

# Normative justifications for liberal nationalism: justice, democracy and national identity\*

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**ABSTRACT:** The essay examines a prominent normative defence of nationalism, which links shared nationality with the attainment of the goods of liberal justice and democratic governance. The essay first considers the argument that liberal values, and especially the value of social justice, will best be promoted in states whose members share a common nationality. In its strong form, this argument is vulnerable to counter-instances. A weaker version, which claims that in states divided in terms of national identities, social justice may be precarious over the long term, is more plausible. The second part of the essay argues that there is a close relationship between democracy and shared national identity. This section spells out precisely how a common national identity is helpful both for representative institutions to function properly and for widespread participation on the part of ordinary citizens.

There are many different kinds of arguments that are intended to justify the view that national identity should be given institutional recognition by the state and the international state-system. This paper is concerned with recent normative arguments for nationalism, mainly associated with liberal political philosophy, which claim that a shared national identity is instrumental to some other good. Instrumental arguments for nationalism suggest the possibility of reconciling nationalism with more acceptable political doctrines, such as liberalism, democracy and egalitarian justice.

For this purpose, it is necessary to clarify what is meant by nation and by national identity. Will Kymlicka (1995: 10–26) has usefully distinguished between nations, which typically aspire to some form of collective self-government, and other groups, such as immigrant ethnic groups, who have a distinctive culture and way of life, but who, unlike national groups, seek not self-government, but inclusion in the new society. Moreover, nations, unlike immigrants, typically have a territory that they regard as their homeland

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which serves as the basis of their claim to self-government. This definition leaves open the role that ethnicity plays in the formation of various national identities,<sup>1</sup> but it also makes clear that there is no reason to regard nations as ethnically exclusivist. Indeed, if the arguments canvassed here are broadly correct – if shared national identity is useful to undergird liberal justice and democratic politics – then it suggests that the most normatively acceptable and functional forms of national identity are inclusive and territorial.

The recent resurgence of these types of arguments in liberal political philosophy does not mean that they are new or original. The intellectual precursor of these arguments, aimed mainly at justifying nation-building, is found in Rousseau's work, especially *Discourses on Political Economy* and *The Government of Poland*. Rousseau argued that if the people were to be sovereign, they needed to have a corporate identity in order to solve the problem of disunity (Rousseau 1973: 191). Rousseau's solution to the political problem of how to achieve and maintain unity and stability (which was thought to be especially difficult for a democratic regime) was to embark on a nation-building project to ensure that members share a common identity. Rousseau seemed to think that nation-building, to create a common (national) identity, will facilitate the mutual trust necessary to undergird consent and secure sacrifice.

This essay is concerned with contemporary versions of this type of argument, of which there are two distinct lines of argument. One argument, which I consider in Part 1, focuses on whether a free society can operate only if its citizens accept certain solidarities and certain liberal virtues. On this argument, the bonds of affection and solidarities nurtured by a shared national identity is useful to undergird these dispositions and support liberal justice. Here I argue that the evidence supporting this claim is unclear and, at the very least, that the relation between shared national identity and liberal justice is more complex than most instrumental nationalist accounts describe. I argue that this argument should be modified to recognise the many other factors that are perhaps even more crucial in underwriting liberal justice. Nevertheless, I do not reject this argument: indeed, I suggest that there is a danger that social justice cannot be sustained over a long period of time in a situation where the society has no shared national identity, and where relationships are not characterised by mutual reciprocity.

Another line of argument, also implicit in Rousseau's thought, suggests that a shared national identity is important to a well-functioning democracy. On this argument, democratic institutions require social solidarity and relations of mutual trust, and nationality is one means of providing this. Part 2 is concerned specifically with this argument that nationality is (sometimes) instrumental to a well-functioning democracy. The proponents of this version of instrumental nationalism do not specify exactly how, or in what circumstances, a shared national identity supports democratic institutions. In Part 2, I argue that a shared national identity is (sometimes) important to two constitutive elements in a well-functioning democracy – representation and

participation – and I try to specify the circumstances in which a democracy would seem to require a shared national identity.

### **Part 1: Liberal justice and instrumental nationalism**

In his book *Liberal Purposes*, William Galston (1991) argues that liberal citizenship cannot focus only on the justice or fairness of the political principles that are embodied in the state, but must also develop an emotional pride and identification with fellow citizens and with the particular institutions of the society. Because liberalism is operationalised everywhere within particular states, what is also required is a positive attitude of affection for the co-members of the state, and the political institutions and practices of one's particular community.

In Galston's view, the sacrifices necessary for the realisation of the common good require an emotional identification with the state and with its members. Although Galston typically terms this 'patriotism', it is extensionally equivalent to civic nationalism, both in terms of its requirements that there are bonds of affection for co-members (or co-nationals) and sentiments of affection for the political project (the nation) that unites them.

This kind of argument – that citizenship requires bonds of attachment to the state and to fellow citizens (or co-nationals) – is an instrumental argument for a form of nationalism. It conceives of national identification as instrumental to achieving the good of liberal citizenship, which, in turn, is supportive of liberal political principles of justice and respect for diversity. And, like many other theorists of nationality, Galston accepts that this kind of nation-building requires a reinterpretation of history that will function to secure the emotional ties of pride to fellow citizens and to political projects. In this respect, Galston is echoing the analysis of Ernest Renan (1939: 190) who argued, in his famous 1887 essay 'What is a nation?', that nation-building requires 'getting one's history wrong'. According to Renan, the society has to be capable of forgetting those parts of its history that will interfere with the development of a sense of pride in it.

Other liberals have also expressed the view that national bonds can be instrumental to liberal justice. In his article 'Self-government revisited' Brian Barry (1991) argued that national sentiment could be instrumental to liberal justice, although he has since changed his mind (he now takes the view that reasonable individuals can be suitably motivated by impartial reason: see Barry 1995: 64–8). In the earlier article, he claimed, echoing Mill's argument in *Considerations on Representative Government*, that 'the presence of fellow-feeling obviously facilitates co-operation on common projects and makes redistribution within the polity more acceptable' (Barry 1991: 174–5).

This argument is supported by an interpretive reading of Lord Acton's opposite argument in favour of heterogeneous and multinational states in his essay 'On nationality'. Acton advocated a heterogeneous state on the

grounds that this was conducive to liberty: more precisely, on Barry's reading, because Acton believed that the 'best way of confining a state to the pursuit of negative liberty is to ensure that its citizens cannot put together a majority for anything more positive' (Barry 1991: 165). The greater the diversity of area and citizenry and political authority, the more difficult it is to institute positive state action, especially state action directed at redistribution.

A similar instrumental argument is made by David Miller (1995), in *On Nationality*, although in a much more elaborate form, and focused almost exclusively on redistribution. In Miller's view, a shared national identity engenders trust among members and this helps to support a redistributive practice (Miller 1995: 92–4). Miller's argument is a variation of the communitarian insight that, unless people feel bonds of membership to the recipients, then redistribution by the liberal state will be experienced by the individual (who is taxed) as coerced and therefore as incompatible with individual freedom.<sup>2</sup> He also seems to be making the empirical claim that the political will supporting redistribution will not be there if the groups do not share a similar national identity, a sense that they are engaged in a common political project.

What can be said about the instrumental argument for liberal justice? The most striking aspect of this argument is that the link between shared national identity and redistributive practices is intuitively plausible, but the empirical evidence supporting it is unclear, at best. Indeed, if we think broadly and comparatively about societies that have strongly felt national identities and try to correlate this with levels of redistribution, it is not at all clear that there is any evidence for this proposition.<sup>3</sup> The United States, for example, has a widely shared national identity and a strong tradition of patriotism, but a weak record on social justice. Indeed, redistribution from rich to poor is *more* effective in several nationally divided societies such as Canada and Belgium than in the United States. Much depends on the kind of national identity that prevails in the country. In the American case, there is a strong individualistic 'self-help' tradition and the discourse of social justice and state redistribution does not resonate as well as in countries where the state has historically played a much more active role in the economy and in social justice policy-making.

Indeed, the relationship between redistribution and shared national identity is even more complex than this. It is not merely the *content* of that identity that affects the levels of redistribution. There is also a large bureaucratic state structure that is an important intermediary in the relationship between national identity and the actual delivery of goods associated with social justice. The case of Northern Ireland within the United Kingdom is interesting from this perspective. At first glance, Northern Ireland belies this positive relationship between a shared national identity and social justice. Not only do 40 per cent of the population of Northern Ireland identify with Ireland, not the United Kingdom, and vote for (Irish) nationalist parties to reflect this, but the overwhelming majority of Britons do not regard

the Northern Irish – whether Protestants or Catholics – as co-nationals (McGarry and O’Leary 1995: 300–1). Yet the British subvention to Northern Ireland, paid for by the British taxpayer, is one of the largest amounts of regional redistribution in the United Kingdom (Rowthorn and Wayne 1988: 82, 156–7); and this occurs even though there is a sentiment, on the part of the mainland British, that Northern Ireland is not an integral part of the United Kingdom, and that Northern Irishmen are not British. This seems to fly in the face of the intuitively plausible instrumental nationalist argument that shared national identity facilitates redistribution.

In fact, however, this example does not demonstrate the falsity of the argument, only the enormous complexity of the relationship between social justice and national identity. At the time that the British welfare state was set up, British sentiments of national identity did include the Northern Irish as part of their nation and the territory as part of the United Kingdom. The territorial nature of the policies and rules for the kingdom as a whole reflected this sentiment. However, since that time, particularly since the ‘Troubles’ in the late 1960s, Britons have come to regard the province as ‘a place apart’ and the people who live there as unlike them. This suggests, at a minimum, that the instrumental nationalist account of the positive relationship between shared national identity and redistribution should be sufficiently nuanced to recognise that there is a large bureaucratic and legal structure that intervenes between political sentiments and public policy. This means that sentiments are not immediately reflected in public policy: at the very least, there is a substantial time-lag between the two, which can be accounted for in terms of the mediating bureaucratic, legal and political structures.

However, with poll after poll showing that the British taxpayer would like to get out of Northern Ireland, there is also a desire (on the part of the British) for a solution there, and Britain has now (with Ireland) granted a constitutionally recognised right to secession (to join Ireland) should the majority wish it. This desire to dissociate themselves, in legal, juridical, territorial and public-policy terms, from the Province seems to reflect, at least in part, the asymmetry in national identity between Britons and (Protestant) Northern Irishmen. By asymmetry, I mean that Ulster Protestants think of themselves as ‘British’ and the mainland British regard them as not-British, and are (implicitly) prepared to reject them from their political community. Thus, the examples could be interpreted to suggest that the instrumental nationalist argument regarding a positive relationship between shared national identity and social justice is not without merit, but the situation is far more complex than the proponents of the argument suggest.

Another objection to the instrumental nationalist argument has been put forward by Daniel Weinstock (1996). He argues that national sentiments are unsuitable and unreliable instruments for ensuring that our redistributive obligations are met. They are unreliable, Weinstock argues, because our affective sentiments may include resentment toward the recipients of our redistribution, just as easily as attachment to them (Weinstock 1996: 93). And

they are unreliable, too, because the scope of our sympathy does not mesh easily with the bonds of the national community. Weinstock cites here the case of the person who is spontaneously sympathetic to the plight of the starving overseas. This leads Weinstock to conclude that our moral sentiments do not necessarily, or even usually, support liberal justice; rather, liberal legalism is a useful corrective to our sentiments, which are often unreliable as an indicator of our obligations.

One partial answer to this objection is to point out that the reasons that motivate us might not be the same as those that apply at the most basic level of moral justification. The issue is only whether national sentiments facilitate us in discharging our obligations, which, of course, are independent of these sentiments, and independent, too, of the kind of legalism that Weinstock talks about: tax laws, bills of rights, regional and welfare redistribution policies, and so on (Weinstock 1996: 92–3).

Even though the contrast Weinstock draws between liberal legalism and sentimental attachment is too sharp, the underlying point implicit in this analysis is that the state, with all its rules and laws and bills and policies, is the main mechanism to deliver our redistributive obligations. And this suggests the same point that I alluded to above, in the United Kingdom–Northern Ireland example – namely, that the instrumental redistributive argument is too simple: that in fact, there is an enormous bureaucratic structure that maintains our redistributive obligations, despite our sentiments. However, the Northern Ireland example also suggests that the instrumental nationalist argument cannot be dismissed; that, where there is a persistent feeling of non-shared identity, and substantial one-way redistribution (that is, the relationship cannot be argued for, in reciprocal terms, as mutually beneficial), the long-term continuation of this redistributive policy may be in jeopardy. As David Miller (1995) argued, in the absence of reciprocity and shared identity, the political will may not be there to discharge these obligations over the long term.

It is important to recognise that, if we accept a nuanced form of the instrumental nationalist argument, which takes into account the complexity in the relationship between shared identity and social justice, the argument still does not support all forms of national ties but only those that are demonstrably supportive of just regimes. If the instrumental nationalist argument is correct (including all the empirical claims), then this would seem to mean that the nationalism or patriotism of just states should be supported. There are, of course, many different conceptions of justice, but, at the minimum, this would seem to mean that states that respect liberal rights, the rule of law and, perhaps, redistribution of wealth according to the principle of justice are correct to nurture a national identification with co-members and with the political project, in addition to the civic education on the political principles embodied in the state institutions and practices. Many forms of nationalism will be illegitimate on this criterion, because they are intended to support illiberal practices or unjust regimes.

## Part 2: Instrumental nationalism and democratic governance

This part of the article is concerned primarily with instrumental arguments as they apply to democratic governance. This section considers the argument that a shared national identity helps to undergird democratic institutions. I argue in favour of this argument, suggesting that a shared national identity is not absolutely necessary, but that, in certain cases, it will facilitate democratic governance. Specifically, in certain cases, a shared national identity is instrumental to achieving two constituent goods of democracy: representation and participation.

In the nineteenth and early twentieth century, many writers assumed a close relationship between national independence and democracy. The basis of this assumption seemed to be an association between the ideas of national and democratic sovereignty, internal and external self-determination. This is evident in Ernest Renan's (1887) definition of the nation as '*un plebiscite de tous les jours*', which suggests the consensual and democratic basis of national communities. In seeming support of this view, many nineteenth-century and early twentieth-century nationalists were committed to democratic governance. The potential for divergence between nationalism and democracy was not evident, as nationalists/democrats (often the same people) organised to fight the anti-democratic states of Russia, Austria and Turkey.

In J. S. Mill's discussion 'On nationality' in *Considerations on Representative Government*, he argues that democracy can only flourish where 'the boundaries of government coincide in the main with those of nationality' (Mill 1993: 394). His argument in support of this contention is based on an analysis of the necessary conditions for a flourishing democracy: 'Among a people without fellow-feeling, especially if they read and speak different languages, the united public opinion necessary to the workings of representative institutions cannot exist' (*ibid.*: 392).

Mill's recognition of the need for a common national identity, combined with a nineteenth-century view of historical progress and an ethnocentric view of the merits of different nations, led him to believe that the 'great nations' would enjoy independence and smaller nationalities would be assimilated into their 'orbit'. It is, however, no longer plausible to assume that the demise of smaller nationalities is historically inevitable, and it is difficult to justify policies of coercive assimilation in liberal terms.

Here, I argue in favour of the mutually supporting relationship that Mill points to between national identity and democracy. The strong version of this argument, as put forward by Michael Lind, holds that 'far from being a threat to democracy, nationalism – the correspondence of cultural nation and state – is a necessary, though not sufficient, condition for democracy in most places today' (Lind 1994: 94). Lind supports his claim by listing the various linguistically and culturally divided societies in which democracy has not worked well: Cyprus, Lebanon, Sri Lanka, the Soviet Union, Yugoslavia and Czechoslovakia are all examples of failed multinational states; and he

explores the precarious nature of the three ‘successes’: Canada, Belgium and Switzerland.

He does not, however, analyse the different reasons for the breakdown of the listed multinational states; nor does he show that it was cultural or national pluralism that threatened democratic institutions. Indeed, in some cases, the states he cites as empirical evidence had weak democratic institutions and/or few democratic traditions. This suggests that his empirical evidence merely supports the view that nationalism is dangerous for the unity of culturally plural states (not necessarily democracies). Indeed, one could interpret the evidence that he provides in a quite different way – namely, that democracies (Canada, Belgium, Switzerland) tend to cope better with multinational diversity than regimes without strong democratic traditions, for many of these have actually (or already) collapsed.

The weaker version of this argument, which I advance in this article, claims that democracy may be possible in multinational states, usually by ensuring inclusive power-sharing or consociational arrangements, or by forging an overarching political identity. However, I argue that a shared national identity is sometimes important to a well-functioning democracy, because the relations of trust engendered by a shared national identity facilitate vertical dialogue between representative and constituent, and participation in political institutions.

### *Shared nationality and representation*

In this section, I examine the relationship between a shared national identity and representation. I argue that a shared national identity provides a basis for unity that is important to the very idea that a person can represent others in a common institution or community. I also argue that there is a problem of trust in divided societies, but the problem is more acute in nationally divided societies, and so may necessitate institutional recognition of the various national identities, and political communities in the society.

In a representative democracy, it is essential that the representatives can enter into commitments on behalf of members of the community/institution. Unless we are dealing with a very small participatory democracy, where citizens can directly vote on issues, it is essential that the people have sufficient unity and organisational structure to generate representatives. These must be seen as legitimate representatives of the people, as able to take binding decisions on behalf of the people, such as entering into war, making social welfare policy and negotiating peace. The acts of the representative are not, therefore, seen as belonging to individual agents, acting on their own; but must be seen as genuine representatives of a kind of collective will.

Of course, there is no logical necessity that the unity of the society depends on a shared national identity, on a conception that all members belong to the same nation. However, in a world in which there are constant changes in the individual composition of the members (due to immigration, emigration,

births and deaths), it is vital that all see themselves as members of a shared enterprise, as having an identity that can unify the whole and so render the political representatives legitimate (Canovan 1996: 21–5). In our (contemporary) world, national identities provide the basis for this sense of shared membership and unity.

The argument that there must be some basis of unity to generate legitimate representatives who can be viewed as acting on behalf of others is based on a Burkean conception of representation, where the representative's job is to advance the interests of the whole political community. On this conception, there is a clear connection between a shared identity and the legitimacy of the representative's act.

There is, however, an alternative conception of representation, according to which the representative is someone who speaks for a particular section of the community, and legitimacy derives from the fact that the system is procedurally fair, in that each group has a representative speaking for it and the final decision is arrived at in a forum that is inclusive of a number of groups, interests and identities. It might be argued that all that is required in this context is the adequate representation of diverse identities, but that all members need not be committed to a common good, or share an identity as members of a common project.

This second conception of representation has some significant advantages over the Burkean one, especially in the context of divided societies. One of the most pressing problems in societies with severe divisions – and this may be true of ethnic, linguistic, religious, national or ideological divisions – is the problems that they pose for normal electoral (democratic) politics. The majority-vote rule that confers legitimacy in democratic regimes may function as a mechanism of exclusion. Moreover, I will argue, attempts to construct different democratic arrangements (beyond simple majority vote) to take into account the divisions in the state are extremely fragile or problematic.

Let us take, as an example, a state with two main groups: A, which is the largest (or majority) group; and B, which is the minority group. In a case where these different national communities consistently vote for nationally aligned parties (A vote for the party of As and Bs for the party of Bs), then elections proceed like a census, and the minority group is consistently excluded from power and the majority group consistently holds the reins of power.<sup>4</sup> The problem with this situation has nothing to do with preference-satisfaction, or with the minority Bs being upset because 'they don't get what they want'. The problem is the permanent exclusion of one segment of the population from a role in making rules that govern the state in which they live.

In this situation, the basic conditions for responsible democracy are not met. In *Democracy in America*, Tocqueville (1961: 212) argued that, in a well-functioning democracy, the outvoted minority will respect the majority decision in the expectation that, at some later time, they will be part of a winning coalition and will require minority compliance. The reverse would also seem to hold true – though Tocqueville did not spell this out – that a

majority will tend to refrain from upsetting the minority because they anticipate that they will be in need of majority self-restraint when they are converted to minority status (Holmes 1993: 30, 44–5). This dynamic does not occur in a state in which different national communities consistently vote for nationally aligned parties – there is no outlet for minority disaffection; there is no moderating influence on minority demands; and no mechanisms, at least internal to the democratic system, to prevent the majority from oppressing the minority.

This cycle of majority domination and minority exclusion is, of course, a disaster from a representation standpoint. On the majority-rule system of democracy, the legitimate representatives of community B are permanently excluded from a share of governing. Moreover, in this kind of divided society, there is so little trust between As and Bs that the members of the minority community are extremely reluctant to address their problems and concerns to representatives of the government of the day, for these are themselves As, and are almost exclusively elected by As (and know that re-election depends on the support of As). Vertical dialogue between the minority community and the governing majority is therefore almost non-existent; and the particular concerns of the minority are also left unaddressed in the discussion *between* representatives at the government level, that is, in the corridors of power, when policy-making is made. The special salience or interpretation that certain policies may have for the minority community go unspoken, and their concerns are left unaddressed.

This result poses difficulties for the most persuasive intrinsic and instrumental justificatory arguments for democratic institutions. Instrumental defences tend to argue in terms of the good consequences of democratic governance. The most persuasive of these argue that democracy is the form of government most likely to respect human rights, rules of justice, and allow people some measure of control or autonomy over their own lives. In this context, however, minorities have no influence on the government; they are alienated from the political process; and there is no restraint on majority oppression. It is disturbing also for one of the most persuasive intrinsic justifications of autonomy, namely the argument that democracy is intrinsically fair, and that at its heart is a neutral procedure that allows all individuals to have an equal effect in determining outcomes. Viewed in one way, of course, this defence still holds true: each person has a vote and the procedure (narrowly considered) treats each voter in the same way. But, in these circumstances, the majority rule for deciding ‘winner’ and ‘loser’ is not a neutral rule for arriving at collective decisions in the face of competing claims, for everyone knows who is in the majority and who is in the minority.

Many theorists, concerned about the exclusion of minority interests from democratic politics, and the idealised homogenising influence of claims of ‘common good’, have argued for the need for representatives from marginalised groups, and have also suggested that this would facilitate participation of under-represented groups in political life.

One plausible connection between representation (of different groups) and participation is the need for vertical dialogue – that is, some discussion between the representative and the represented. The representative has to be sufficiently aware of, and receptive to, the concerns of her/his constituents. This is partly a matter of certain kinds of character traits, such as sympathy, and not a matter of national identity at all. However, there is strong evidence that sharing an identity helps to facilitate the kind of dialogue that is a component of good representative democracy. In the United States, for example, there is evidence that black constituents feel more comfortable with, and are more likely to voice their grievances or concerns, to their representatives, if their representatives are black (Mansbridge 1997: 21–4 and Williams 1997: 9–12). This, in turn, will ensure that government policy can be made with an awareness of the concerns and perspectives of this particular group. This is a good argument for devising electoral ridings or districts to ensure that such groups are more likely to have black representatives.

In societies such as the United States, where there is a common national identity alongside groups who are excluded and marginalised along racial (and gender) lines, redistricting is an effective way to ensure that there are symbolic representatives of marginalised groups, and, particularly, to facilitate vertical dialogue between representatives and constituents in districts in which the group dominates (although this only works for territorially concentrated groups).

In nationally divided societies, this solution is unavailable. Arguments for redistricting only work in societies where the excluded group wants to be included, wants a greater say in the governing of the society. Melissa Williams' (1997) deliberative democracy model, for example, attempts to include all marginalised groups and is successful in dealing with women and racial or ethnic minorities. However, it is unsuccessful in dealing with one of the most marginalised groups of all in North America – native people. In the first place, giving them 'voice' would help very little, for even if they were disproportionately represented, they would still be a small minority. Even more seriously, natives in North America are nationally mobilised – they call themselves First Nations – and do not merely want to be included in central decision-making bodies. What they seek is not greater inclusion, but greater autonomy from central control.

The problem described above – the marginalisation of one group from political power in divided societies – has been used to justify a proportional representation system, which is designed to encourage smaller parties. The advantage of this system, in divided societies, is that it might lead to numerous interest-based parties with cross-cutting cleavages, and to coalition-building that includes previously excluded groups. The evidence, however, suggests that this may be effective in including groups of varying religious, ethnic and/or ideological hues. This system may also be helpful in ensuring that minorities are not the target of discriminatory measures and unfairnesses, which lead them to become nationally mobilised, and therefore to identify the state as

exclusively the state of and for the majority group. However, coalition-building is much more problematic in the case of strongly mobilised and competing national groups, which seek to be collectively self-governing.

In Northern Ireland, for example, the electoral system was changed from single-member plurality to proportional representation with single transferable vote in 1973, precisely in order to encourage numerous divisions in society. The idea behind the change was that, under proportional representation, cross-cutting cleavages would receive political expression and this would encourage coalition-building, and perhaps cut across the sharp national division between British (Protestants) and Irish (Catholics). This did lead to the proliferation of numerous parties, and the representation of diverse interests, but coalitions, when they occurred, always did so *within* national groups, not *across* them. There are, for example, a number of unionist parties, reflective of different groups and political opinion within the British (Protestant) community, but they are all unionist parties, which Irish Nationalists do not, and would not, vote for. No attempt is made by these various parties to appeal to voters *across* the national divide.<sup>5</sup> This, of course may change as the political context alters, and hopefully, coalitions between pro-Agreement (the 1998 Good Friday Agreement) and anti-Agreement forces will develop, but there is no evidence of this yet.

This tendency is also apparent in Israel, which is both extremely diverse, and which has an electoral system designed to encourage the flourishing of small group-based parties. Within the Jewish community, there are deep divisions – between religious and secular Jews, Sephardim and Ashkenazi, Russian-speaking, Ethiopian Jews, and many others – and the Israeli electoral system encourages the representation of the different segments of Israeli society. Even in this situation – and with this degree of plurality and diversity – the differences between these various multicultural and national groups are apparent. The *political* divisions between Jews and Arabs are sharper than the divisions within the Jewish or Arab communities in the sense that Arabs are not members of the political establishment. They are a segment of society which is not viewed as a legitimate party to government. Unlike the other groups in Israeli society, from the left to the religious right, the Arabs are politically marginalised: no Arab party has been a member in a coalition government, and there has never been an Arab cabinet minister (Gilbert 1999). This suggests that when the very existence of the state, and loyalty to the state, is at the heart of the division, inclusion is fraught with difficulty. It is difficult for the national minority, who typically seek more than mere improved political and economic status (that is, they do not simply seek equality, but also to affirm the national rights of the Palestinian people). It is also difficult for the majority national community who find extending full political power to the minority problematic when there are questions surrounding the loyalty of the group to the state, and the uses to which political power might be put. These issues are not relevant in cases of ethnic or religious groups who merely aspire to have their identities expressed and

included in the state. In nationally divided societies, it is doubtful whether proportional representation has the effect of including the national minority in the corridors of power.

There are other possibilities for democratic politics in divided societies. In his books, *Ethnic Groups in Conflict* and *A Democratic South Africa? Constitutional Engineering for a Divided Society*, Donald L. Horowitz (1985 and 1991) has suggested a system of 'vote-pooling' that would require that electoral systems have a 'distribution requirement' in addition to straightforward majoritarian rule. On this system, the party or president can only be declared a 'winner' if it or s/he gains support from a certain percentage of every state (as well as a plurality of the overall vote). The idea behind this is to reduce political elites' incentives to make ethnically exclusive appeals. He cites the Nigerian electoral system as an example of such a procedure.<sup>6</sup> The problem with this requirement, in the context of an ethnically divided community (Nigeria), became apparent in 1979 when no one was able to fulfil the requirements.<sup>7</sup> This depressing event has certainly underscored the importance of ensuring that institutional rules should be able to be met,<sup>8</sup> and the difficulty of finding representatives who are acceptable to all the people, especially in an ethnically divided society. Moreover, while this *might* work in ethnically divided societies, it is unclear whether it would work in nationally divided societies, where the groups view themselves as constituting different political communities. Appeal to a common interest, which is implicit in Horowitz's 'vote-pooling' procedure, presupposes that all see themselves as sharing a future together, and this is precisely what is in dispute.

This does not mean, of course, that there are no mechanisms available to try to treat national identities fairly. Complex power-sharing arrangements may be helpful in such situations, especially if these are accompanied by substantial self-government. Power-sharing is a possible solution to the problem of minority exclusion, especially in non-nationally divided societies, although one that is very difficult to achieve: notable failures include Lebanon and Cyprus, although in the case of Lebanon the power-sharing regime did last for thirty-two years (and so could be considered a success).

Donald Horowitz, among others, has complained that the problem with Lijphart's famous system of consociational (power-sharing) democracy is that it only works in moderately divided societies, such as the Netherlands, Belgium and, to some extent, Canada (Horowitz 1985: 568–76). In seriously divided societies, there is insufficient trust between the two communities even to permit power-sharing. In nationally divided societies, there may be particular problems attached to the level at which power-sharing takes place, and also to the boundaries of the power-sharing unit. By this, I mean that power-sharing may be adequate in ethnically or religiously divided societies, where disputes are mainly connected to the kinds of symbols with which the state is identified, but in a nationally divided society, where the national groups are strongly mobilised in favour of collective self-government, mere inclusion in the centre is insufficient, and must be

accompanied by some form of devolved power in a federation or other kind of autonomy arrangement.

In some cases, even this is insufficient. This may be because the relations between the two groups are so bad, and the identities are so mutually antagonistic, that any kind of political arrangement *within the state* is unthinkable for the minority. In other cases, the minority group is not encapsulated in the unit in which power-sharing is to occur and other, more imaginative forms of institutional recognition – beyond mere power-sharing – are needed. One example of a more imaginative arrangement is the Northern Ireland Good Friday Agreement (1998), which not only requires power-sharing between the groups in Northern Ireland, but also recognises the connections that the two groups have to their larger political community – that Protestants feel strongly linked with Britain, and Catholics to Ireland. The so-called ‘Irish dimension’ embodied in the North–South Council is a means to recognise the ties of shared national identity that Irish Catholics in the North feel to their co-nationals in the South of Ireland. In this case, mere power-sharing within Northern Ireland would have failed to recognise the national aspirations of the Catholic community in the North to be part of the Irish political community.

What I am suggesting, then, is that in societies with a common nationality (even if there are other kinds of divisions, such as racial divisions, gender divisions and class divisions), there are a number of mechanisms available to ensure that all groups have symbolic power; and – what is important here in a discussion of representation theory – that there is vertical dialogue between representative and constituent. In cases where a state has two groups with competing and mutually antagonistic national identities, the situation is more difficult. The problem in nationally divided societies is that the different groups have different *political* identities, and, in cases where the identities are mutually exclusive (not nested), these groups see themselves as forming distinct political communities. In this situation, the options available to represent these distinct identities are very limited, because any solution at the state level is inclined to be biased in favour of one kind of identity over another. That is to say, if the minority group seeks to be self-governing, or to secede from the larger state, increased representation at the centre will not be satisfactory. The problem in this case is that the group does not identify with the centre, or want to be part of that political community. Of course, from the point of view of marginalised national groups, increased representation may be better than the status quo even if only because it provides a forum in which minority representatives can press the case for what they really want, which is often some form of collective self-government.

#### *Participation and national communities*

In his article ‘In Defence of Self-Determination’, one of Daniel Philpott’s (1995) arguments in favour of a majority-rule plebiscite to decide whether

secession is justified is that it can sometimes have long-term good consequences. Specifically, he argues that creating smaller, more homogeneous units can make the government more participatory: '[B]y having their government closer to them, they may participate and be represented more directly, more effectually' (Philpott 1995: 359). This argument is criticised by Allen Buchanan, who points out that, in many cases, a large federated political unit can offer more opportunities for participation, and more meaningful participation, than a small, relatively homogeneous unit (Buchanan 1998: 19). I argue here that both are right in their way: Philpott is right to correlate a shared national identity with greater participation, but his argument for it is weak or inadequately explained;<sup>9</sup> and Buchanan is right to point this out. Unless we are dealing with a small direct democracy in which individuals directly vote on issues, opportunities for meaningful participation are not a function of size. In this section, I argue that there is an important connection between participation, which is a constitutive value in democracy, and a shared national identity.

There is an empirical tendency for language groups to become increasingly territorialised, in the sense that a particular language becomes more dominant in a region, but that, outside that region, the language becomes increasingly vulnerable (Laponce 1987). Examples include the Francophones in Canada, Germans in the former Soviet Union, and the Kurds in western Turkey. This process tends to be accompanied by increased self-governing powers and/or demands for increased self-government in the territory where the language is dominant. This, of course, helps to consolidate the language group in becoming even more dominant over that territory.

In a recent paper, Will Kymlicka (1997) notes this tendency and argues that democratic politics is 'politics in the vernacular'. Genuinely popular processes tend to occur, when they do, only in units that share a common language. When institutions cut across linguistic lines, they tend either to be issue specific and/or elite dominated. Linguistic communities, then, are becoming increasingly important as the primary arenas in which political debate takes place. Kymlicka accounts for this in terms of 'the average citizen [who] only feels comfortable debating political issues in ... [his/her] own tongue' (Kymlicka 1997: 9). Despite efforts to promote general bilingualism (in Canada and Belgium, for example), many people feel most comfortable debating issues in the vernacular: 'as a general rule it is only elites who have fluency in more than one language and who have the continual opportunity to maintain and develop their language skills' (Kymlicka 1997: 9). This means in practice that participatory processes tend to occur only within language groups, and that democracy in multinational states tend to function better when it confined to political elites.

The experience of some multinational states bears out this analysis. In Canada, a stable multinational system was possible when elite accommodation was the norm – that is, when the various premiers of the different provinces and the federal government met behind closed doors to agree on a

deal. But this method of reaching constitutional agreement came to an end in 1990, when, in an effort to increase Quebec's bargaining leverage *vis-à-vis* the federal government, the Quebec government stated that it would hold a referendum on any suggested constitutional package. Naturally, this fuelled demands in all the other provinces that they also get a referendum on constitutional change.

It is generally accepted that the elite accommodation model of Canadian politics has given way to a more participatory model, in which any constitutional change would have to get the consent of all the people (Cairns 1991: 130–8; Bell 1992: 189–91). As my analysis suggests, this has made constitutional change extremely difficult: the same question, with the same wording, resonates differently in the two political communities, and is likely to elicit a different response.<sup>10</sup>

Moreover, this kind of participatory referendum is problematic because, while the majority of people in Canada do want to keep the country together, it is not clear that a referendum is the appropriate tool to achieve this. In the first place, a vote aggregates all kinds of interests and motives, and the reason for rejecting a constitutional package may be due to some element in the package other than the question of Quebec's relationship to Canada. Furthermore, and even more seriously, voting typically involves strategic decision-making. In the context of a multinational state, with two distinct political communities, the first choice of each of the two communities is different, and voting in a referendum is unlikely to reflect the common desire for unity. For example, the first choice of the rest of Canada may be 'Canada status quo'; and so citizens may vote No (to constitutional change) on the assumption that Quebec will not leave, and compromise is unnecessary. However, many of them may be prepared to compromise if they thought it was absolutely necessary. The first choice of Quebec might be a federal state of two equal nations (i.e. Canada in a renewed federal system), but many would be prepared to vote Yes to sovereignty/secession on the assumption that this is necessary to achieve concessions from the rest of Canada. In other words, they may vote strategically, and on the basis of incorrect (and unknowable) assumptions (about the extent to which others are prepared to vote strategically, for example) and, in this way, end up in a sub-optimal arrangement. The problem here is the lack of dynamism in the voting structures, such that voters cannot accurately predict the consequences of their actions/votes. This, combined with their different political interests, tends to doom the process from the start, even though, in this case, there may be much shared ground.

This analysis of the relationship between participation and multinationality is supported by an analysis of both mechanisms (consociational democracy, 'vote-pooling' electoral systems) which are designed to produce a stable democracy in multiethnic and multinational states. Lijphart (1977) argued that one of the conditions of his consociational democracy is elite autonomy, in the sense that political elites are able to act in the interests of the

group they represent, and this is in part a function of deference on the part of the general population (exactly the reverse of the attitude required in a strong participatory democracy). Donald Horowitz's 'vote-pooling' model is also elitist in the sense that it depends on filtering out certain kinds of appeals to produce political elites that are accommodating. It can do this because the electoral system is designed so that voters do not have an outlet to express their less accommodating preferences.

If this analysis is correct, there are trade-offs here: the value of participation has to be balanced against the importance of keeping together a large, multinational state which can incorporate different forms of (nested) identities and accommodate various interests and groups. Conversely, the desirability of maintaining a multinational state has to be balanced against other (positive) values, such as a democracy which can permit its citizens various avenues of participation. My conclusion, then, concurs with Philpott's contention that sharing a national identity may be positively related to participatory forms of democracy.

### **Part 3: Conclusion**

This article has argued that there is some validity to contemporary normative defences of nationalism. First, the essay considered the argument that liberal values, and especially the value of social justice, will best be promoted in states whose members share a common national identity. In its strong form, this argument is vulnerable to counter-instances. A weaker version, which claims that, in states divided in terms of national identities, social justice may be precarious over the long term, is more plausible. The second part of the essay argued that there is a close relationship between democracy and national identity. This is commonly accepted, and indeed is almost always supported by reference to J. S. Mill's rather quick argument in *Considerations on Representative Government*. This section tries to spell out precisely how a common national identity is needed both for representative institutions to function properly and for widespread participation on the part of ordinary citizens.

What are the implications of this analysis for the ethics of secession? One conclusion that can be drawn, especially from the discussion of nationally divided societies in Part 2 is that, in some cases, secession/partition of the two communities, where that option is available, is the best outcome overall. In cases where a state has two groups with competing, mutually antagonistic national identities, where people consistently, in opinion polls and, most crucially, elections, vote for nationally aligned parties, then the representatives of these groups are not co-operating on the practice of deliberation that is important to democratic governance. Institutional design to ensure moderate elites and power-sharing government may result in very little participation on the part of ordinary citizens.

There may, of course, be reasons why secession is not a practical option: the groups may overlap on the same territory; or their identities may not be incompatible and some form of recognition within the existing state may be the best outcome. However, in some cases, it follows that recognising national identity and rights to self-determination may be necessary to secure the basic conditions for a well-functioning (that is, responsible, representative and participatory) democracy.

## Notes

1 I am sidestepping here an important debate in the history and sociology of nationalism, concerning the importance of ethnicity in the initial formulation of national identity. See Smith (1986), Hobsbawm (1990) and Gellner (1983).

2 Yael Tamir (1993) offers a parallel argument, explicitly set in the context of the liberal-communitarian debate. She writes: 'The willingness to assume the burdens entailed by distributive justice ... rests on ... a feeling of relatedness to those with whom we share our assets' (Tamir 1993: 118). Michael Sandel (1982) offers the communitarian argument in *Liberalism and the Limits of Justice*.

3 Miller (1995: 94–5) is, however, aware of this potential objection.

4 Moreover, because the governing party only needs to retain the support of the majority As, and any attempt to attract Bs to the party is likely to result in a loss of As support (because these are two mutually antagonistic communities), there is little prospect of changing that alignment. There may be *some* movement at elections, of course, but not of the desired kind – that is, not across national lines. Frequently, a change in electoral support results if group A has two parties competing for the votes of As and group B, while a minority, only fields one candidate (in a first-past-the-post system), then a representative of group B may get a seat, even though Bs are a minority in that riding.

5 Voter transfers from first- to second-choice candidates invariably occur within national blocs. See, for example, the 1999 European election results at [www.Ireland.com/euroelections/1999/NorthernIreland](http://www.Ireland.com/euroelections/1999/NorthernIreland).

6 According to the Nigerian Constitution, the president must win a plurality of votes nationwide plus at least 25 per cent of the votes in two-thirds of the states (thirteen out of nineteen).

7 The leading candidate Shehu Shagari won a plurality of the votes overall and over 25 per cent in twelve states (and 20 per cent in the thirteenth state). The electoral commission ruled that he could be president anyway (they stated that this was 'equivalent' to meeting the constitutional requirements), despite the fact that he had obviously failed to do so. This type of exercise can only serve to undermine the view that governance should be in accordance with the constitution.

8 Horowitz is aware of this possibility, and says that other mechanisms should be in place to provide for a government/presidency as a 'fall-back' position.

9 This is because his defence in terms of the exercise of autonomy or choice abstracts from the issue of national identity. Yet it is precisely this element that would have helped to explain the insight that (nationally) homogeneous units tend to be more participatory.

10 It was argued by some observers of the Canadian constitutional debate prior to the current round of constitutional problems that genuinely participatory forms for constitutional debate would be fatal. According to S. J. R. Noel, 'The lack of a pan-Canadian identity combined with strong regional sub-cultures is not necessarily a dysfunctional feature ... as long as within each sub-culture, demands are effectively articulated through its political elite [and as long as there does not emerge] within any one of the provinces an elite who ... are willing to [engage in] overarching cooperation at the elite level' (Noel 1971: 16–18).

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