

Nationalism

*\*1063* MORAL DIMENSIONS OF NATIONALISM

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THIS paper distinguishes between two crucial issues in the contemporary debate on nationalism: the legitimacy of partiality towards co-nationals and the right to national self-determination. I offer an instrumentalist argument for the first issue and a perfectionist perspective for the second issue.

I. Partiality Towards Co-Nationals

The main distinction between nationalism supporters and radical human rights supporters is their view on justifying the nationalists' commitment to a moral and political partiality towards individuals of the same nation. Radical human rights supporters believe that established national borders constrain recognition of basic human rights. On the other hand, nationalism supporters believe in partiality toward one's co-nationals over foreigners.

Thus, we face the first problem raised by nationalism: the issue of partiality or of the establishment of special obligations towards co-nationals. Is it possible to legitimize partiality towards co-nationals? Is partiality incompatible with a perspective that supports the universal character of certain human rights? In order to answer these questions, I will first of all take recourse to David Miller's analysis of current arguments purporting to justify nationalist partiality. Further, I will question the plausibility of Miller's own argument for nationalism. Finally, I will reconsider a universalist argument, namely, the pragmatic or instrumental one in favor of the acknowledgement of special obligations owed to members of a same nation.

In David Miller's book *On Nationality*, [\[FN1\]](#) he offers a detailed discussion of the concepts of nation, national identity, justifications of nationalism and the political and ethical consequences of its acknowledgement. [\[FN2\]](#) He states that only a particularist moral perspective can reasonably support arguments in favor of nationalism. [\[FN3\]](#) In support of his proposition, Miller *\*1064* defines and distinguishes between the universalist and the particularist moral perspectives as well as their respective claims in favor of nationalism. [\[FN4\]](#)

The universalist moral perspective believes that the individual is only identified on the basis of general characteristics and capacities of human beings. [\[FN5\]](#) Miller states, '[b]ecause the principles are to be universal in form, only general facts about individuals can serve to determine my duties towards them.' [\[FN6\]](#) Conversely, Miller defines the particularist perspective as one that considers the individual as part of complex social relations and fundamental principles are directly linked to such relations. [\[FN7\]](#)

Miller highlights the relevant distinction between the particularist moral perspective and the universalist moral perspective--the metapsychology of the moral agent. In Miller's view, the universalist moral perspective believes that the moral agent is an

unencumbered subject of responsibilities and duties. [FN8] By disconnecting the moral agent from the social context where the agent's concrete beliefs and desires are formed, the universalist perspective is unable to respond to the motivational question. Accordingly, the argument rests on a metaphysical and abstract concept of a person or rational agent.

According to Miller, only a particularist moral perspective is able to fully acknowledge the structuring role of bonds among individuals in a national community. [FN9] This is because the particularist moral perspective conceives of communitarian links not merely as a matter of individual choices, but as a constitutive part of the moral agent his/herself. By directly deriving the obligations of the moral agent from his communitarian bonds, the particularist approach would be able to close any gap between moral obligations and moral motivation.

The metapsychology presupposed here does not conceive of the individual as a source of selfish interests that should be sacrificed for the moral conduct to be possible. Following the model of the obligations that we assume in our family and friendship relations, the duties towards the members of our national community would be inherent to the establishment of such communal relations. To fulfill these obligations is a way of self-fulfillment. It is necessary to reinforce our constitutive bonds and the way we want to be recognized.

**\*1065** Looking at the above analysis between the particularist and universalist moral perspective, it is evident that Miller's critique of the universalist moral perspective, an attempt to justify the partiality towards co-nationals, is directly derived from his interpretation of the metapsychology of the moral agent presupposed by the universalist. Is the universalist, however, really committed to such metapsychology? In addition, if we start from Miller's preferred metapsychology, could not we reach different conclusions?

When invoked by universalists, the atemporal, unencumbered moral agent, whose desires are devoid of any social content, has never been more than a useful methodological caricature in an attempt to justify and better implement certain values cherished by virtually everyone--values such as respect for human beings and moral equality. What is intended by universalists, such as Kant, Rawls, Habermas, Tugendhat, Scanlon, Dworkin and others, is to assure, through certain procedures, that all individuals have their most basic needs met. Thus, they believe that an individual should be respected and recognized as a moral person, irrespective of the group to which he or she belongs. To be sure, universalists sometimes went beyond these rather modest methodological concerns. The metaphysics implied in the attempts to give moral principles an absolute, not merely methodological, foundation can be attributed to the traditional philosophers' arrogance and their speculative vices. This made them claim more about human nature than they are really able to do. Therefore, they assigned to reason everything that we, living in secularized societies, cannot attribute anymore to a provident God. If someone really does defend the abstract metapsychology characterized by Miller, then Miller's critique of universalism is well placed. For the target of Miller's critique would be a solipsist, a bad observer of human experiences or maybe someone who still believes that Descartes' isolation and introspection is the best guide to human experiences.

Whether we are universalists or particularists, there are certain premises we should accept in advance. First, human beings must establish communitarian bonds, must belong to groups and must be recognized as full members by other members of the group. It does not matter the size of the groups--or how tight the bonds are. Second, by establishing such bonds we feel naturally justified when adopting a partial attitude

towards those with whom we have special relationships. Whoever intends to dedicate to their friends the same attention that is owed to strangers will probably lose their friends. In general, a mother who is interested in the well-being of her children as much as in the well-being of humanity is considered a cold, irresponsible person. Our feelings, as well as our availability, are naturally finite. It would be implausible to deny that our concrete relationships with other people fix not only our attitudes, but also what we understand as right or wrong. It is reasonable to admit that there are different spheres of obligations and that, with different interpretations, morality goes through them. It would be absurd and naïve to think that *\*1066* universalists and defenders of human rights do not recognize the existence of special obligations and responsibilities between a mother and her children. Equally, it would be absurd to assume that particularists are unable to acknowledge an unacceptable level of privation for all human beings, irrespective of their social origins.

Miller's contention is that only against the background of an understanding of the moral agent, which differs from the one he imputes to the universalist, is it possible to see the relevance of national identity and its ensuing partiality. [\[FN10\]](#)

It is not difficult to accept this contention because the alternative (the metapsychology of the unencumbered self) seems to be quite indefensible. The relevant issue now is whether Miller's preferred metapsychology is sufficient to justify nationalist partiality. To address this issue, I will introduce the multiculturalist alternative and the notion of a complex identity. [\[FN11\]](#)

Multiculturalists are hard critics of homogeneous normative patterns and their purported impartiality and neutrality. [\[FN12\]](#) They insist on the recognition of differences, instead of their mere tolerance by the hegemonic social model. [\[FN13\]](#) According to multiculturalists, nationalism might be just an artifice in order to impose the supremacy of a group over the others. [\[FN14\]](#) Multiculturalists believe that differences in gender, race or sexual interests would be obliterated by the imposition of an artificial identity based on the ideology of the hegemonic group. [\[FN15\]](#)

Miller critiques multiculturalism, claiming it is rooted in a false contrast between a supposed authentic group identity and an artificial national identity. [\[FN16\]](#) Miller believes that both forms of identification are social constructions and there is no reason at all to take one as authentic and the other as artificial. [\[FN17\]](#) It is oft true that some members of specific groups do not desire public recognition of the characteristics that define the group to which they belong. An example, for Miller, would be that of some homosexuals who think that sexual preferences should remain private.

*\*1067* Miller's argument is at least partially correct. The building of an identity is always a social construction. Thus, it makes no sense to oppose artificial and natural identities. Moreover, national identity does not have to be seen as something that obliterates and excludes the recognition of other forms of identification. The crucial point is that there is no way to prove that one form of identity as such is more essential than others. The metapsychology endorsed here only stresses the necessity of belonging to groups and of being recognized by them.

From a realistic point of view, we do recognize ourselves as a bundle of diverse identifications. With respect to myself, I am a woman, a mother, a philosopher, a professor, a Latin American citizen and so on. All these aspects are inseparable from the way I see myself and the way I want to be recognized. In my daily life, these aspects make me closer to some persons than to others--in some cases, due to circumstances only indirectly related to my choices. Other aspects of my identity make me choose which persons live with me. Some affinities help to establish among us bonds of

friendship and solidarity. In sum, Miller's preferred metapsychology does not permit him to favor one form of identification over the others. The notion of a complex identity is capable to congregate all these different aspects that link us to certain people, including the political and cultural links that connect us with co-nationals.

Because the recognition of a complex identity does not exclude the recognition of a national identity, now we can look for an argument to justify partiality or the existence of special obligations specifically towards co-nationals. The argument premised on the right metapsychology justifies the existence of special obligations in general. This implies that certain obligations are inherent to the establishment of special bonds with certain persons in a community. Denying the existence of these special obligations is tantamount to denying the way we live. There is nothing in this view, however, that makes the links among co-nationals more deep than other links.

Nevertheless, if the appeal to the metapsychology of the encumbered moral agent provides an argument capable of justifying neither partiality nor the existence of special obligations towards co-nationals, what can we say about the universalist argument toward partiality? Let us put aside the implausible metapsychology attributed to them and go straight to the arguments. Miller himself comments on two universalist arguments for national partiality. The first argument focuses on all human beings' supposed needs. [\[FN18\]](#) Among these needs, we find the necessity to establish special relationships that generate special rights and duties for the individuals involved in these relationships. By recognizing the value of these relationships, universalists accept, as justified, the rights and duties originated *\*1068* in such contexts. [\[FN19\]](#) Once more, we have an argument capable of justifying the existence of special obligations, but not capable of justifying nationalism. Miller is right when he affirms that this way cannot guarantee the relevance of national identification.

The second universalist argument for national partiality examines the recognition of diversity, the extension of humans' demands and humans' aims to optimize their satisfaction. [\[FN20\]](#) In this connection, mere physical and/or cultural proximity would make possible the efficient satisfaction of human demands: 'insiders' are in a better position than 'outsiders' to identify and to provide for the needs of their communitarian fellows. [\[FN21\]](#) Thus, the second universalist argument would view national bonds as means to satisfy human demands in an efficient way.

Miller critiques the second universalist argument for two reasons. First, he states that the argument, even if it were sound, does not guarantee an intrinsic relevance to national identity. [\[FN22\]](#) Miller is quite right. But should national identity have an intrinsic relevance? Why can we not simply suppose that to be organized in a nation is no more than a way to make social life flourish and be more efficient? Why is Miller opposed to this instrumental view of nationality?

Second, he denies that cultural and/or territorial proximity is in fact an optimizer of our satisfactions. [\[FN23\]](#) We have no reason to believe that this group could more efficiently satisfy the basic demands of individuals from a specific group. As a general rule, it is quite so. We have only to look around to be assured that the wealthier countries in this world are in a much better position to meet the material needs of African communities than the Africans themselves.

Nevertheless, the universalist argument premised on the pragmatic value of proximity does not aim to establish absolutely general principles. It starts from a quite trivial consideration about the importance of living together and of cultural identity for the adequate identification of the real needs and the appropriate means to meet them.

Cultural and territorial proximity are of course contingent aspects, but I cannot see how they cannot be pragmatically relevant.

In sum, the second universalist argument for partiality aims specifically at the recognition of national identity. National identity is viewed as an instrument for the attaining of more general goals. Of course, national identity becomes important only when it is seen as a good/efficient means \*1069 to achieve such goals. Miller finds this instrumental view of national identity not congenial, as it cannot accommodate any intrinsic value we might want to attribute to national identity. [FN24] Nevertheless, I cannot see how any argument for the existence of special obligations owed to co-nationals may have a different character. As it is the case with all moral rules, such obligations are intended to promote the well-being of human beings. These rules lose their *raison-d'être* as soon as they do not respond to such a task. Moreover, this pragmatic or instrumentalist argument for nationalism has the great advantage of being put aside as soon as nationalism starts assuming morally condemned forms, for instance by presenting real threats to the well-being of other human beings.

## II. The Right to National Self-Determination

Up to this point, I have been discussing nationalism with respect to the issue surrounding the legitimacy of partiality towards co-nationals. I intended to show that the best argument for the existence of special obligations that members of a nation owe to each other is the argument that recognizes these obligations as the best way to meet some basic human needs. I will now address another dimension of nationalism, namely, the problem of national self-determination. Here, I argue for self-determination as a sort of craving, manifested by certain cultural communities, to establish their own form of political representation. I will defend what we can call patriotism, that is, the identification with a particular form of political organization, distinct from other possible forms.

Given a certain metapsychology of the moral agent, I tried to defend the idea that the formation of our identity includes the identification with different communal aspects, with different groups, which turns our identity to a 'complex identity.' In our daily life, we choose, reinforce or reject some characteristics of our personality and we establish some strategies of action in order to achieve our own personal fulfillment. We assume as moral principles those strategies which we favor for reasons that we share with others. Once the contrast between the public and the private domains fades away, we try to create adequate conditions for the flourishing of our values. It is in this context that we have to recognize the demands of certain national groups for a form of political representation that is able to express their values.

It is possible that the craving for a form of political expression suitable to the values of a specific culture may be fulfilled perfectly inside multinational states. Federalism may be a good example of this possibility. What then would be the best alternative? It will always depend on the groups in question, on the concrete demands to be fulfilled and also on the state of the world community. It would not be reasonable to present one single alternative that could equally fit to Bascos, Quebecois, Palestinians, \*1070 Kurds and Puerto Ricans. What is common and must be equally recognized is the will to find their own form of political expression.

A form of political expression is more than the mere warranty that certain typical aspects of a specific culture will survive. It is the only way--that individuals feel responsible for their decisions and for the flourishing of the State where they live. This applies to those who fight for the creation of a new State in the world community as well as those that already have a State of their own, but such that only a minority of its citizens can identify

themselves with it. What is lacking in many countries is not nationalism, but patriotism, that is, a deep identification with the form of political organization. This is what Habermas dubs 'constitutional patriotism.' [\[FN25\]](#)

The political structure of a nation must be able to express the most fundamental values of a community. It mirrors the form of representation of different segments of society and the distribution of rights in the basic structure of society. It establishes the legitimate mechanisms of repairing justice, including especially those invoked after usurpation of power by political representatives of a nation. It determines each nation's political profile, the form as it will be recognized by other states and its relations with other nations. A community without a political representation of its own or with a representation that does not adequately reflect its own values is excluded from the international dialogue. The protection of its values or the achievement of its most fundamental goals will depend on the benevolent, paternal or 'humanitarian' attitudes of other states.

If we acknowledge the existence of interests still more general, we should recognize as well the necessity of a wider forum of discussion. In this case, the right of self-determination must be understood as the right to mechanisms of legitimate participation in the international forum--not as the right to avoid international resolutions in the name of 'national interests.' The autonomy of each state is not a domestic issue, but something that concerns directly the relations with other autonomous nations. The constitution of a state by a national community is a form to guarantee its own representation, that is, to present its interests and to defend in the international forum the common values of a particular culture. This positive aspect of national self-determination does not threaten the international forum of discussion; it only tends to make it wider and a more authentic expression of the diversity of forms of human lives.

On the other hand, if the interpretation of nationalism presented here does not threaten the survival of minority cultures or the possibility of agreement among different nations, what would be the disadvantage of such a perspective? Many would think that it does not express truthfully nationalism itself. Why? One reason is that nationalism is often reactive, aggressive and an exclusivist form of expression. Such reactions, however, *\*1071* are not necessary for nationalism. The fact that some people react this way, individually or collectively, when they feel that their interests are threatened is something that we can only lament.

Another possible reason for thinking that the proposed interpretation does not capture the spirit of nationalism would be that nationalism is often seen as a less subtle expression of our emotional bonds on a par with primitive tribalism. Of course, this may be how some individuals conceive of their own nationalist feelings. Nevertheless, if we are really interested in going beyond the more phenomenological, superficial description of this issue, we have to consider normative arguments, not just analyze feelings. The fact that the phenomenon of nationalism is related to the expression of feelings that unite us to other people does not make it less rational or less understandable in the light of arguments. It just means that our considerations here rest on aspects related to the constitution of our own identity. In other words, nationalism, as any other form of identification, includes emotional aspects that can be evaluated in light of the beliefs and values of moral agents.

I tried to make it clear that the right to national self-determination may be understood as a legitimate expression of the desire, inherent to each community, to represent their own interests and values in the international forum. This way perhaps we may find what is common to Basques, Quebecois, Palestinians, Kurds and Puerto Ricans. How close they are to achieving this right to self-determination and which mechanisms are more suitable for such achievement are questions that I will leave open here. Each case has unique history

and circumstances. In that sense, each community must develop its own resources in order to constitute its own identity in the most suitable way.

#### Footnotes:

[\[FN1\]](#). Universidade Federal do Rio de Janeiro. I wrote this paper during my stay as a visiting professor at the Law School of the University of Connecticut. I would like to thank especially Angel Oquendo with whom I worked at the University of Connecticut. I also had the opportunity, for which I am grateful, to discuss the main issues presented here with my colleague Wilson Mendonça, during a postgraduate course that we gave together at the Federal University of Rio de Janeiro. Finally, I would like to express my thanks to Mário Nogueira for his valuable contributions to the English version of the present paper.

[\[FN1\]](#). David Miller, *On Nationality* (1995).

[\[FN2\]](#). See generally *id.*

[\[FN3\]](#). See *id.* at 79-80 (concluding preference for particularist view).

[\[FN4\]](#). See *id.* at 65-80 (explaining distinction between particularist and universalist view).

[\[FN5\]](#). See *id.* at 50.

[\[FN6\]](#). *Id.*

[\[FN7\]](#). See *id.* ('[R]elations between persons are part of the basic subject-matter of ethics, so that fundamental principles may be attached directly to those relations.').

[\[FN8\]](#). See *id.* at 57 (stating basis of universalist view).

[\[FN9\]](#). See *id.* at 65-73 (stating how particularist perspective acknowledges role of bonds between individuals in distinct communities).

[\[FN10\]](#). See *id.* at 65-73 (stating moral relevance of nationality).

[\[FN11\]](#). See generally Jeff McMahan, *The Limits of National Partiality*, in *The Morality of Nationalism* 121-23 (Robert McKim & Jeff McMahan eds., 1997) (analyzing notion of complex identity).

[\[FN12\]](#). See Miller, *supra* note 1, at 131 (discussing multiculturalism and nationalism).

[\[FN13\]](#). See *id.* at 130-33 (noting multiculturalism's focus on recognition of differences).

[\[FN14\]](#). See *id.* at 132-33 (stating multiculturalist view that nationalism is method for dominant group to oppress minority groups).

[\[FN15\]](#). See *id.* at 133 (stating that nationalism "requires that persons transform their sense of identity in order to assimilate").

[\[FN16\]](#). See *id.* at 135 (arguing against false contrast between genuine or authentic identity and manufactured or imposed identity).

[\[FN17\]](#). See *id.* at 133 (describing distinction as false contrast).

[\[FN18\]](#). See *id.* at 52 (arguing from universalist perspective).

[\[FN19\]](#). A good example, according to Miller, is the perspective defended in A. Gewirth, *Ethical Universalism and Particularism*, 85 *J. Phil.* 283 (1988). Another example that is well representative of this kind of argument is Yael Tamir, *Liberal Nationalism* (1995).

[\[FN20\]](#). See Miller, *supra* note 1, at 51-52 (arguing from universalist perspective).

[\[FN21\]](#). See *id.* at 52 n.3 (mentioning Peter Singer's article, *Reconsidering the Famine Relief Argument*, as good example of argument).

[\[FN22\]](#). See *id.* at 61-62 (rejecting second universalist argument).

[\[FN23\]](#). See *id.* at 63 (rejecting instrumental argument).

[\[FN24\]](#). See *id.* at 64 (rejecting instrumental argument).

[\[FN25\]](#). See *id.* at 162-63 (stating that Habermas and others use phrase 'constitutional patriotism').