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The Ethical Significance of Nationality†

David Miller

I

My object in this paper is to defend the view that national boundaries may be ethically significant. The duties we owe to our compatriots may be more extensive than the duties we owe to strangers, simply because they are compatriots. On the face of it, such a view is hardly outlandish. On the contrary almost all of us, including our leaders, behave as though it were self-evidently true. We do not, for instance, hesitate to introduce welfare measures on the grounds that their benefits will be enjoyed only by Americans, or Britons, or whomever. Why, then, is it worth defending this view at length? Precisely because there is a powerful thrust in the ethical theories that are most prominent in our culture toward what I shall call universalism: namely, the view that the subject matter of ethics is persons considered merely as such, independent of all local connections and relations; and that the fundamental questions of ethics can be posed in some such form as: What duties do I owe to my fellow human beings? What rights do they have against me?¹ Here the basic principles are worked out without reference to social boundaries. Boundaries may come into the picture at some later point—for instance, as a convenient way of parceling out basic duties—but they themselves never have fundamental ethical significance. The fact that we do normally attribute deeper significance to boundaries is to be explained as some sort of moral error—for instance, as the intrusion of irrational emotional attachments into an arena that ought to be governed by impartial reason.

Although my aim is to show that conationals can rightly make special claims on us, I do not want to suggest that these claims exhaust the ethical universe. There may indeed be duties that we owe to our fellow

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† My thanks are due to the members of the workshop for their helpful comments on an earlier draft of this paper.

1. Since the paper hinges on the contrast between universalism and particularism in ethics, and since, as many now think, the terms 'moral' and 'morality' tend to bias our thinking in a universalist direction, I try wherever possible to use 'ethics' and 'ethical' as comprehensive and neutral terms for the phenomena under discussion.

human beings in the abstract. The point is rather that, once we see why national boundaries make a difference, we shall be in a position to see what space they leave for duties that transcend these limits. Thus the argument is not intended to be a defense of narrow-minded and exclusive nationalism; nor for that matter is it intended to underwrite all national identities regardless of their content. It is directed rather against a naive form of internationalism that is grounded on an inadequate view of ethics and that appears to offer a simple solution to the problem of international obligations but does so at the cost of losing touch with the way we actually think about such issues.

Before embarking on a critique of universalism, I need to explain briefly the idea of nationality which I am counterposing to it. National boundaries, it hardly needs saying, are not the same as borders between states. A state may include more than one national grouping; conversely, people sharing a common national identity may be found living under the auspices of two or more states. How, then, are nations to be individuated? It is fairly clear that no objective criterion, such as language, race, or religion, will be adequate to mark all national distinctions, even though these criteria may enter into particular national identities.² Thus nationality is essentially a subjective phenomenon, constituted by the shared beliefs of a set of people: a belief that each belongs together with the rest; that this association is neither transitory nor merely instrumental but stems from a long history of living together which (it is hoped and expected) will continue into the future; that the community is marked off from other communities by its members' distinctive characteristics; and that each member recognizes a loyalty to the community, expressed in a willingness to sacrifice personal gain to advance its interests. We should add, as a final element, that the nation should enjoy some degree of political autonomy. The classic nationalist belief, of course, was that every nation should have its own sovereign state, but I can see no reason for making it part of the definition of a nation that its members should be nationalists in this strong sense. On the other hand, a social group that had no political aspirations at all would surely be counted as an ethnic group rather than as a nation. (I shall say more about the relation between ethnicity and nationality below.)

One feature of this definition deserves underlining. Whether a nation exists depends on whether its members have the appropriate beliefs; it is no part of the definition that the beliefs should in fact be true. This makes the question about the ethical significance of nationality a particularly pointed one. If national allegiances can be based on false beliefs, how is it possible for a purportedly rational institution such as morality to accommodate them?

2. See B. Barry, "Self-Government Revisited," in *The Nature of Political Theory*, ed. D. Miller and L. Siedentop (Oxford: Clarendon Press, 1983).

II

The view I have called ethical universalism may at first sight seem simply to *be* the ethical point of view. Surely it is definitive of ethics that all of its particular injunctions should be derived from universal, rationally grounded principles?³ Against this, I want to suggest that such a way of looking at ethics embodies a specific and potentially controversial view of moral agency. The moral subject is seen as an abstract individual, possessed of the general powers and capacities of human beings—especially the power of reason—but not fundamentally committed to any particular persons, groups, practices, institutions, and so forth. In arriving at his most basic principles, the subject can disengage himself from commitments of this latter sort and see himself simply as one member of a moral universe made up of symmetrically placed persons, each of whom likewise possesses only general human capacities. A view of this kind is presented, for example, in Rawls's notion of the original position, in which subjects are asked to choose principles under conditions in which they are deprived of all particular knowledge of their identities, existing commitments, personal values, and so on.⁴ Having adopted such an abstract point of view, the subject asks: What duties is it rational for each of us to acknowledge toward all the rest (or, conversely, what rights can each of us claim against all the rest)? Once the basic duties have been established, it is then possible to work out derivative duties for people placed in particular circumstances. Broadly speaking, there are two ways in which this can be done. First, the basic duties can be distributed in such a way that particular persons become responsible for carrying out specific aspects of those duties. To illustrate, suppose that we endorse the basic principle that the needs of children who are not able to look after themselves should be provided for. Feeding in some familiar facts, we can easily derive the subsidiary principle that the primary responsibility for discharging this duty should fall on the parents of each child. Second, the basic rights and duties can empower individuals to create particular duties by voluntary acts—promises, contracts, and so forth. These powers are justified by general considerations about human beings advanced at the basic level.

Most theories of a universalist type do therefore make room for individuals' particular duties, responsibilities, and rights—the duties of parents, colleagues, and so on—but these are never regarded as fundamental commitments. The moral self is defined by its rational capacities, so only general principles can have this basic status; other commitments are contingent and subject to revision if, for example, new facts come

3. A view advanced, e.g., in R. M. Hare, *Moral Thinking* (Oxford: Clarendon Press, 1981).

4. J. Rawls, *A Theory of Justice* (Cambridge, Mass.: Harvard University Press, 1971), chap. 3.

to light which demand this. In contrast, consider a second view of ethical agency in which the subject is seen as already deeply embedded in social relationships. Here the subject is partly defined by its relationships and the various rights, obligations, and so forth that go along with these, so these commitments themselves form a basic element of personality. To divest oneself of such commitments would be, in one important sense, to change one's identity. On this view, the agent can still aspire to rationality, but the rationality in question cannot be that of abstract principle. Rather it consists in the capacity to reflect on existing commitments, jettisoning some and reaffirming others, depending on how they stand up to scrutiny. How might such rational appraisal proceed?

First, each commitment can be examined singly to see whether it stands up to the facts of the case, so far as these can be ascertained. For instance, I may have pledged my loyalty to a group of people, but it turns out on closer inspection that the group does not really exist as a group, in the sense that no one, except myself, takes his or her commitment seriously. My commitment is based on false assumptions and, once these are brought to light, it must simply evaporate. (In a similar way, it is possible to *discover* commitments by reflecting on what is already the case.)

Second, one can investigate the coherence of one's existing set of commitments—that is, the extent to which the understanding of personal identity provided by each is consistent with that provided by the others. For instance someone committed both to being a caring father and to being a ruthless tycoon might come to believe that this involved an incoherence—not in the relatively superficial sense that the two commitments might require incompatible actions on certain occasions,⁵ but in the deeper sense that he simply could not be both kinds of person at the same time; that the qualities needed to be a good father just could not be reconciled with those needed to be a tycoon. Having reached this point, he must then decide which of his two commitments really is the more fundamental.

These remarks are made to deflect the charge that ethical particularism is simply an irrationalist outlook which elevates our existing prejudices to the status of objective truths. Plainly it does embody a less sweeping notion of rationality than universalism, which tends to identify rationality with the adoption of the impersonal point of view. But it is not so clear that this is finally a drawback.⁶ An ethical theory must presumably have

5. Anyone whose ethical outlook embraces a number of distinct commitments must be prepared to make judgments of priority when the demands of these commitments clash (e.g., whether to put friends or family first in a particular case). But such conflicts do not show that the commitments themselves are mutually incoherent. What I am envisaging in the text are commitments which draw upon incompatible qualities of character, so that someone trying to embrace both would experience a crisis of identity, not merely a problem of practical choice.

6. See the fuller discussion in A. MacIntyre, "Is Patriotism a Virtue?" (Lawrence: University of Kansas, Department of Philosophy, 1984), secs. 3–4.

practical ambitions in the sense that it aspires to be the theory which people will use to guide their activities. If the theory embodies a view of the subject which is far removed from people's actual experience of agency, what claims can it make on them? Why should they accept its interpretation of rationality? Put slightly differently, the issue is one of ethical motivation. Impartial reason dictates that I should perform such-and-such an action: but why should that give *me* a reason to perform it? These issues have been pursued in far greater depth than is possible here, for instance by Michael Sandel in his critique of the Rawlsian theory of the self⁷ and by Bernard Williams in his displacement of "morality"—a term he reserves for universalist theories of obligation—from the central position in ethics.⁸ My aim has been not so much to defend particularism as to indicate why it is at least a plausible view, and to show how it differs from universalism.

III

I now want to show—what may already be intuitively clear—that if nationality is going to have an ethical significance, it must be from a particularist perspective. I do not at this stage attempt to demonstrate that nationality *does* have such a significance. My concern is only to investigate what we need to assume for this even to be a possibility. Universalism can generate surrogates for national attachments but not the genuine article. The main options for the universalist are outlined in Robert Goodin's contribution to this symposium, so I will simply draw on that discussion to make the point.

If we seek to demonstrate, from universalist premises, that people owe special duties to their compatriots, there are broadly two ways in which we can attempt to do so. First, we can interpret the significance of social boundaries, in contractual or quasi-contractual terms (this approach is likely to recommend itself to Kantians). As Goodin puts it, we are to think of nations as "mutual benefit societies" in which our special obligations to fellow countrymen are derived from our common participation in a practice from which all may expect to benefit—perhaps along the lines of the principle of fair play defended by Hart and Rawls.⁹ But this approach is fraught with difficulties. We have first to show that the scope of the mutual benefit practice coincides with existing social boundaries, rather than running within them or across them.¹⁰ Then we have

7. M. Sandel, *Liberalism and the Limits of Justice* (Cambridge: Cambridge University Press, 1982).

8. B. Williams, *Ethics and the Limits of Philosophy* (London: Fontana, 1985).

9. R. Goodin, "What Is So Special about Our Fellow Countrymen?" in this issue, sec. 4; H. L. A. Hart, "Are There Any Natural Rights?" in *Political Philosophy*, ed. A. Quinton (Oxford: Oxford University Press, 1967); Rawls, secs. 18, 52.

10. For an attempt to derive international obligations in this way, see C. Beitz, *Political Theory and International Relations* (Princeton, N.J.: Princeton University Press, 1979), pt. 3, chap. 3. For criticism, see B. Barry, "Humanity and Justice in Global Perspective," in *NOMOS XXIV: Ethics, Economics and the Law*, ed. J. R. Pennock and J. W. Chapman (New York: New York University Press, 1982).

to show that mutual benefit logic accurately models the obligations we do in fact acknowledge to fellow countrymen.¹¹ Beyond these there is a further difficulty that is particularly salient for my purposes. Obligations of this kind are clearly tied to established practices. If there currently exists a practice toward which all participants contribute in some way, and in return receive certain benefits, then as a beneficiary I have an obligation to contribute. But in the absence of the practice I clearly have no obligation of this kind, even if the practice would be beneficial to me and others if it did exist (and therefore *ought* to exist). This suggests that, if the contractual argument works at all (leaving aside the two earlier difficulties), it will be targeted on states rather than nations. States, with their codified systems of rules, *might* qualify as mutual benefit societies. Nationality, however, is not so much a cooperative practice as the *grounding* for such a practice. It is because we already share an attachment to our compatriots that we support the setting up of mutual benefit practices and the like. The ethical significance of nationality is not obliterated if, for some reason, the practices in question do not exist.¹² So if we assume that nationality *does* have an ethical significance, it will not be captured in these terms.

An alternative approach is contained in Goodin's suggestion that we see social boundaries as a convenient way of allocating responsibilities that themselves derive from general duties.¹³ This in general is how utilitarians may be expected to approach the boundaries issue—essentially as a solution to a coordination problem. This approach, too, has difficulties which occur at different levels. At ground level we face the fact that boundaries enclose sets of people whose mean standards of living vary very greatly, so if the general duty from which the special responsibilities derive is something like a duty to promote welfare (to meet needs, to relieve suffering, etc.), it would seem odd to put the well-off in charge of the well-off and the badly-off in charge of the badly-off. To put this another way, simple coordination rules, like "Help the person standing next to you," make sense when, as far as we know, each person is equally in need of help and each is equally able to provide it. But this is hardly an accurate representation of the international scene. De facto, of course, British officials have been "given responsibility" for the welfare of Britons, and so forth, but the question must be whether this is the mode of assigning responsibilities that the general principle demands.

This leads naturally to the second level of difficulty, which is similar to that facing the contractual account. It may be possible to find considerable room for conventions in a consequentialist ethical theory on the grounds that it often matters much more that *someone* should discharge a duty

11. See Goodin, sec. 4.

12. I leave aside here the difficult question whether attachments that have no practical expression can survive indefinitely. Certainly there seems to be a feedback mechanism whereby attachments motivate practices of mutual aid that in turn strengthen feelings of attachment.

13. Goodin, sec. 5.

than that some particular person should. But this line of thought leads us toward states as the institutions which currently assign most of the relevant responsibilities. Nationality as such has no place in this picture. If we move away from existing conventions toward those conventions which we can show to be optimal from the point of view of our underlying goal (e.g., the promotion of welfare), along the lines suggested in the last paragraph, it is again difficult to see where nationality can get a foothold. The consideration which, for instance, would justify us in assigning primary responsibility for children to their parents (essentially that parents are very likely to be in the best position to know what the child's interests are) can hardly be extended to nations, composed as they are of people who are mainly strangers to one another, with widely varying patterns of life.

I conclude that the most plausible accounts of special duties from a universalist perspective will give no weight to nationality. The universalist may of course reply, "So much the worse for nationality." I want instead to take the claims of nationality seriously, which therefore means examining them according to particularist criteria. At the end I shall throw some crumbs to comfort the universalist.

IV

It is perhaps not a surprise that when particularists offer examples to rebut the claims of universalism, they usually choose very specific attachments to make their point, in the expectation that these will carry most weight with their readers. Forster's remark, "If I had to choose between betraying my country and betraying my friend, I hope I should have the guts to betray my country," seems now to represent the conventional wisdom. But does this merely signify a failure of nerve on the part of the particularist? If his aim is to replace the abstract individual as ethical subject with the embedded individual, then it might seem that he should give pride of place, among constitutive attachments, to those that are *not* voluntarily acquired and therefore not a matter of choice. This would leave family, ethnic group, and nation as prime candidates, and of these the family seems, as our century advances, to be taking on more and more the characteristics of a voluntary institution. Why, then, is there so much coyness about holding up national allegiances as precisely the kind of attachments that make up the substance of ethical life, properly understood? Part of the reason, obviously, is the twentieth-century experience of rampant nationalism, an experience distasteful to liberals and the Left alike. But behind this lies a feeling that 'the nation' is itself a suspect category and therefore not a fitting object of loyalty. One way of expressing this doubt is to say that nations are, in Benedict Anderson's phrase, "imagined communities."¹⁴ Those who acknowledge national

14. B. Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (London: Verso, 1983). Anderson draws particular attention to the importance of the printed word in allowing dispersed bodies of people to think of themselves as belonging to a single community.

attachments believe themselves to be bound to their compatriots by ties of community, but these ties are in an important sense fictitious. Thus, it is claimed, national allegiances cannot withstand rational reflection, even of the more limited kind recognized by particularists. Such reflection would reveal the imaginary quality of the community in question and, in so doing, destroy it as a possible object of allegiance.

In one sense it is clear that nations cannot be genuine communities. If a community is a face-to-face group based on personal acquaintance and direct practices of mutual aid, then it is obvious enough that nations cannot qualify. But this understanding of community is a very narrow one. Normally we would speak of community in cases where a group is held together by common recognition, a shared culture, and mutually acknowledged obligations, even where the group is spatially dispersed and its members are not all linked by personal acquaintance. It is in this sense that we speak of ethnic groups as constituting communities ("the Jewish community," for instance), and this seems a justifiable extension of the concept.

However, this only serves to sharpen the problem. For it is characteristic of nations that their identities are formed not through spontaneous processes of ethnic self-definition but primarily according to the exigencies of power—the demands of states seeking to assure themselves of the loyalty of their subjects. Nationality is to a greater or lesser degree a manufactured item. This is brought out in Anthony Smith's recent study of the formation of nations out of older ethnic communities.¹⁵ Smith distinguishes broadly between two cases. In the first, the nation is based on a single dominant ethnic group, and the culture of that group is imposed more or less successfully on ethnic minorities falling within the territorial boundaries of the emergent nation. In the second, a dominant culture is lacking and has to be forged in order to create a nation out of a series of disparate ethnic groups. In both cases, but especially the second, nation-building is a work of invention, in particular the invention of a common national past. As Smith puts it, "If the nation is to become a 'political community' on the Western territorial and civic model, it must, paradoxically, seek to create those myths of descent, those historical memories and that common culture which form the missing elements of their ethnic make-up, along with a mutual solidarity. It must differentiate itself from its closest neighbours, distinguish its culture from theirs, and emphasize the historic kinship of its constituent *ethnie* and their common ties of ideological affinity. This is done by creating or elaborating an 'ideological' myth of origins and descent."¹⁶

Let us take it, then, that nations require histories which are to a greater or lesser degree "mythical" (as judged by the standards of impartial scholarship) and that those stories are not only needed at the time during

15. A. D. Smith, *The Ethnic Origins of Nations* (Oxford: Blackwell, 1986).

16. *Ibid.*, p. 147.

which a national identity is first being created, but they also pass into that identity itself—so that in order to understand what it means to be French or Greek, one has to accept (some version of)¹⁷ the common story. Do these facts imply that national loyalties cannot withstand rational reflection?

To answer this question we need to make a distinction between beliefs that are constitutive of social relationships and background beliefs which support those constitutive beliefs. To illustrate the former, consider the example of friendship. For A and B to be friends, it must minimally be true that each is willing to put himself out for the other. Suppose that A believes that B would put himself out, but in fact the belief is false. B is merely a fair-weather friend: should an occasion arise on which he is called on to sacrifice something for A's sake, he will certainly renege. A's loyalties to B are then drained of their value, since the reciprocal attitudes that constitute friendship are not in place. An indicator of this is that A, if he is rational, must want to be informed if indeed it is the case that his 'friendship' is not being reciprocated.¹⁸

But now consider a different case. Suppose there is a family, call them the Smiths, who exemplify all the best features of that institution: there is love, mutual support, and a wide range of activities performed in common. If asked what it is that makes these attitudes to one another appropriate, the Smiths would point, among other things, to the fact that members of the family are biologically related. Suppose now that owing to some dreadful mix-up at the hospital, one of the Smith children is in fact not a Smith. We can then say that the family relationship is backed up by a false belief: the love and concern they feel for one another is supported by a supposed genetic connection which in one case fails to obtain. But a falsity of this kind does not mean that the attachment of each member to the family is itself valueless. The *constitutive* beliefs are all in order; each does genuinely identify with the family unit, and his beliefs about the others' attitudes are correct. In contrast to the first case, it would not be rational in these circumstances to want to have the false belief brought to light.¹⁹

17. Very often political disputes within a nation will surface as disputes about the precise character of the national past—see for instance the intense competition between Whig and Tory accounts of English history in eighteenth-century Britain. But the competing accounts will recognizably be different versions of the same general story with many basic facts not in dispute.

18. If A resists the passing on of this information, then the emotion he feels for B is not friendship but love, which (proverbially) is blind.

19. Some may think that it is always rational to divest yourself of irrational beliefs, but this is a superficial view. Here we are on Jon Elster territory. See, e.g., his discussion of "decisions to believe" in J. Elster, *Ulysses and the Sirens* (Cambridge: Cambridge University Press, 1979), sec. 2.3. The essential point is that there may be beliefs which it is valuable for a person to have in the light of his underlying goals, in which case it is rational for him to set up mechanisms which ensure that he has them (and, if necessary, which protect the beliefs from later rational scrutiny).

If we apply this distinction to the case of nations, the imagined national past, which as we have seen appears to be an essential element in the process of nation-building, must count as a background (rather than constitutive) belief. It does of course matter (given my definition in Sec. I above) that nations should see their identities as extending over time, but the constitutive belief is only that there should be some national past. The particular story which a nation tells itself about its past is a background belief. It is important that the story should be generally believed—or to put the point more precisely, that there should be substantial convergence in the versions of the story that are believed²⁰—but not that it should be historically accurate.²¹ Indeed, since the story is told for the purpose of self-definition, and since the nation's self-definition bears on the goals that its members will try to pursue in the future, we should expect a dynamic nation, actively engaged in critical debate on its common purposes, regularly to reinterpret the past as well.

But there may be doubts whether the distinction I have invoked can do all the work that it is needed to do. For even if we can successfully interpret the national past as a background belief, we may not be able to do the same with the national present. Nations need a common view about what they now are; a view about what distinguishes membership of this nation from membership of others. To use an old-fashioned phrase, they need some conception of "national character." But, it might be urged, these beliefs are also to a large extent mythical, in the sense that they attribute a spurious homogeneity to a set of people who, if looked at objectively, vary enormously in values, lifestyles, cultural attributes, and so on. And this observation destroys a *constitutive* belief, because it is constitutive of national identity that members of a nation should have characteristics in common which make it appropriate for them to be lumped together politically, rather than parceled out in some other way. Take away national character and all we are left with is *de facto* boundaries between states.

To rehearse the most persuasive version of this objection, the real bases of social identity are ethnic groups defined by their shared inheritance of strong cultural traits. Nationalities are heterogeneous populations, *masquerading* as ethnic groups, which often in practice means that the dominant ethnic group has its cultural norms paraded as the national culture, with other groups being ignored and by implication disparaged.

As a description of existing national practice, this criticism obviously has much force. But we need to ask to what extent it is essential to the very idea of nationality that it should trespass in this way on ethnicity. The question could be posed in this form: Can we separate nationality

20. See n. 17 above.

21. Historical accuracy is not important from the point of view of constituting the nation. In a wider perspective, it may make a good deal of difference how far removed the national myths are from historical truth. If the distance is great, this may have serious repercussions for scholarly research and intellectual toleration generally.

from ethnicity without collapsing the former into mere adherence to a set of political institutions? Nationality must be something more than de facto citizenship. It must amount to a common identity that *grounds* citizenship. Can it be this while still being less substantial than ethnic affiliation?

To ask this question is to ask whether there can be a public culture that is shared among groups of people with differing private cultures. How tenable is such a public/private distinction? Some elements of culture seem to fall naturally on one or the other side of this dividing line. Political beliefs—beliefs, say, in social equality or in toleration—fall into the public realm. Styles of dress, tastes in food, and forms of music fall into the private realm. Among the more difficult cases are likely to be language and religion. Language is obviously frequently used to designate ethnicity; at the same time it can hardly be considered irrelevant to nationality, since national identity needs linguistic expression (in speeches, histories, and so forth) and the form of the expression, on most theories of language, modifies what is expressed. One need not accept the strong Herder line on the centrality of language to nationality to see that a nation made up of ethnic groups none of which is willing to have its language relegated to the private realm is in difficulties.²² The problems posed by religion are less sweeping, but in practice many nations surround important occasions (investitures, state funerals, memorials to war dead) with religious ceremony, and the ceremony must draw on some tradition or other. Limited ecumenical gestures are possible: Catholics can be invited to participate in Protestant rites (and vice versa) without much difficulty, but it would be hard to envisage this offer being extended to, say, Buddhists.

It is therefore almost inevitable that there will be areas in which nationality *does* trespass on ethnicity and the fostering of national identity will require the curtailment of certain aspects of ethnic identity in the interests of creating and maintaining a common public culture.²³ The extent of the trespass will depend on the particular national identity in question. To the extent, for instance, to which national rituals can be given secular trappings, there need be no intrusion on the religious element in ethnic self-definition. Equally, some ethnic identities are less vulnerable to intrusion than others. If a group can define itself entirely by, say, descent and private social practices (a group like Italian-Americans, e.g.) there is no reason why ethnic identity and national identity cannot peacefully coexist, one nesting inside the other. So the size of the problem depends on empirical facts. But we cannot in general hope that it will disappear entirely. Either national identity is to a degree fraudulent

22. Herder's view was that nationality required the perpetuation of a distinct language in every nation. See *Herder on Social and Political Culture*, ed. F. M. Barnard (Cambridge: Cambridge University Press, 1969).

23. I have explored this further in "Socialism and Toleration," in *Justifying Toleration: Conceptual and Historical Perspectives*, ed. S. Mendus (Cambridge: Cambridge University Press, 1988).

because it supposes a cultural homogeneity which is denied by the existence of ethnic divisions, or it is genuine, but at the expense of overriding lesser identities, which, so it is argued, are more authentic because they arise in a less artificial way.

V

How might we respond to this critique of nationality? There are broadly two strategies. One remains within a particularist framework and tries to defend national identities from within—tries, that is, to defend the nation as an object of attachment in cases where this loyalty would conflict with other (especially ethnic) loyalties. The other looks at the issue in universalist terms and tries to show why, on impartialist criteria, it is a good thing for people to have such attachments. These strategies are not incompatible, though particularists will of course view the second as an irrelevance. I shall offer brief sketches of both.

From a particularist perspective, the first move is to show that the nation as an object of allegiance is not necessarily in much worse shape than other possible objects. Taking it for granted, in other words, that it is valuable for individuals to form attachments to various groups and institutions, we go on to challenge the view that there is something especially inappropriate in regarding nationality in this way. In particular, we may challenge the assumption that ethnicity is a more genuine form of allegiance than nationality. What makes this assumption plausible is that it is often fairly easy to see how national identities are being created and manipulated in the interests of those who hold (or aspire to hold) power in particular states. But ethnic identities, too, are far more plastic than they usually appear to be to those who define themselves by these identities. If we look historically at the ways in which specific ethnic groups have adapted their self-definitions and criteria of inclusion to advance their economic interests or social status,²⁴ we will see that ethnic identity is often as “fictitious” as national identity, in the sense that the self-understanding of an ethnic group relies on an interpretation of the past which is not borne out by the facts. Since, moreover, ethnicity is *defined* by descent, this revelation is liable to be more corrosive than the equivalent revelations about the national past. The point, then, is that ethnic identities tend to adapt spontaneously, in response to the economic or social needs of group members at any moment, whereas national identities tend to be manipulated consciously: this makes the artificiality of national identities more visible, but it is not at all clear that it makes national identities any less eligible as objects of loyalty.

Moving on to the offensive, it can be said in favor of nationality that the nation is potentially a self-sufficient object of allegiance and therefore one that is subject to rational control. If national aspirations are fulfilled,

24. See D. L. Horowitz, “Ethnic Identity,” in *Ethnicity: Theory and Experience*, ed. N. Glazer and D. P. Moynihan (Cambridge, Mass.: Harvard University Press, 1975).

and the nation gains political autonomy, then it has the chance to determine its own destiny—subject, of course, to the activities of other members of the system of states. Some nations are just not viable, either for internal or for external reasons; but where nationality works, so to speak, members of the nation can exercise at the collective level the equivalent of autonomy at the individual level; that is, they can shape their future (including their own future character) by conscious decision, on the basis of a self-understanding informed by a common past.²⁵ Ethnic groups, having no aspirations to political autonomy, can hold out no such promise. They are at the mercy of nations, and whether a particular ethnic identity remains viable—whether one can maintain it without sacrificing other commitments to an intolerable degree—depends on the contingencies of national politics. That is not an argument for abandoning ethnicity in favor of nationality, but for harmonizing the two: it is an argument for having national allegiances that promise to protect your ethnic ties.²⁶

Let me stress that this is not intended as an argument *for* national loyalties, in the sense of an argument that might appeal to someone starting out ethically with a clean slate. In particularist terms there can be no such argument: crudely speaking, either one has loyalties or one does not (this is too crude, because as I suggested earlier, one may be involved in social relationships that demand loyalty, but initially one may not grasp this fact; so there is room for persuasion). The argument is directed toward someone who feels the pull of nationality but thinks he has good reason to reject that pull; specifically, someone who is willing to entertain particularist commitments but believes that there is something fishy about nationality. To this person I have tried to present the nation as potentially a worthy object of allegiance, though without giving an *a priori* guarantee that an acceptable national identity will always be available.

VI

What can be said for nationality from a universalist perspective? Since I have already argued that universalist arguments for limited obligation will not converge on nationality, the answer might seem to be “nothing.” However there are forms of universalism that may claim to avoid this conclusion. One is the generalized analogue of what Bernard Williams has nicely labeled “Government House utilitarianism.”²⁷ This is the view that only a select minority are capable of guiding their ethical behavior

25. I hope it is clear that appealing to national identity in political debate is very different from endorsing the policies pursued at any time by the ruling authority. A patriot can be a radical critic of existing policy (and even, at some level, of existing institutions). This point is well made in MacIntyre, sec. 4.

26. There are of course cases in which harmonization is impossible, since the available national identity contains elements that are directly hostile to the ethnic group in question—the situation of Jews in Nazi Germany, for instance. Here the only option is to formulate an alternative nationality.

27. Williams, pp. 108–10.

by universalist criteria; the remainder—the natives, as it were—need a localized set of rules that they do not attempt to derive from universal principles. Williams introduces this view in order to deride it, and we should follow him. A more appealing view looks for reasons *holding for every agent* for not applying universalist criteria directly to one's choice of action. A position of this kind requires that whatever has basic ethical value can in general only be created as a by-product of activities aimed overtly in a different direction. Philip Pettit, for example, has presented such a consequentialist case for acknowledging various specific loyalties.²⁸ The argument, essentially, is that the security of expectation that these loyalties bring—a consequentialist value—depends on the agents involved *not* taking up a calculating stance when deciding how to act. To make this stick, we would have to show how it is possible for agents to maintain a universalist conception of basic value while regulating their actual behavior by particularist standards (such as loyalties to friends and to groups). Does the universalist standard have practical force, and if so how are agents to avoid consulting it when deciding how to act? Or, to put the point the other way round, can loyalties be genuinely maintained if their ultimate justification (for the agent, not merely for an impartial spectator) is couched in universalist terms? What sort of moral psychology would make this possible? Suppose, though, that these doubts could be resolved and a Pettit-type position maintained. What could be said specifically in favor of nationality as a focus of loyalty?

The answer will depend on which universalist criteria we have in mind. I want to focus here on a particular principle of distributive justice, the principle of distribution according to need. There are two important respects in which this principle depends for its implementation on identifying a relevant community. First, since the principle is comparative in form—it specifies how people are to be treated relative to one another²⁹—it requires that its field of application be identified. We have to know *which* people are to have their needs considered. Second, we must also know what is to count as a need. As soon as we move beyond indisputable biological needs, a social element enters the definition. A person's needs will be whatever they must have in order to enjoy a minimally decent existence in *this* society with its particular pattern of life. This is the truth in Michael Walzer's remark that "the idea of distributive justice presupposes a bounded world within which distribution takes place: a group of people committed to dividing, exchanging, and sharing social goods, first of all among themselves."³⁰ However, we have still to

28. P. Pettit, "Social Holism and Moral Theory," *Proceedings of the Aristotelian Society* 86 (1985–86): 173–97; P. Pettit and G. Brennan, "Restrictive Consequentialism," *Australian Journal of Philosophy* 64 (1986): 438–55.

29. For amplification of this point, see my "Social Justice and the Principle of Need," in *The Frontiers of Political Theory*, ed. M. Freeman and D. Robertson (Brighton: Harvester, 1980).

30. M. Walzer, *Spheres of Justice* (Oxford: Martin Robertson, 1983), p. 31.

determine what the scope of this “bounded world” should be. There is nothing strictly incoherent in seeking to extend its range to cover the whole globe. Nonetheless, such an extension would be wildly implausible. We do not yet have a global community in the sense that is relevant to justice as distribution according to need. There is no consensus that the needs of other human beings considered merely as such make demands of justice on me, nor is there sufficient agreement about what is to count as a need. It is therefore unrealistic to suppose that the choice lies between distributive justice worldwide and distributive justice within national societies; the realistic choice is between distributive justice of the latter sort, and distributive justice within much smaller units—families, religious communities, and so forth.

The universalist case for nationality, therefore, is that it creates communities with the widest feasible membership, and therefore with the greatest scope for redistribution in favor of the needy. Smaller units would be hampered by their limited resource base; wider units, although advantageous for the reverse reason, would be unable to generate a distributive consensus. Backhanded testimony to the truth of this proposition can be obtained from those classical liberals who have been opposed to distributive justice, and by extension to nationality, as the basis for the state. This was Acton’s argument for a multinational state,³¹ and the same thought fuels Hayek’s anxiety that liberal ideals are currently being threatened by “the inseparable forces of socialism and nationalism,” which themselves represent a recrudescence of “tribal sentiments” wholly inappropriate to the “Great Society.”³² The liberal objection to nationality, then, is that it may create a consensus for redistribution at a level which allows redistributive ideals to be implemented politically rather than merely by voluntary transfers.

We may still be tempted to reply: if distributive justice can only function within communities with predefined memberships, so much the worse for distributive justice. Our concern should be with the sick and the starving regardless of membership and regardless of how we conceptualize our obligations to them. The question this raises is whether we should think of ethical concern as a commodity in limited supply, such that if we intensify our concern for our fellow countrymen, we diminish our concern for those outside our borders. I have no space here to tackle this question properly, but it is worth saying that the picture of ethics implied in it is far from self-evident. Indeed a very different picture is intuitively more plausible: so long as different constituencies do not impose conflicting demands on our ethical capacities, a strengthening of commitment to a smaller group is likely to increase our commitment to wider constituencies. Empirically it does not seem that those most

31. See Barry, “Self-Government Revisited,” p. 131.

32. F. A. Hayek, *The Mirage of Social Justice*, vol. 2 of *Law, Legislation and Liberty* (London: Routledge & Kegan Paul, 1976), pp. 133–34.

committed to distributive justice at home are in consequence less inclined to support foreign aid.

Let me stress in conclusion that I have not attempted here to derive national allegiances from universalist standards. The argument in Section III still stands: if we begin from universalist criteria, we shall not end up with nationality as the optimal basis for special obligations. The point rather is that if we start out with selves already heavily laden with particularist commitments, including national loyalties, we may be able to rationalize those commitments from a universalist perspective. Whether we should *seek* to do so is another matter, and it depends on how successfully we can resist the pull of a universalism which, as I remarked at the outset, is so prominent a feature of contemporary ethical culture.