liberal forms of nationalism. Can one then be both a nationalist and a liberal? Or is nationalism always liable to lead to outcomes that liberals will find abhorrent – ethnic cleansing for example? That's the main challenge that Yack's book poses for people like me.

I shall concentrate my remarks in two main areas. First I shall discuss Yack's concept of 'nation' and the way in which he tries to remove from it those political elements that give rise to nationalism. Second I shall address the issue of territory, and Yack's attempt to drive a wedge between nation and territory, as he argues against national self-determination as a political ideal.

A nation, according to Yack, is a community of people who feel a special concern for one another, and who are picked out from the rest of humanity by virtue of sharing a cultural heritage. What makes up this heritage is quite variable: Yack mentions 'language, relics, symbols, stories of origin, memories of traumatic experiences, and so on' (Yack 2012: 69). He also emphasises that each person can pick and choose among the items that go into this heritage, adopting some elements but rejecting others. I shall come back to this selectivity in a moment, but first let us ask what it means to share a cultural

inheritance, as a criterion of group membership. This is less straightforward than it might at first appear. I can bring this out by considering Yack's own example of the American in Paris. This woman

may know more about French history than a particular native, she may even speak a purer French; but that does not make her a member of the French nation if she developed her facility in French culture in the course she chose to take at American universities (Yack 2012: 84)

According to Yack, this woman *knows* the French cultural heritage, but does not *share* it. But what does that mean? What disqualifies her from being a sharer? As far as I can see there are three possibilities, none of them helpful to Yack's position.

1. The woman, though immersed in French culture, remains an American citizen. Her political loyalties are still with the US. But Yack wants to draw a clear distinction between nationality and political citizenship. So, on his account it cannot be her lack of French *citizenship* that prevents her from being included in the French nation.
2. The woman acquired her French culture in the wrong place; Yack says she studied French at American universities, and was presumably brought up there. But this gives us a territorial conception of nationality: a person shares a cultural inheritance (in the relevant sense) if and only if they were born and raised in the territory associated with that culture. But Yack as I noted earlier (and I will come back to this later) wants to draw a line between nation and territory. Although ideas of homeland may be included in a nation's cultural heritage, territorial location does not define a nation. So, our woman cannot be excluded from French nationality just because she was raised in the US.
3. The woman does not identify herself as French. Although she loves French culture and is better versed in it than many natives, she still thinks of herself as an American abroad. Well that sounds right, but then there must be something more to her identity than the sharing of a cultural inheritance. Because in the most obvious sense of the word she does share in that inheritance. When she meets with French people she can discourse with them, in her perfect French, about the relative merits of Camus and Sartre, about the importance of remembering St Bartholomew's Day, in case they should have forgotten, and so forth. So the missing element cannot be the cultural inheritance itself, but the way in which she regards it, and the way that others would regard her participation in it.

Pursuing point 3, what exactly *is* missing here? Surely the fact that the woman we are considering does not regard herself as engaged in any kind of political project to protect and develop those elements of French culture that she happens to know and admire. What is lacking is precisely the political dimension to nationality that Yack wants to exclude. She has no interest in acquiring French citizenship, except merely as a convenient way of extending her stay in

Paris. If she instead acquires it because she wants to become involved politically – perhaps she wants to protest against Qataris buying up Impressionist art – she is well on the road to becoming French, in the national sense. It is not the legal status of citizenship that matters – I agree with Yack about that – but the use to which it is put.[1]

My first point, then, is that although co-nationals do indeed share in a cultural heritage, the fact of sharing by itself is not enough to distinguish them from others. What is missing is a certain practical stance towards that heritage, namely a collective commitment to protect and extend it into the future.

My second point will be about the picking and mixing. Are we as free as Yack suggests to choose the attitudes we adopt towards different elements in the cultural array we inherit? According to Yack:

> It is the affirmation of a shared cultural heritage as a source of mutual concern and loyalty that makes a national community, rather than the sharing of any particular beliefs, practices, or institutions. In a nation we share, to use Renan's expression, a rich "legacy of memories" and other cultural artifacts, regardless of whether or not we are inclined to employ or celebrate the contents of that legacy (Yack 2012: 74).

This of course is helpful if one wants to show that national membership involves no breach of liberal principles. You can be as critical as you like of the contents of your national heritage, and still remain a fully paid-up member of the nation.

But is that really so? Doesn't it depend on which parts of the cultural heritage we are considering? Yack's position makes good sense if we are thinking about, for example, national sports. We can recognise that baseball is the national sport of Americans, hockey of Canadians, cricket of the English, and so forth, from within these communities without adopting any particular attitude towards the sport itself. I might find cricket a dull and stupid game (I don't) while recognising that it forms part of my cultural heritage as an Englishman. But is that true of all the elements that make up the heritage in question? What about, in particular, defining historical events, such as the American Revolution or World War II? First it seems hard to deny that as a member of the relevant nations you must believe in the *significance* of these events – you must agree that they are indeed defining events. And second it seems that you have to adopt a particular stance towards them, or at least a stance that falls within a relatively limited range. For example, if you are an American, you have to believe that the Revolution was justified, and that it was the moment that gave birth to a new nation as the shackles of colonial rule were thrown off. Rival views, such that it was really the first American Civil War between rival factions inside the country, fall outside the permissible range. Or a Briton looking back at World War II must think it a matter of national pride that in 1940 Britain stood alone against the onslaught from Hitler's Germany. The alternative view, put forward at the time by Lord Halifax and his supporters, that the prudent course was for Britain to negotiate a peace settlement with Hitler, is again outside of the range.[2]

To be clear, when I say that certain views are impermissible to hold, I don't mean that people should be prevented from expressing them – far from it. If someone wants to defend Halifax by laying out a counterfactual history in which Hitler's ambitions are held in check by a peace settlement, he is perfectly entitled to do so. Liberal rights of freedom of thought and expression are not at issue. The point is rather that for a nation to exist there must be a broad consensus on certain key questions. Somebody who holds a contrary view on one or more of these issues to that extent renounces their national identity. Moreover it is legitimate for elements of the consensus to be handed on inter-generationally through formal education and in other ways. So a liberal who thinks that it is positively desirable for everything to be challenged and for as many conflicting opinions as possible to be expressed may find the existence of nations an impediment to her wish. A liberal nationalist, then, is a particular kind of liberal, one who appreciates the truth of a remark of Tocqueville's that I cited as an epigraph to *On Nationality*:

In order that society should exist and, a fortiori, that a society should prosper, it is necessary that the minds of all the citizens should be rallied and held together by certain predominant ideas; and this cannot be the case unless each of them sometimes draws his opinions from the common source and consents to accept certain matters of belief already formed (de Tocqueville 1945: 9).

I turn finally to the issue of territory, and Yack's claim that nations are not in essence territorial groups. Territorial issues only arise, he claims, when the idea of national self-determination appears on the scene, for this is understood to involve the nation as holding exclusive rights over the territory that it regards as its own. This immediately opens the door to conflict, since nations intermingle with one another on the ground and their ideas of the nation's homeland overlap. Indeed, Yack says, national self-determination as it is commonly understood involves an inner contradiction, for the attempt to make the borders of states line up with national boundaries clashes with the idea of popular sovereignty, which is the claim of all those who permanently reside in a territory to act as the source of the authority that governs it. Either you start with nations as subjectively defined groups, or you start with politically-defined territories and those who de facto live in them, but you cannot start from both at once.

This is a powerful challenge, borne out in the eyes of many by the often intractable territorial conflicts that persist in the world today, but I want to meet it first by casting a critical eye on Yack's claim that 'the same or overlapping lands can belong to more than one nation, since the members of national communities not only dwell frequently side by side in the same territories, but can also recall the same sites of past greatness and trauma' (Yack 2012: 91). Here we need first to disentangle the claim about residence from the claim about historical memory. Cases in which members of two distinct nations are intermingled throughout a territory seem to me to be quite rare, if we discount cases in which populations have been deliberately moved

to cement political conquests, as happened in the case of Russian immigrants sent to the Baltic states following World War II and more recently with the Han Chinese and Tibet. Much more commonly we find large areas overwhelmingly occupied by members of two (or occasionally more than two) distinct nations, and then a borderland area in which national identities are mixed. The borderlands are disputed, but neither nation makes territorial claims to the whole of the other's territory. Indeed the only case I can think of in which there is an across-the-board dispute between rival groups claiming the whole of a territory in which their members live is Israel-Palestine. Now 'debatable lands' are certainly hard cases for the principle of national self-determination, and the conflicts they create may require ingenious solutions that give each side partial self-determination through an elaborate power-sharing arrangement.[3] But even they do not quite match Yack's description.

What next about 'sites of past greatness and trauma'? That these play a large role in national memory is not in doubt. But in most cases there will be a clear distinction between sites that fall within the national homeland and those that do not. In 2014 hundreds of thousands of visitors from Britain, Germany, France and other places further afield are expected to descend on the city of Mons to recall one of the most traumatic battles of World War I. But nobody supposes for a moment that Mons properly belongs to anything other than the territory of Belgium. Any country with an imperial past will contain in its collective memory significant events that happened outside of the homeland, without believing that it retains any territorial claim to the places where they occurred. Do Turks who recall what happened in 1683 still think that they have any residual claim to Vienna: surely not? Indeed one effect of the consolidation of national territory is to draw a sharp line between homeland proper and what we might call the theatre of national history, which may indeed have a wide stage. So the difficult cases will be ones where homelands remain in dispute for the reasons given in the previous paragraph. Yack cites the example of Kosovo, but the point about Kosovo is that it is not just a 'site of past greatness and trauma' for the Serbs, but also an area in which Serbian and Albanian populations remained intermingled until very recently (indeed still do to some extent). In the great majority of instances nations can happily 'share' historic sites because only one of them at most still regards the place as belonging to their national territory.

Even if reflection on these cases convinces the reader that national self-determination and popular sovereignty do not collide as sharply as Yack (2012: 244–8) suggests, it might still be said that there is a conflict of principle. Popular sovereignty requires that since 'the people' are defined as those who inhabit a given territory with fixed boundaries, these boundaries must be treated as sacrosanct; whereas the national principle tells us to redraw them wherever this better serves the cause of national self-determination. But does popular sovereignty actually prohibit boundary redrawing? Was it a violation of popular sovereignty when the two halves of Germany reunited, or the two halves of Czechoslovakia split? If the demos votes to reconstitute itself in one

or other of these ways, why is this not an exercise of popular sovereignty rather than its negation?

There is a further point worth adding here, though I cannot develop it fully.[4] If popular sovereignty is to have more than merely formal content – if it means that the people should exercise real democratic control over their government – then the *composition* of the people and not merely its geographic location will matter. The claim of (liberal) nationalists is that democracy works best when its constituents overwhelmingly share a national identity, for reasons having to do with the presence of trust, and the need to reach political agreements that all can accept. Despite the oft-repeated claim that there is no democratic way of deciding where the boundaries of the demos should fall, there may then be democratic reasons for drawing political borders in such a way that they correspond to national boundaries wherever possible, and exercising ingenuity in the small number of instances where this cannot be made to work. If this is true, then the relation between national self-determination and popular sovereignty may be one of mutual support, and not the mutual undermining that Yack asserts.

Notes

1 One corollary of the conception of 'nation' that Yack adopts is that the nation/ethnic group distinction evaporates. Yack concedes this: 'in the end, nation and *ethnos* (or *ethnie*) are two words for a single form of association: an intergenerational community based on the affirmation of a shared cultural inheritance' (93).
2 I don't mean to suggest that these points of reference are set in stone for all time. The claim is about what it means to belong at nation N at a particular moment in history.
3 I have discussed these cases in 'Debatable Lands', *International Theory*, 6 (2014), 104–21,
4 I have done so in 'Democracy's Domain', *Philosophy and Public Affairs*, 37 (2009), 201–228.

Response by Bernard Yack

Let me begin by thanking ASEN for organising this event. Like all students of nationalism I am very grateful to ASEN for the scholarship that it has inspired and nurtured over the years. Now I owe the Association a more personal debt for arranging to have two such distinguished scholars discuss my work. It is especially satisfying to have Professor Miller here, since his pioneering work on nationalism has been so important for political theorists like myself. My first paper on the subject, twenty years ago or so, was subtitled 'A Political Theorist Looks at the Nation,'so rare was it at the time for political theorists to tackle the issue. Soon after that, however, Professor Miller's first book on nationalism appeared and I had to change my tune. For that book did not just look at the nation, it enlightened us, thereby encouraging other political theorists to dive into what seemed to many of us like deep and murky waters.

I shall begin with Professor Miller's comments, which are framed as a response to the challenge I pose 'from the inside', as he puts it, to liberal

nationalists like himself. Miller is certainly right to suggest that my book raises serious questions about many of the most familiar claims made by liberal nationalists. I am not sure, however, that it is as much a challenge to his own version of liberal nationalism as he does.

The book poses two main challenges to liberal nationalists. The first, which Professor Miller does not mention, is that liberal nationalists need to be more aware that they are playing with fire. Nationalism, I argue, gains its distinctive character as a social force from a volatile mixture of beliefs about justice and feelings of communal loyalty, a mixture that tends to intensify hostility to opponents and erode moral constraints on how we deal with them. It therefore creates moral problems for anyone who relies on it, no matter how liberal their convictions. In other words, with nationalist passions 'you don't have to be a fanatic to act like one' (Yack 2012: 216).

The second challenge my book poses to liberal nationalists involves the idea of national self-determination, which Miller suggests I judge to be incoherent. I'd like to correct that impression. It is the idea of a *right* to national self-determination that I believe is incoherent, not the idea of national self-determination itself. The right to national self-determination, I argue in Chapter Ten, rests on the assertion of two rights that cannot be combined: the right to form political associations that reflect our subjective sense of connection to each other and the right to assert control over the territories that we inhabit. The right to form political associations with co-nationals challenges what it portrays as the arbitrariness of the given distribution of populations and territories among states. And the right to control the territory that we inhabit, a right established by the principle of popular sovereignty, assumes a given, if morally arbitrary distribution of populations and territories among states. Assert one right and you effectively undermine the other. You can grant groups the right to dissolve the given boundaries of states to form their own political communities. Or you can grant them the right to control the territory within the given boundaries of the states within which they reside. But you cannot do both together. You cannot give groups the right to challenge and correct both communal and territorial divisions. Such is the antinomy of collective self-determination, as I call it (Yack 2012: 244).

This argument certainly challenges many versions of liberal nationalism, since the idea of a general right to national self-determination is probably liberalism's most influential and, to my mind, disastrous contribution to nationalist theory and practice. It does not, however, seem to me to be that much of a challenge to Professor Miller's version, since, as I note in my book, Miller is one of the few liberal nationalists who steers clear of this idea (Yack 2012: 235n9). Indeed, he cautions us that while it makes sense to treat national self-determination as a good, it would be a mistake to turn it into a right.

Nevertheless, it is clear that Miller believes that the difference between national and political definitions of territory is less problematic than I do. He agrees with me that it is possible for more than one nation to think of the same territory as its own. But he thinks that such cases are relatively rare, that the

overlapping visions of territory that help define, say, the Palestinian-Israeli conflict represent outliers rather than paradigmatic cases. Needless to say, I think that such cases are much more frequent, particularly in Eastern Europe – where they have been discussed with great insight in an important but, too little known essay by the Hungarian scholar Istvan Bibo (1991). Miller suggests that national communities rarely claim territories beyond those where they have settled and are in the majority, even when such territories figure prominently in their cultural heritage. Do the Turks, he asks, now claim Vienna, whose conquest was the object of such striving for the Ottoman Empire at its height? Certainly not. But what about the Greeks and Constantinople? They may no longer be claiming it, but only because their earlier efforts to recover it – thereby completing the "great idea" of Greek nationalism – ended so disastrously with the expulsion of Greek minorities from the Turkish state. The Palestinian-Israeli conflict is probably not paradigmatic, but it is not extraordinary. It may seem so only because so many of the violent upheavals that have accidentally or purposely unmingled populations and consolidated territories took place in a more distant past. Most west European countries experienced these upheavals long enough ago that their inhabitants rarely share overlapping visions of national homes. But imagine, say, a different history in which the English forces had not been defeated so badly in the Hundred Years War. The Dordogne might then figure in the British imagination as something more than a land of vacation homes. Most west European nationalisms developed in relatively fortunate circumstances, after considerable territorial sorting and cultural consolidation had taken place, thereby making the overlapping visions of national territory prominent elsewhere seem anomalous.

The other major point made by Professor Miller focuses on national loyalty and belonging. Here he seems to suggest that I am making things too easy for liberals, rather than too hard. He argues that I am making national belonging too loose, too subject to picking and choosing among the elements that make up the cultural heritage that defines a nation. On this point, we do indeed differ, since I make a considerable effort to show that a sense of national community is not nearly as constraining as it ordinarily is thought to be.

The reason for the difference lies in the relatively unusual understanding of national community introduced in my book. It argues that it is shared cultural *heritage*, rather than shared cultural community, that defines a nation. In other words, it suggests it is not the sharing of any particular practice or belief or monumentalised memory that makes a nation, but rather the sharing of a cultural inheritance, an inconsistent and contingently assembled package of cultural artifacts. Some parts of that package are celebrated, others are ignored until pulled out of the closet at convenient times, like lowland Scots discovering a newfound taste for wearing kilts. But you don't have to speak Gaelic, or even like it, to be an Irishman or woman, just as you don't have to practice or even like Judaism to be part of a Jewish nation, as opposed to a Jewish religious community. What you need, instead, is to affirm your sense of

connection to people who share with you, among other things, a cultural inheritance that includes the speaking of Gaelic or the practice of Judaism (Yack 2012: 69).

So my refined American in Paris may possess polished manners and perfect French. But she is not part of a French national community because of the way in which she *acquired* her cultural capacities. For she pursued these capacities as an expression of an especially attractive and choice-worthy culture, rather than came by them as part of an inheritance that she happened to share with others during her formative years. It is therefore relatively easy for her to disregard all of the distasteful things that might be collected in a French cultural heritage, which in her imagination consists of great achievements like the art of Poussin and the language of Proust. Indeed, she might found or join a society devoted to the preservation of the pure form of French culture that she loves. But such a society would be an international association for the salvation of Francophone culture, not a national community. It would bring together people from around the world who share a belief in the special value of the French cultural heritage. (Francophiles of the world unite, you have nothing to lose but your Big Macs!) And those people, no doubt, would include many French men and women. But what makes the latter French, i.e. members of a French national community, is not their belief in the special value of the best elements of the French cultural heritage, something that they may share with Francophiles around the world. It is rather the sense of mutual concern and loyalty that they share with others who have inherited that peculiar package of cultural artifacts, many of whom will be indifferent to the cultural achievements that most excite the cosmopolitan community of Francophiles.

If it is cultural heritage rather than cultural belief or practice that is the focus of national membership, then national community leaves liberals a lot more room to manoeuver than is commonly thought to be the case. If no particular belief or practice is entailed by national membership, then national community is not the threat to individual autonomy it is often said to be. Nor need it threaten the kind of cultural pluralism that liberals generally prize.

Miller challenges this claim, suggesting that there must be some basic foundational beliefs, commitments or affinities that every member of a nation must accept. An American who ridiculed the Founding or a Brit who laughed at 'their finest hour' during the Blitz, he insists, would find no place in their respective national communities. I disagree. Leave aside, for the moment, the many Americans who have felt quite comfortable ridiculing the Founding or unmasking it as an oligarchic swindle. Since I am in London now, I can't help focusing on the Blitz. I recall, in particular, a British film of 25 years ago, John Boorman's *Hope and Glory*, that set out to slay that particular sacred cow. It was quite controversial at the time, even back in my home town of Toronto, let alone among the legions of Churchill idolators who occupy the more conservative regions of the American academy. It seems to me, however, that no matter how controversial it may be, this kind of slaying of sacred cows is usually

performed from within a national community, rather than from without. It is usually addressed to people to whom its authors feel connected by the shared legacy that they are criticising. It is time, they seem to be telling their country-men, to put this story back in the closet and focus on other things that we share. We are making *ourselves* look ridiculous, they are saying, by continuing to monumentalise our ancestors in this way.

That said, I do not want to suggest that it is easy for liberals to distance themselves from beliefs or rituals that are widely shared by other members of their national communities. Liberals, like everyone else, share a sense of mutual concern and loyalty that connects them to other members of their communities. To reject things that the other members feel deeply about is bound to expose them to charges of disloyalty and unconcern, as well as pain them for the way in which that they are hurting people whose well-being concerns them. So while there is considerable room for liberals to define themselves within national communities, doing so often has considerable psychic and material costs.

Let me turn now to the questions raised by Professor Kukathas in his insightful comments. His response focuses on two important issues discussed in the book: the reasons for the intensification of communal conflict in modern politics and the value of liberal understandings of political sovereignty in the struggle against arbitrary power. The first of these issues is central to my account of the nature and sources of nationalism in the first part of the book. The second comes up near the end of the book as part of an argument about what might be lost in the solutions offered by cosmopolitan democrats to the moral problems created by the rise of nationalism.

With regard to the first issue, Professor Kukathas suggests that I rely too heavily on the moral psychology of communal identity in explaining the extraordinary intensification of communal conflict in modern political life. Instead, he suggests that we should be focusing our attention on the political entrepreneurs who have learned how to mobilise national loyalties as means to their own ends. They are the ones who inflate national ties – which we both agree is a partial loyalty compatible with other overlapping ties – into a total identity that demands the abandonment of all competing loyalties and moral restraints. They are the ones who turn differences in cultural heritage into violent passions. For Kukathas, then, it is an external factor that makes nationalism a volatile social force, the search for political power rather than cultural difference.

I agree with Professor Kukathas that cultural difference is not a sufficient explanation for the intensification of communal conflict in modern politics. The Serbs who declare that they cannot stand 'breathing the same air as Croats (Semelin 2009: 29)' are not expressing an inability to deal with difference. After all, they would probably have no difficulty sharing a meal – let alone their oxygen – with an American or Swede or any of a number of "others" whose differences go way beyond those found among their Croat neighbors. It is indignation at the wrongs that they ascribe to Croats that fuels their passion,

not the relatively minor cultural differences that distinguish them from their neighbors.

The great moral problem created by the spread of nationalism is that it promotes the belief that we are entitled to pursue national self-determination without interference from our neighbors and then regularly puts us in situations in which some of our neighbors are bound to contest that right. No doubt, we can find situations in which distaste for cultural difference becomes so intense that it inspires people to think of their communal rivals as unjust, depraved or inhuman. But the rise of nationalism eliminates the need for such an intense reaction against cultural difference. For it turns the inclination of outsiders to oppose our efforts to gain control of our political fate into a manifestation of unjust or depraved character. Mere concern about the impact of our actions on their compatriots' well-being comes to be seen, in itself, as something dishonest and subversive. In this way, even the smallest differences can support intense conflicts – not because we narcissistically obsess about the relatively small points of distinction between us and our rivals, but because our beliefs about national self-determination encourage us to identify these minor differences with the line between right and wrong.

This is the moral psychology that I believe we need to understand in order to make sense of and address the conflicts that nationalism fuels. No doubt, we need to understand and keep track of the ideologists and opportunists who have figured out how to mobilise nationalist sentiments to serve their own purposes. But we also need to understand what allows them to mobilise such powerful passions so easily. Many of them, after all, are not especially talented or charismatic as demagogues. But the moral psychology of nationalism, with its mutually reinforcing mixture of moral conviction and communal feeling, gives them access to something that is extraordinarily effective in fanning relatively weak convictions or wan feelings into powerful passions. For nationalism, as Margaret Canovan has suggested, works like a battery: a cheap and mobile source of collective energy that can be harnessed to an extraordinary variety of causes (Canovan 1996: 73–4). All modern regimes, liberal or totalitarian, have drawn on this source of energy because it costs so much less to produce than most other means of mobilising and coordinating collective efforts.

The second issue raised by Professor Kukathas departs a bit from the questions about nationalism that have served as the focus for our discussion here. It concerns his reservations about the way in which I defend liberal understandings of sovereignty against defenders of cosmopolitan democracy. In that defense I suggest that cosmopolitan democrats are too quick to celebrate the supposed demise of the internal sovereignty of states. The end of state sovereignty might, as they argue, lead to a form of global governance that allows us to attack problems at the local, trans-national or universal levels at which they arise, unimpeded by the interference of states with their claims to a monopoly of authority within particular territories. But this kind of pluralism, I suggest, would risk re-introducing some of the problems of arbitrariness

and lack of accountability that modern conceptions of sovereignty were developed to overcome. In other words, slaying the lion of state sovereignty could return us to an uncertain struggle for pre-eminence among the 'jackals and polecats' who dominate the different and competing centers of power that constitute global governance (Yack 2012: 281). Without state sovereignty's singular, hierarchically structured system of political authority it is difficult, if not impossible, to identify the specific and limited powers of the people who govern us.

Of course, a singular, hierarchically structured system of political authority can be a scary thing, especially if it must be capped, as Hobbes and Bodin insisted, by an institution whose power is absolute and unlimited. So in Chapter 11 of the book I discuss the way in which liberals like Locke and Sieyès tamed the lion of state sovereignty, reserving the unlimited power that anchors it for 'the people' who constitute the state and denying that power to any group or individual who exercises the limited offices of government so constituted. This is the solution that Professor Kukathas suggests I view as 'the best of all possible worlds'. Hardly that. This is a partial and tenuous solution to the problem of absolutism and arbitrariness, a solution that rests on something that we have no right to expect: that we be inclined to imagine the people as a group that is unlimited in its power to constitute governments but unable to exercise the power that it constitutes. Or, in the dismissive words of Joseph de Maistre, that we think of the people as a 'sovereign who cannot exercise sovereignty (de Maistre 1996: 1).' No, this is not the best of all possible worlds. It just happens at this time to be workable as a way of offering us some protection against arbitrariness, as well as absolutism. There may be other ways of offering us this kind of protection. Indeed, cosmopolitan democrats may discover them in the future and they may turn out to be just as workable. But, at the moment, I do not see them addressing the problem, since they do not see the value in the kind of sovereignty that they are urging us to cast onto the dust heap of history.

References

Bibo, I. 1991. 'The distress of small east European states' in I. Bibo, (ed.), *Democracy, Revolution, Self-Deterination: Selected Writings*. Highland Lakes, NJ: Atlantic Research.

Canovan, M. 1996. *Nationhood and Political Theory*. Cheltenham: Edward Elgar.

Cavanaugh, W. T. 2011. *Migrations of the Holy: God, State, and the Political Meaning of the Church*. Grand Rapids: Wm. B. Eerdman's Publishing Co.

Gardels, N. 1991. 'Two concepts of nationalism: An interview with Isaiah Berlin', *The New York Review of Books* 21: 22.

Kukathas, C. 2003. *The Liberal Archipelago: A Theory of Diversity and Freedom*. Oxford: Oxford University Press.

de Maistre, J. 1996. 'On the sovereignty of the people' in de Maistre, *Against Sovereignty*. Montreal: McGill-Queens University Press.

Miller, D. 2013. *Justice for Earthlings: Essays in Political Philosophy*. Cambridge: Cambridge University Press.

Semelin, J. 2009. *Purify and Destroy: The Political Uses of Massacre and Genocide*. New York: Columbia University Press.

de Tocqueville, A. 1945. P. Bradley (ed.), *Democracy in America*. Vol. II. New York: Vintage.

Yack, B. 1986. *The Longing for Total Revolution: Philosophic Sources of Social Discontent from Rousseau to Marx and Nietzsche*. Berkeley: University of California Press.

Yack, B. 1993. *The Problems of a Political Animal: Community, Conflict, and Justice in Aristotelian Political Thought*. Berkeley: University of California Press.

Yack, B. 1996. *Liberalism without Illusions: Essays on Liberal Theory and the Political Vision of Judith N. Shklar*. Berkeley: University of California Press.

Yack, B. 1997. *The Fetishism of Modernities: Epochal Self-Consciousness in Contemporary Social and Political Thought*. South Bend, Indiana: University of Notre Dame Press.

Yack, B. 2012. *Nationalism and the Moral Psychology of Community*. Chicago: University of Chicago Press.