THE POLITICS OF ETHNONATIONAL IDENTITY

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Ethnonational conflicts such as the one which has raged in Northern Ireland for almost four decades pose daunting problems for normative analysis because of the complexity of the theoretical and practical issues at stake. Among other things, there is no uncontroversial standpoint from which one can analyze their historical determinants because they turn in part on individual and collective identities and self-understandings that are shaped by opposed interpretations of history. And since competing moral claims are central to such conflicts, analyses of their rights and wrongs or proposals for their just resolution are likely to lend support to some party and to be resisted as threatening by others. This is not a counsel of despair, however, for insofar as competing factual and normative claims play an important role in these conflicts, empirical and normative analysis can in principle challenge some of the preconceptions that make them seem so intractable, and thereby contribute toward constructive institutional proposals for addressing them. Yet although a suitably nuanced analysis can counter defeatism, it remains true that ethnonational conflicts do not generally admit of definitive resolutions even under favorable circumstances, among other things because the competing moral claims of the parties are genuine and urgent, the mechanisms through which support is mobilized behind them are responsive only to a limited extent to normative considerations, and the institutional preconditions for achieving compromise and consensus are lacking. As a consequence realistic normative proposals should take as their goal the creation of political mechanisms designed to pacify conflicts and promote compromises, while recognizing that opposed conceptions of identity are likely to persist and with them the potential for future conflict.

In this paper I will draw on comparative theory of ethnopolitical conflicts and constructivist accounts of ethnicity and nationality to criticize normative approaches to ethnonational conflicts that focus on a right to culture and propose a more promising democratic alternative. This body of theory challenges traditional oppositions between “ethnic” and “civic” nationalism as a basis for normative analysis of ethnopolitical conflicts. The view that nations
are prepolitical ethnocultural communities ignores the fact that ethnonational identities are inseparable from the dynamics of modern mass political movements. But rejecting the “ethnic” conception is consistent with recognizing the important role that notions of ethnicity play in representations of national identity, provided they are understood as cultural constructs that respond to shifting historical and political constellations. The “civic” interpretation of nationality as a legal status constituted by citizenship of a nation-state and identification with its constitutional principles, downplays the enduring importance of substantive communal and cultural attachments as a source of identity and solidarity for modern subjects. And whereas the civic model has considerable appeal as a normative ideal of political identity within established liberal democracies, it has no direct relevance for ethnonational conflicts in which competing national identifications and claims are stakes in struggles over which group is to exercise hegemony over a particular territory.  

In the past decade proponents of liberal nationalism have sought to stake out a more differentiated position on national conflicts by emphasizing the role that national cultures play in facilitating the exercise of individual autonomy. Taking their orientation in part from the multiculturalist politics of identity, liberal nationalists argue that national minorities have a legitimate interest in the flourishing of their cultures that grounds a qualified right to national self-determination. This argument is tailored to minority national movements in liberal democracies that embrace liberal values of pluralism and toleration; however, its relevance to ethnonational conflicts, in which shifting definitions of national identity and culture are stakes in struggles for hegemony over a given territory, is questionable. In such cases interpretations of national identity and culture cannot be separated from the opposing political claims of the parties to the struggle, because public representation and enactment of identity is driven in part by the imperatives of political mobilization in support of national goals. Under such conditions, the fact that a group defines itself as a nation with a cultural and historical connection to a particular homeland cannot provide a moral justification for national political rights where another group makes an opposing claim on similar grounds. Indeed, under conditions of conflict each group’s
way of defining its identity and culture tends to take on exclusionary forms predicated on the
denigration of those of their competitors, so that recognition of the cultural rights of one would
mean denying recognition to the others.

In the first part of the paper I will draw on features of the Northern Ireland conflict to argue
that the conceptions of ethnicity and nationality at work in ethnonational conflicts must be
understood as dynamic social, cultural and political constructs that are mobilized and evolve in
the context of modern political struggles.¹ They are neither prepolitical givens nor creations of
elite political entrepreneurs but are grounded in a variety of markers of identity, some with real
historical roots, that acquire political salience in the course of political mobilizations in which
their interpretations are tailored to political goals. Depending on the constellation of political
forces, different social agents, including political leaders, civic associations, grass-roots protest
movements, and paramilitary groups, may take the lead in mobilizing a community behind
national political goals; and the latter may have greater or lesser support within the community
depending on how they are defined, the tactics used to pursue them, and people’s perceptions of
the likelihood of their success. What is ultimately at stake in ethnonational struggles is national
hegemony, that is, sovereign political control over a territory that members of the national group
regard as their ancestral homeland. Where opposed national groups raise competing claims to
hegemony over a territory that each of them views as a homeland, the situation has the potential
to escalate into a cycle of suppression and resistance, in the course of which politically salient
interpretations of identity tend to take on offensive and defensive forms that involve denigration
or nonrecognition of the identities of opponents. Under such conditions representations of
identity may assume pathological forms that tend to sustain conflict by increasing the
psychological and political costs of compromise. Hence any realistic political proposals for
overcoming ethnonational conflicts must include mechanisms for defusing the conflict potential
of pathological structures of identity by opening the social and cultural mechanisms through

¹ I am not assuming that the Northern Ireland conflict is typical of all ethnonational conflicts, only that it exhibits
processes and forces that are also at work in other conflicts. It is also one of the most extensively discussed and
studied, so that most of the major empirical and normative approaches have featured in ideological and scholarly
which they are constructed to criticism and transformation.  

In the second part I will examine normative analyses of ethnonational conflicts inspired by the multiculturalist “politics of identity,” in particular those proposed by advocates of liberal nationalism. These have the merit of acknowledging the importance of national identification to modern subjects while recognizing that national identities are in part products of cultural and political construction. However, the liberal nationalist defense of a right of national self-determination as a right to culture is based on a controversial account of the cultural bases of national identity: whether we conceive culture in a narrow sense as one marker of national identity among others, or in a broad sense as the totality of practices through which national identity is publicly represented, enacted, and reproduced, it cannot provide a coherent moral basis for national political rights. The limitations of an approach in terms of cultural rights is particularly apparent in the case of ethnonational conflicts in which cultural constructions of identity are shaped by competing political claims. By contrast, I will argue, following Lea Brilmayer, that the justice of national claims does not derive from the status of the nation as a cultural community but from the independent underlying moral claims of the contending groups, such as a history of oppression, occupation or forced assimilation.

But achieving clarity concerning the underlying moral claims of parties to ethnonational conflicts will not take us very far toward resolving them in the absence of legal and political mechanisms for impartial adjudication of competing claims and arriving at fair compromises that can command legitimacy in the eyes of all parties. The challenge for normative theory is to develop models of democratic governance that address the security and justice concerns of all communities involved by granting them political control over aspects of their lives that affect their vital interests as they understand them, whether through a power-sharing arrangements or,

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2 I will limit my remarks to cases in which the only viable solutions are ones that involve the continued coexistence of the competing groups on the disputed territory. In some cases territorial divisions or secessions, with or without transfers of populations, may represent viable solutions (cf. Lijphart 1977: 44-7; Horowitz 1985: 588ff.); but since such proposals generally meet with violent resistance from some parties to conflicts, and relocations of populations invariably pose major problems of justice, I take it that such cases are rare (the recent separation of the Czech Republic and Slovakia being an exception). In the case of Northern Ireland, proposals for resolving the conflict that involve repartition of the territory to create a majority Protestant-Unionist enclave in the easternmost counties have little political support in either community.
where the communities are geographically concentrated, a federal arrangement with significant local political autonomy. An important goal of constitutional and institutional design must be to promote forms of public expression and recognition of national identities that undercut the mechanisms that foster pathological interpretations of identity predicated on the denial of the identity of others. And since the conflictual logic of exclusionary identity politics is driven by competition for political hegemony, a precondition for overcoming its destructive dynamics is the repudiation of the ideal of national self-determination that is predicated on a unitary and exclusive model of territorial sovereignty.

(1) The cultural dynamics of ethnonational conflicts:
The Northern Ireland conflict exhibits the characteristic features that make ethnonational conflicts so resistant to empirical and normative analysis. A balanced assessment of its causes and determinants would have to take account of political, economic, social, religious, and cultural factors, among others, and the shifting constellations they have formed over time. The outstanding internal political determinant of conflict was the long-running unionist monopoly on political power and the material and symbolic privileges, whether absolute or relative, that this conferred on all sectors of unionist society, though unionist hegemony was maintained by at least formally democratic means. The most important external determinants were the position of the British government—as the sovereign power with ultimate control over fiscal and security policy, its confidence was essential to the credibility of the permanent unionist regime—and, to a lesser extent, that of the Irish government, whose irredentist claim to sovereignty over the territory legitimated nationalist opposition and provided a justification for unionist hegemony. Economic issues, in particular grievances over employment and housing discrimination, played an important role in mobilizing nationalist resistance; but they were not determinative, since they had existed long before the conflict heated up, and it is unlikely that removing discrimination

3 For a brief overview, see the Appendix.
4 Significantly, the British government reimposed direct rule in 1972 after nationalist mobilization had publicized political and economic injustices and revealed the tenuous legitimacy of the regime (or at any rate its inability to maintain public order without resorting to coercive methods).
alone would have pacified the conflict. Social, religious and cultural factors are all germane to the production and reproduction of communal identities and how the latter interact with political and economic forces to precipitate and sustain conflict. Important aspects of the organization of social life in Northern Ireland such as separate educational institutions, segregated housing and low rates of intermarriage clearly played an important role in reinforcing and reproducing communal boundaries, and hence separate communal identities. Religious differences are essential to explaining the existence of these social factors, since institutional segregation was religiously motivated; however, religious difference cannot fully explain the persistence of social segregation, since, in common with the trend toward secularization in all Western societies, significant proportions of both communities are no longer observant. This illustrates the seemingly paradoxical fact that one of the principal markers of the group identities and differences that define the fronts of the conflict, namely, religious affiliation, is no longer central to the motives and aims of most of those involved in it. This paradox can be dispelled once we recognize that the salience of religion to the conflict is not a function of the doctrinal and ritual content of the religions themselves but of the cultural significance of religion as a marker of identity.

Since group identity and culture are central to debates over the rights of national groups, it

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5 Likewise, unionists who argued that unification with the Republic was not economically viable have not been persuaded to rethink their political stance by the recent improvement in the economic position of the Republic relative to Britain. In general, economic determinants of ethnonational conflicts are inseparable from political factors, for people’s beliefs concerning whether or not they are suffering discrimination are inseparable from their confidence in the legitimacy and fairness of the major political institutions that influence access to economic opportunities. Once grievances over discrimination precipitate a conflict between a dominant and subordinate group they are unlikely to be removed short of reform of the institutions and procedures through which political power is distributed and exercised.

6 On the interconnections between economic discrimination and other factors such as group identity, political discrimination, perceived opportunities, and emulation of movements elsewhere in causing minorities to rebel, see Gurr et al. 1993: 123ff.

7 The paradoxical fact that religious difference defines the fronts in the conflict without being germane to what is at issue in it can easily create the false impression that nothing important is really at issue. However, this is not to deny that religion is alive and well in both communities nor that in some cases political ideology, especially among evangelical Presbyterians, is shaped by articles of faith. But even the party whose program is most overtly religious in character, the hard-line Democratic Unionist Party whose leader, the Rev. Ian Paisley, is a master practitioner of anti-Catholic bigotry, enjoys electoral support from many in the unionist community who presumably do not share his fundamentalist Christian convictions.

8 Consequently, non-observant members of the respective communities are appropriately described as “cultural” Catholics and Protestants.
is crucial that normative arguments should be informed by appropriate conceptions of national culture and identity, and in analyzing ethnonational conflicts two distinct senses of culture are easily confused. If culture is understood in the narrow sense of language, modes of expression, styles of dress, moral and religious values, and the like, unionists and nationalists exhibit as many similarities as differences, and are probably becoming more alike as the society becomes more urban and secular. From this perspective, pointing to differences in accent or dialect (whose existence is in any case disputable) or playing gaelic football rather than soccer as evidence of profound cultural differences between nationalists and unionists would smack of the “narcissism of minor differences” (Ignatieff 1999). But if culture is understood in the broader sense of the complex of practices through which identities are represented, enacted, and reproduced, then it becomes clear that the two communities indeed constitute culturally distinct groups because divisions are maintained through cultural practices through which members are mobilized behind conflicting conceptions of national identity and competing political ideals and programs. The most obvious such practices are discursive ones, in particular the different versions of nationalist political ideology on both sides, which are reinforced by historical, social scientific and journalistic discourses.9 The mobilization of communal identity and solidarity is also effected though non-discursive practices in which identity is publicly represented and enacted, often in confrontational ways, through rituals and symbols.10 The role of political

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9 Versions of nationalist ideology differ in the degree to which they recognize the distinct national identity of the opposing group. A persistent feature of Irish nationalism has been its reluctance to recognize the distinctiveness of unionist identity, and hence its failure to appreciate the depth of unionist antipathy to integration into a united Ireland (despite unmistakable evidence of successful unionist political and military mobilization against it). Where this is not simply a matter of chauvinistic or defensive blindness, it may result from focusing on the relative absence of cultural differences in the narrow sense—e.g. arguing that unionists are the descendants of Gaelic-speaking Scotsmen, and hence are “really” ethnically Irish—while overlooking the significance of cultural differences in the broader sense of practices through which unionists affrm their separate identity. Unionist political ideology, by contrast, is driven by the concern to justify the legitimacy of unionist political hegemony by liberal democratic standards (of necessity narrowly defined), to preserve the unity of the unionist voting bloc, and to defend the constitutional connection with Britain in the face of official and popular ambivalence among Britons concerning their identity.

10 Non-discursive practices have the advantage that their exclusionary or discriminatory import can be denied by those who engage in them (even to themselves). A case in point are the annual unionist marches in which members of Protestant ethnic associations commemorate historical victories by marching to pipe and drum bands along fixed routes, some of which lead through Catholic residential areas. Nationalists regard this as a provocative expression of unionist cultural and political supremacy, and measures by the authorities to take account of nationalist sensitivities have made the routing of marches one of the most incendiary issues in local politics. (Somewhat
violence in ethnonational conflicts must also be understood in part in terms of how it articulates with cultural practices through which support for nationalist goals is mobilized. The callousness of much ethnonational violence, its excesses in relation to the declared goals of the contending parties, and its apparent imperviousness to moral and religious condemnation, lend it an appearance of arbitrariness, irrationality, and moral depravity, and inspire conjectures that it is really driven by self-interested or criminal motives. Yet closer inspection of the evolution of political violence in Northern Ireland suggests that it is largely driven by political goals that make sense in light of the political ideologies of the groups involved and the identities of the communities they claim to represent. 11 Its persistence in spite of its practical futility and of widespread condemnation suggests that political violence carries a surplus of symbolic meaning that tends to foster identification with the groups involved. 12

In light of these reflections on the complexity of the Northern Ireland conflict, one might question the propriety of characterizing it as an ethnonational conflict, since that seems to accord undue importance to one factor, namely, ethnicity. But the fact that national identity has an ethnic component does not imply that is defined by extrapoltical kinship relations, biologically

ironically, unionist have objected to police restrictions on the “traditional” routing of marches as an attack on their culture, exhibiting a previously unsuspected sensitivity to cultural rights.) The remarkable passion and intransigence with which these symbolic confrontations are conducted demonstrates the deep interconnection between cultural practices, communal identities, and political programs and ideologies.

11 Though ethnonational political violence is in most cases indefensible from a moral point of view, it does not follow that those who engage in it are psychopaths or criminals, nor do they fit the profile of terrorist groups who employ violence for opportunistic ideological purposes (cf. Guelke 1999). Even though violent groups may enjoy low levels of active support in their respective communities, their ability to operate depends on their maintaining credibility as a liberating or defensive force, and this leads them to shape their tactics to reflect the identities and political aspirations of the communities they claim to represent or defend. Thus the credibility of a strategy based on physical force within the republican movement has shifted in response to broader perceptions within the nationalist community concerning their likelihood of success or the availability of nonviolent, constitutional alternatives. Similarly, loyalist paramilitaries have shown themselves to be responsive to political initiatives that promise to address unionist political concerns.

12 This is not meant to suggest that the communities concerned bear collective moral responsibility for political atrocities, though this idea may have some merit under some circumstances. I assume that the impulses that drive ethnonational violence are endemic to all social groups constituted through ethnocultural identification and are likely to manifest themselves when such groups feel threatened by the loss of material or symbolic power. Moral responses to political violence also tend to obscure the unfortunate fact that political violence is a rational strategy, in spite of—indeed in part because of—its high cost in human life and suffering and in political and economic instability. Violence or the credible threat of violence is typically necessary to exact political concessions from governments and hegemonic competitors, even though it is rarely successful in fully realizing nationalist political goals (and has other drawbacks, being difficult to control and counterproductive when pushed too far).
or racially conceived. The operative conception of ethnicity is that of membership in a community of descent united by language and culture, historical “memory,” and bonds of loyalty to ancestors. Ethnic identity in this sense involves collective beliefs that are in part culturally and politically constructed. Thus to claim that national identity is based on ethnicity is not to deny that it is based on culture, but rather to indicate what kinds of cultural representations and practices are involved in reproducing it.

Nations should be understood in this context as politically mobilized ethnic groups that seek political hegemony or autonomy in an ancestral homeland, and nationalism is the political ideology, or set of ideologies, that support national political goals. An important function of nationalist ideology is to represent the group—to itself, in the first instance, but also to others—as having the kind of coherence and unity that strengthens its claim to govern itself and rule over a particular territory. The features through which such a shared political identity is constructed are of various kinds—including language, ethnicity, religion, and historical “memory”—and the salience of particular markers of identity may change in response to political threats and opportunities, so that ethnic and national identities are subject to reinterpretation in response to shifting constellations of power. It does not follow, however, that national identities can be constructed out of whole cloth by cultural elites and political entrepreneurs. Representations of national identity are addressed to the group as a whole and their ability to command assent and mobilize support depends on how well they cohere with the facts and people’s perceptions of them. Here objective and subjective factors are intertwined in complex ways. Nationality is constituted in part by shared belief and often involves mythic versions of historical events or racial conceptions of ethnicity that have no basis in fact. But it would be mistaken to conclude that collective identities are purely subjective, as though any arbitrary collection of people could assume an identity to suit some extraneous purpose. Members of nations must draw on public

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13 By historical “memory” I understand practices through which real or imagined historical victories or defeats are invoked, generally in the context of narratives (e.g. of divine election or collective trauma) designed to promote group cohesion and solidarity.

14 On the distinction between primordialist, instrumentalist and constructivist accounts of ethnicity, see Gurr 2000, 5-7. As I understand him, Esman is working with a similarly constructivist conception of ethnicity, though he rejects the “constructivist” label (Esman 1994: 9-16).
representations of shared criteria of membership in interpreting their identity, and hence are responsive to criticisms of national myths and fictions; where they differ for nonmembers is in their dispositions to accept as real what may in fact be a fictive or a highly selective representation of historical or social reality, and these dispositions tend to be heightened by real or perceived threats to the group.\textsuperscript{15}

On the proposed account of national identity and culture, the stakes in ethnonational conflicts are shaped by the dynamics of cultural and political processes of mobilization. Nationalism is not a fixed quantity since its contents are open to change and reinterpretation in response to shifting constellations of power. We should expect the ideologies that drive ethnonational conflicts to invoke different conceptions of identity than those invoked in anticolonial independence struggles or in the national-building projects of states that have already achieved independence.\textsuperscript{16} In different cases, or in the same case over time, different markers of identity and different dimensions of culture acquire political salience, and hence the capacity to mobilize support and command identification. In the case of conflicts among competing national groups, ethnicity and ethnicized conceptions of culture tend to acquire greater salience and, as tension rises, to take on defensive and exclusionary forms. Under these circumstances representations and interpretations of identity may in addition assume pathological forms that essentially involve the denigration of another group or groups as inferior, or in some other way deny them appropriate recognition of their distinctive identities. Conceptions of national identity are merely chauvinistic if they tend to blind their adherents to the merits of others cultures and ways of life; they become pathological when they define identity in opposition to other cultures and ways life, so that the self-respect of their adherents becomes

\textsuperscript{15} The truth in subjectivism is that a nation is in part constituted by self-identification and shared beliefs, and that acceptance as a member of a nation is contingent on recognition by other members (cf. Barry 2001).

\textsuperscript{16} In the case of anti-colonial independence movements in Africa and Asia, conceptions of nationality founded on opposition to the injustices of colonialism were capable of uniting indigenous groups otherwise divided by religion, culture, language, and ethnicity, though they often proved a fragile basis for solidarity once independence was achieved. Nation-building in sovereign states typically uses culture to foster identification with the state, emphasizing the citizenship component of identity.
predicated on the implicit or explicit denigration of other groups as inferior. The operative conception of pathology here is moral rather than psychological; indeed, a pathological identity may be a source of psychological strength, fostering social solidarity and hardening resolve in opposing the claims of opposed groups. But pathological identities are deeply problematic from a normative point of view because they impede the peaceful resolution of communal conflicts by raising the psychological and political stakes of compromise.

Yet in spite of their potential to assume pathological forms that exacerbate conflict, ethnonational identities and cultures are not simply irrational, nor are they immune to normative influence. Just as national identity and nationalism are intelligible responses to social and political features of modernity, so too their pathological deformations are intelligible responses to dilemmas posed by the conditions of modernity. Ethnic identities become politicized in the context of struggles for control over the institutions of the modern state and for the recognition that comes with sovereign statehood. Where sovereignty is defined in terms control over territory, the emergence of the modern state form of social and political organization inevitably generates competition among ethnic groups for control over the institutions of the state, for with this goes the power to control the nation-building projects through which states consolidate their authority by defining their cultural parameters. And where modern states include sizeable national minorities who claim part or all of the national territory as their homeland conflict is unavoidable. Minority national movements threaten the legitimacy of the state by challenging its claim to sovereignty over a particular territory, and this invites suppression or attempts at assimilation by the state and the hostility of the dominant ethnonational group which regards the state as the legitimate expression of its identity and culture, and, not incidentally, the guarantor of its privileges. Thus the tenacity of ethnonational conflicts and their tendency to foster pathological forms of group identity and inspire intercommunal violence are a reflection of the very real political stakes in such struggles.

17 Conceptions of ethnicity based on biological race are exclusive in this sense, and they become pathological when they are allied to ideologies of racial superiority, such as white supremacy.
2. The rights of (ethno)national cultures:

In view of the intractability of ethnonational conflicts, the exclusive, sometimes pathological conceptions of national identity and culture that exacerbate them, and the extremity of the violence they often involve, it is tempting to conclude that they are aberrations that have no relevance for normative treatments of nationalism. This impulse may explain the persistence of the contrast between “bad” ethnic (or Eastern) nationalism and “good” civic (or Western) nationalism. But the foregoing discussion suggests that the conceptions of national identity and culture that structure ethnonational conflicts are not essentially different from those that figure in anti-colonial independence struggles or nation-building projects: they derive their basic character and appeal from the same impulses—namely, the search for security and belonging and the aspiration to self-rule—which are inevitable responses to the social and political conditions of modernity. The exclusionary and discriminatory character that representations of national identity take on under conditions of ethnonational conflict is not the expression of a prepolitical communal essences, but the result of processes of mobilization that lend political salience to a felt or imagined kinship in response to real or imaginary threats (a dynamic that is, of course, open to manipulation by opportunistic leaders). The contrasting model of civic national identity is also misleading in implying that certain national identities are essentially founded on shared citizenship and the constitutional principles that define this status, rather than on notions of communal belonging. The fact that civic conceptions of national identity do not have direct political appeal under conditions of ethnonational conflicts is not because the competing nationalisms are antipathetic to citizenship—indeed, their goal is to establish self-governing national political units in which they can realize citizenship—but because in these situations the legitimacy of the existing constitutional authority and the citizenship it has to offer is in dispute.

Instead of opposed models of nationalism, therefore, ethnonationalism and civic nationalism should be seen as extremes on a spectrum of expressions of national identity and
ideology, where the points on the spectrum are defined by the degree of political salience of felt or imagined ethnic belonging as opposed to citizenship, among other markers of identity.\textsuperscript{18}

If what drives ethnonational conflicts are indeed conflicting aspirations to national self-determination, the principal normative issue they raise is what justifies claims to self-determination by national groups, and, in light of this, how they should be accommodated when they clash with the competing claims of opposed national groups. We can distinguish two broad approaches, one which views national membership as grounding special rights in virtue of the moral significance of national identity and culture, the other which holds that the justice of the claims raised by national groups is independent of their status as national groups but must be judged in terms of underlying moral claims (e.g. claims of rectificatory justice).

Traditional versions of the first approach—specifically, the romantic view that the nation is a culturally unique organic whole with a right to control its historical destiny and the more sober Wilsonian doctrine that nations have an inherent right to form independent states—have been largely discredited by studies which show that there are no uncontroversial defining criteria of nationhood, so that nations lack the kind of moral personality that would make them subjects of rights.\textsuperscript{19}

Over the past decade, however, advocates of liberal nationalism have offered a novel interpretation and defense of the right of national self-determination as an implication of an individual right to conduct one’s life in one’s national culture. Liberal nationalists regard nations as cultural communities which have maintained a distinct identity over time and provide their members with a cultural context that lends meaning to their lives. Insofar as access to the

\textsuperscript{18} Even in a paradigm case of a “civic” nation, such as the United States, where an ethnic model of nationhood clashes with the official image of a nation of immigrants, notions of belonging that go beyond allegiance to constitutional principles are nonetheless fostered by a public culture based on ideals of material accomplishment (“the American dream/way of life”) and on veneration of the symbols of nationhood, such as the flag and the pledge of allegiance. Thus in spite of legal guarantees of freedom of speech, its public political culture is strikingly conformist and intolerant of, or deaf to, political dissent (as evidenced by the narrow spectrum of opinion in mainstream political discourse). (The persistence of racism might also be explained in part by the fact that American national identity is tacitly ethnically marked, in such a way that each immigrant group has to prove its worthiness of full membership in a white, Christian, English-speaking nation by demarcating itself from a permanent racial underclass composed primarily of Native Americans and African-Americans.)

\textsuperscript{19} Proposals to recognize a right of national self-determination in international law face the problem that, until a nation gains control of a state, there is no authority that can define criteria of membership, credibly speak for members, represent their interests, and so forth. Cf. Brilmayer 1995: 9-10.
resources of one’s national culture is necessary for the exercise of freedom of choice, the liberal commitment to individual autonomy implies that individuals have a right to the public space they need for their national cultures to flourish. The right of national self-determination on this reading is not a communal right, which might justify illiberal restrictions on the freedom of members to question and transform traditional values and practices; rather, it is a group-differentiated individual right—that is, a right that individuals enjoy as members of a group—to give public expression to one’s culture, and this includes the right to reinterpret cultural practices, traditions, and values in light of changing experience. Liberal national cultures will tend to be pluralistic because they will be open to and tolerant of the beliefs and practices of other cultures and relatively open to immigrants. Liberal nationalists point to minority national movements within liberal democracies as exhibiting this kind of liberal nationalism, contrary to the assumption that nationalism is intrinsically chauvinistic and exclusionary.

Though liberal nationalists do not typically address ethnonational conflicts directly, their account of the importance of national membership for the exercise of individual freedom, if correct, should be valuable in understanding the motives of members of competing national groups and in assessing the justice of their respective claims. But first we need to clarify the precise nature of the connection between individual freedom and national membership and the rights that it grounds, for prominent liberal nationalists, such as Yael Tamir and Will Kymlicka, give importantly different accounts of this. Tamir defends a universal normative theory of nationalism as a source of rights and obligations that apply to all cases independent of their contingencies (cf. Tamir 1999). In support of this she advocates a liberal model of personhood and agency that represents individual identity as a function of constitutive choices in the dimensions of moral values and communal attachments (Tamir 1995: 20ff.) and a constructivist conception of the nation as the product of processes of nation-building through which the nation is “imagined” as a natural community with roots deep in the past and united by

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20 Tamir seeks to strike a balance between radical liberal views of the personhood and agency that represent the self as choosing her values and attachments free from contextual constraints and a communitarian nationalist view that represents the self as completely shaped (or “burdened”) by the values and traditions of her national community.
distinctive traditions (Tamir 1995: 63-4). There are no universal defining feature of nations but rather a set of features, such a shared history, collective destiny, language, religion, territory, ethnicity, etc., some cluster of which are typically believed by members to be characteristic of their nation; thus the concept of a nation involves both objective and subjective elements. What sets nations apart from other social units is their members’ consciousness of themselves as belonging to a distinct community: “Nations exist only as long as their members share a feeling of communal membership” (66). Nevertheless, Tamir thinks that nations are differentiated by their cultures: “The set of specific features that enable members of a nation to distinguish between themselves and others is culture” where culture is understood as “embodying patterns of behaviour, language, norms, myths, and symbols that enable mutual recognition. Consequently, two people are of the same nation if, and only if, they share the same culture” (67-8). Clearly, culture must be understood here in the broader sense distinguished above as the complex of discourses and practices through which members of a nation publicly represent and enact their identity, and thereby set themselves apart from other groups.

This definition of the nation informs Tamir’s interpretation of the right of national self-determination as involving a cultural rather than a political claim: what members of nations seek in the first instance is the flourishing of their national culture, not necessarily sovereignty or self-rule, since what is required for flourishing is only a public sphere in which they constitute a majority, and this is consistent with the coexistence of a plurality of nations within a single pluralistic, multinational state. Though it is often confused with the democratic principle of popular sovereignty or self-rule—the right of individuals to a say in how they are governed—the right of national self-determination is in fact grounded in a different interest, namely, the interest in defining one’s own identity and giving it public expression through communal institutions that reflect one’s national culture (69-70). But what is the source of the corresponding claim against others—indeed, against all others, since the right is supposed to be universal—to respect one’s national identity and give it public expression? It derives from each individual’s fundamental interest in the preservation and expression of their national culture because of its constitutive
significance for their individual identities. Though identification with one’s nation is voluntary for members of liberal societies, since they are free to criticize and revise interpretations of national identity, like religious faith it becomes constitutive of our identity precisely in virtue of being chosen in this sense, and hence is worthy of respect: “Given the essential interest of individual in preserving their national identity, it is justified to grant them a set of rights aimed at the protection of that interest” (73).

However, Tamir’s cultural interpretation of the right of national self-determination is problematic on both empirical and normative grounds. Her liberal ideal of nationalism rests on controversial empirical assumptions which cast doubt on its relevance to actual nationalist movements and struggles. There is ample evidence that as long as nations do not enjoy a significant degree of political autonomy, national mobilization and identity-formation is driven as much by political as by cultural goals, and indeed that cultural difference acquires additional salience because of its tendency to legitimate political goals. Once Tamir recognizes that national identities and cultures are not natural kinds but products of nation-building practices, she cannot plausibly claim that nationalism does not raise political claims, given that nation-building is historically inseparable from the aspiration to political autonomy. Her attempt to draw a sharp distinction between the aspiration to form a national cultural public sphere and the aspiration to political self-rule is particularly problematic, given that control over a public sphere implies control over social and political institutions, as she herself recognizes.

21 A problem with Tamir’s project of a universal normative “theory of nationalism,” analogous to philosophical theories of distributive justice, individual rights, and the common good (1999: 67–8) is that, whereas the latter are purely normative moral and political concepts, and hence appropriate subjects of a priori normative theory, nationalism is a historical and sociological concept with normative connotations (it is bound up with historically contingent forms of identity and society that are constituted in part by the moral and political claims that members make on their behalf). Tamir recognizes that she cannot altogether do without empirical assumptions, but the two “descriptive assertions” on which she proposes to base her theory—i.e., “Humanity is divided into nations” and “There are criteria for identifying a nation and its members” (82)—are either plainly false (nations as self-conscious cultural communities are a relatively recent historical phenomena) or ambiguous (there are no objective criteria of nationhood and operative criteria are typically contested).

22 In the context of a multinational society, securing a separate public sphere for each national culture would require that each nation have a significant degree of control over education, the media, and the arts, and, where there are different national languages, also over the language in which business is conducted and government services are provided. But this is only possible if the component nations form territorially concentrated, self-governing societies or, where they are geographically dispersed, establish consociational arrangements that grant each nation self-government rights. Either way, national self-determination is inseparable from political self-rule.
Furthermore, Tamir’s justification of universal recognition for national cultures on the grounds that national membership is constitutive of individual identity rests on controversial assumptions concerning agency and individual identity. Drawing an analogy with religious belief, she argues that the fact that an identification is voluntary in the sense that one can take a reflective, critical stance toward it, does not preclude its being constitutive of an individual’s identity. But even if national membership had this kind of identity-constitutive significance for all individuals, it would not necessarily justify a right to the resources required to maintain the existence of national groups (especially if these include the right to determine the shape of political units). Religious membership clearly has identity-constitutive significance for many believers but it does not follow that religious communities have a right against others to ensure their flourishing that goes beyond individual rights of freedom of conscience and worship.23

Kymlicka’s liberal defense of national rights, by contrast with Tamir’s, represents them as a species of political rights owed to socioculturally differentiated minority groups within liberal democracies, though he too accords culture and identity a central role in his justification of them.24 Kymlicka understands nations in more concrete terms than Tamir as “societal cultures,” where a societal culture is “an intergenerational community, occupying a given territory or homeland, sharing a distinct language and history” (Kymlicka 1995: 18). He rejects conceptions of nationhood as founded on descent in favor of those which define membership in terms of integration into a cultural community, since they alone are consistent with the inclusiveness required by a liberal understanding of minority rights (23).25 Kymlicka also understands nations

23 The categorical or superordinate character of religious values and imperatives that underlies their constitutive significance for the identities of believers also precludes their public recognition, since clashes between competing religious worldviews in the political domain proved to be intractable and necessitated the privatization of religion in liberal democracies. (Cf. Barry 2001, 24ff., who argues that, since religious memberships are voluntary in liberal societies, and not “burdening” in Sandel’s sense, individuals can be justly required on liberal grounds to bear the costs of religious membership when these result from public policies that promote genuine public goods.)

24 Kymlicka advocates a contextual or “mid-level” approach to normative political analysis that is sensitive to the historical and social determinants of the claims of different kinds of cultural minorities—immigrant ethnic groups, minority nations, and indigenous peoples—in contrast with Tamir’s model of a universal normative theory of nationalism; see Kymlicka 2001, 8-9. He focuses on the claims of national minorities to self-government rights since these represent the problematic cases for liberal theory, but he clearly believes that majority nations are justified in maintaining their national cultures by political means (provided that this does not frustrate a like right of minority nations).

25 Kymlicka argues that the opposition between “ethnic” and “civic” nationalism should be replaced by a contrast
as cultural and political constructs, but in addition to shared consciousness of nationhood he emphasizes the role of common institutions and practices while acknowledging that national societies emerged in response to the social, economic, and political imperatives of modernization. Thus he sees nations as constituted by an intersection of cultural and social factors: they are communities which have maintained their distinct identities over time by creating institutionally complete societies and cultivating distinctive cultural practices.

His liberal grounding of national rights turns on the crucial moral significance he believes a societal culture has for its members: it “provides its members with meaningful ways of life across the full range of human activities, including social, educational, religious, recreational, and economic life, encompassing both the public and private spheres” (76). It follows, first, that participation in one’s societal culture is essential for the exercise of individual autonomy, understood as involving the freedom to lead one’s life in accordance with one’s goals and values and to question and revise one’s beliefs. The point is not the obvious one that our societal culture determines the choices available to us in an empirical sense; rather, it is that it defines what choices are meaningful for us and hence are genuine options for us in light of our identities: “People make choices about the social practices around them, based on their beliefs about the value of these practices… And to have a belief about the value of a practice is, in the first instance, a matter of understanding the meanings attached to it by our culture” (83). In addition, equality of opportunity in employment, education, law courts and political fora requires the diffusion of a common language and institutions throughout society, and hence access to one’s societal culture (Kymlicka 2001: 53). Thus since the enjoyment of freedom and equality requires participation one’s societal culture, basic liberal principles support group-differentiated political rights for national minorities.

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between “ethnic” and “cultural” nationalism on the grounds that the nations usually regarded as “civic” also involve cultural elements and the important issue “is not the absence of a cultural component…but rather the fact that anyone can integrate into the common culture, regardless of race or colour” (1995: 24). But he would presumably reject the claim that some forms of nationalism are intrinsically exclusionary, since he recognizes that “descent” and “ethnicity” are also cultural constructs.

26 I won’t discuss Kymlicka’s equality argument further because it is parasitic on the argument from individual freedom or autonomy.
However, it is doubtful whether Kymlicka’s justification of a right of national self-determination is ultimately more successful than Tamir’s. The claim that access to one’s own societal culture is a necessary precondition of the exercise of individual autonomy is contradicted by the fact that people can choose to change their nationality and can live meaningful lives in foreign countries, whether or not they renounce their original national identities. Modern pluralistic societal cultures provide their members with the cognitive resources to comprehend the practices and values of other cultures and to pursue both autonomy and equality of opportunity in foreign societies. Of course, these are not real options for most people but the obstacles are economic (lack of resources), temperamental (most people prefer to live in their native society and culture), or legal (all states erect barriers to immigrants), not that they do not represent meaningful objects of choice in some deeper sense.

Kymlicka’s argument would go through only if national cultures had the structuring or constitutive significance for individual identity that Tamir claims they have. But whereas Tamir argues, somewhat implausibly, that their constitutive importance follows from its being freely chosen, Kymlicka argues that it resides in the fact that societal cultures are pervasive, encompassing, and organizing cultures, and hence provide the context within which their members conduct their lives. It is not clear, however, whether this ultimately amounts to more than the claim that most human beings are born into and conduct their lives in a society whose institutions have a certain cultural character—based in large part on the use of a single official language—so that their values and expectations are inevitably shaped accordingly. But the concept of a societal culture would thereby any relevance for understanding national identity and culture, notwithstanding Kymlicka’s assertion that “societal cultures are almost invariably national cultures,” and “nations are almost invariably societal cultures” (1995: 80). With the exception of people who devote their lives to nationalist causes or who find themselves in nationally mobilized societies as a result of conflict or war, national identification does not have the kind encompassing and meaning-giving significance that Kymlicka’s analysis suggests. Typically nationality is just one component of individual identity that has greater salience for
some aspects of life, less for others; for some people it is invested with intense emotional significance, a source of pride, anguish, or humiliation, whereas others may take a critical attitude towards it, adopting a posture of ironical detachment or rejecting it altogether. Whereas Kymlicka is correct that national groups exhibit a strong attachment to their language and culture that has not diminished as their own societies, and the larger societies of which they are a part, have become more liberal, their attachment can’t be explained by the fact that their national cultures define the “limits of the meaningful” for them. Members of national minorities, such as the Catalans or the Québécois, have not resisted integration into societies dominated by majority national cultures because this was not an intelligible option for them, but because it would have meant renouncing a part of their identity that they value.27

Viewed in light of the dynamics of ethnonational conflicts, the liberal nationalist focus on liberal cultural expressions of nationalism is flawed because it has nothing to say about the potential of national identification for fostering exclusion and intercommunal violence.28 Both Tamir and Kymlicka tailor their idealized cultural interpretations of nationalism to fit their liberal commitments to individual autonomy, tolerance and pluralism and end up succumbing to the essentialist illusion that there good “cultural” forms of nationalism, though this sits uneasily with the constructivist accounts of nationalism they otherwise embrace.29 A more promising approach would be to acknowledge that national cultures and identities cannot be abstracted from processes of political mobilization in which they can be put to both noble and base uses—i.e. that strategic use and misuse is part of the cultural dynamics of nationalism—and that we

27 In a number of places Kymlicka refers to arguments of other liberal thinkers sympathetic to nationalism who explain the importance of nationality to self-identity in terms of the importance of respect for national identity to dignity and self-identity (1995: 89-90; 2001: 227-8), meaning presumably that people experience denigration of their national culture and identity as an affront to their dignity. But this seems to be merely a consequence of their attachment to their national cultures, not an explanation of why they attach so much importance to them.
28 Serious discussion of nationalist violence is conspicuous by its absence from the literature on liberal nationalism. Violent tendencies are dismissed as evidence that the identities and cultures in question are “illiberal” without any acknowledgement that the discriminatory potential that fosters violence is intrinsic to national identity.
29 The concepts of national culture and national identity (understood in cultural terms) are too ambivalent and multivalent to hang any coherent normative claims on. This is not to deny that people have cultural rights—e.g. forced assimilation to a majority culture through compulsory education in the majority language is a clear violation of basic human rights—nor that policies designed to promote national culture may not have democratic legitimacy. But a coherent rationale for a supposed universal right to national culture cannot be provided either on liberal or human rights principles.
must look to the moral basis of the claims made on behalf of nations, rather than intrinsic rights of nations as such, in judging the justice of nationalist causes. Thus Lea Brilmayer argues that the focus on an alleged right of nations to flourish misrepresents the kinds of claims nationalists typically make on behalf of their nations. Nationalists do not claim the resources necessary for their flourishing from the world at large but make specific claims against other groups to things, such as control over a particular territory they claim as their homeland, to which they believe they have a right: “the claims that nationalists make are typically claims to specific assets, and typically claims against specific other groups. They are not claims against the world at large that they be supplied with some general sort of resource to make their aspirations possible” (Brilmayer 1995: 16). It is because they are convinced that they have a prior right to their homeland that nationalists tend to discount the claims of competing nations, believing that the latter may be dispossessed or disenfranchised without compensation, and suppress minority national movements once they have achieved independence (18). Privileging the claims of one’s own nation would be inconsistent if these claims were based on the status the group as a nation, for in that case all national claims would have to be accorded equal validity; but if the dispute turns on the independent moral basis of the competing claims, then there is no prima facie inconsistency or unfairness, since the underlying claims are not necessarily equally good (19-20).

It is open to question whether the entity status of the nation is really as irrelevant to nationalists’ understanding of the claims they make on its behalf as Brilmayer claims.30 When nationalists lay claim to a territory, for example, they do not see themselves as making a property claim but as asserting a moral bond between the nation and a homeland, forged by divine election, historical occupancy, the blood of sons shed in its defense, and the like. However, these kinds of claims can have legitimating force only for members and sympathizers and can have no weight in an impartial assessment of the relative merits of competing national claims. Thus Brilmayer’s proposal is valuable in shifting normative focus away from the supposed

30 Brilmayer’s strongest statement of her thesis is what she calls the “irrelevance hypothesis”: “the entity status of the national group—its national unity along linguistic, religious, ethnic, or cultural lines—neither adds to nor detracts from the moral legitimacy of the actions that a nationalist movement undertakes” (1995: 8).
The intrinsic moral importance of nationhood—inherently problematic, since a consensual understanding of nationhood in terms of which competing claims could be assessed is bound to remain elusive—to underlying moral claims made on behalf of nations. Obvious examples would be that a nation has a right to an independent state because its territory and people were conquered and unjustly subjected by a foreign government (as in the case of the Baltic states), or that a national minority deserves independence or regional autonomy because it was unjustly incorporated or the terms of its incorporation were violated by the state or representatives of the majority group (such claims have played a role in Quebec nationalism).31

On the other hand, Brilmayer’s proposal faces the objection that the fact that the relevant moral claims are independent of the national status of the groups in question does not make them any easier to adjudicate. As liberal nationalists are quick to point out, claims concerning historical injustices are often indeterminate because it is difficult or impossible to establish the precise circumstances of past wrongs, or so much time has passed that there is no coherent way of assigning obligations and entitlements to existing individuals and groups.32 Moreover, competing claims may be difficult to balance off against one another either because they are incompatible (e.g. when two or more nations have legitimate claims to the same territory, as in Northern Ireland) or they are situated in different dimensions (e.g. the right of Lithuanians to restore national independence and the civil and political rights of Russians who settled in Lithuania during Soviet occupation). But these objections merely highlight the fact that the moral issues at stake in nationalist conflicts are extremely complex and that no judgment of their relative merits can expect to meet with the consent of all parties in the absence of decision-making procedures that can command legitimacy, or at least credibility, in the eyes of all parties.

31 There is also empirical evidence that the belief that the group once enjoyed independence is one of the main driving forces of nationalist movements.
32 The claim that the ancestors of some Northern Irish nationalists were unjustly driven from their land by English conquerors who gave it to Scottish settlers, for example, has no clear relevance to the claims and obligations of current parties to the Northern Irish conflict. Apart from anything else, we lack transhistorical standards of justice in terms of which we can judge that the original appropriation was unjust—perhaps by the standards of the time appropriation and confiscation of land by military conquest was just. In any case, the unbridgeable gap between the standards that parties to the current conflict can appeal to and those that were operative four hundred years ago renders such speculations moot.
A normative approach to ethnonational conflicts, therefore, must focus on the institutional preconditions for the just mediation of competing moral claims. In the final section I will argue that an approach that takes its orientation from the idea of democratic legitimacy can do justice to the importance of identity and culture while addressing underlying moral claims.

3. Nationalism and democracy:
The foregoing discussion may seem to have left us no better off than before concerning normative orientations for resolving, or at least defusing, ethnonational conflicts: in criticizing the idea of a right to national culture it rejected an approach that promised to accord due importance to issues of culture and identity that seems to drive ethnonational conflicts, whereas emphasizing underlying independent moral claims threatens to precipitate us back into futile squabbles over historical grievances. But one kind of moral concern not specifically addressed by Brilmayer that drives nationalist movements, namely, the interest in democratic self-rule, can provide orientation for mediating, if not necessarily resolving, the different claims and interests at work in ethnonational conflicts. Nationalist movements derive much of their moral credibility from the conviction that a people should not be subject to a regime that it does not accept as legitimate and from which it withholds consent. Nationalist programs are often specifically designed to challenge the legitimacy of a regime that nationalists regard as alien: highlighting cultural distinctiveness underscores the claim that the nation is unjustly subject to a foreign or alien regime, and civil disobedience, protest and political violence, in addition to instrumental goals, give symbolic expression to popular rejection of the legitimacy of the regime by demonstrating its inability to govern.

However, the connection between nationalism and democracy is by no means straightforward. The principle of popular sovereignty leaves open the question of how the appropriate units of self-rule should be determined, that is, which groups constitute “peoples” in the appropriate sense. Nationalism does not provide an inevitable answer to this question because nations, as we have seen, are not “natural” units of self-government but coalesced or
were forged around existing ethnocultural commonalities in the course of popular revolutionary and independence movements, often within borders that enclosed more than one ethnocultural group, leading to conflicts between majority and minority nationalisms. Moreover, nationalism has often served undemocratic goals—national consciousness has been exploited by political movements of every ideological stripe, from fascist to left totalitarian—and ethnonational movements typically ignore or violate the democratic rights of their competitors.

At the same time, there is a clear historical affinity between modern mass democracy and nationalism, as evidenced by the fact that national identification has been the most successful basis of democratic political mobilization and of social solidarity in democratic states. Virtually all modern states have emulated the nation-building policies of the postrevolutionary French state which were designed to invest citizenship with solidarity-generating national cultural meaning. Even the success of multination states, such Switzerland and Great Britain, in integrating groups with distinct ethnic identities is due in part to the fact that they have generated a thin form of national identification that complements, rather than threatens, the component national identities. Conversely, the history of civil wars and authoritarianism in postcolonial multiethnic and multinational states in Africa and Asia and the recent resurgence of ethnonational conflict in the former Yugoslavia suggests that the failure to forge such a form of identity is fatal to democratic stability.

The fate of democracy is inseparable from nationalism under the conditions of a modern system of states structured by the principle of territorial sovereignty and by the competitive logic of modernization which dictates that power, wealth and recognition flow to the states that succeed in imposing homogeneous national cultures that facilitate the industrialization of their economies (Gellner 1983). As long as this global political constellation renders the unified, integrated institutional structure of the modern state obligatory, national identity and culture will

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33 It is interesting to consider why the United Kingdom succeeded in integrating the Scottish and the Welsh into a political unit dominated culturally and politically by its largest national unit, the English, whereas it failed to integrate the Irish. Important historical factors were surely that Ireland was originally subjected by conquest rather than by dynastic succession and that the “native” Irish retained their Catholic faith while Protestantism became a politically salient feature of British national identity, thereby ensuring that Ireland was administered by the British state as a culturally alien colonial possession rather than as an integral component of the nation.
remain of vital importance to modern subjects and their prospects of enjoying the benefits of
democratic citizenship. And where the ideal of the culturally homogeneous nation-state prevails,
different national groups within a single territory can become trapped in a zero-sum struggle to
determine the national cultural character of the state and thereby the distribution of political
power and economic opportunities (the stakes being particularly high when the national groups
are divided by language).\textsuperscript{34} Competition for power becomes radicalized along ethnonational
lines in part because people value their cultures—for reasons importantly related to democratic
values: they want to be addressed by politicians and to conduct their business with the state in
their own language—but also because, under the conditions of political instability that attend the
formation of states, the psychological mechanisms of cultural chauvinism, “memory” of past
conflicts, and resentment over historical grievances or fear of reprisals can be easily exploited to
generate fear and insecurity and mobilize groups along ethnonational lines.\textsuperscript{35} A necessary
precondition of breaking the cycle that leads to the heightening of cultural differences into the
exclusive and discriminatory forms of communal identification that feed communal conflict is to
undercut the unitary logic of exclusive territorial sovereignty through power-sharing
arrangements that guarantee ethnic and national groups sufficient levels of autonomy and
security.

Consociational democracy represents the most well-developed model of democracy in
deeply divided societies that promises to defuse the conflict potential of exclusive sovereignty
when combined with ethnonational plurality. As Arendt Lijphart characterizes it, consociational
democracy involves democratic power-sharing arrangements in culturally segmented societies
that satisfy two primary requirements—grand coalition government including representatives of
all major parties, and the delegation of as much decision-making authority as possible to the

\textsuperscript{34} As the appalling violence in the former Yugoslavia demonstrates, propaganda generating credible fear of losing
such a struggle can be sufficient to foment anticipatory ethnic violence even in the absence of real sources of
conflict.

\textsuperscript{35} As the study of ethnic conflicts demonstrates, ethnonational mobilization is not a purely “top-down” processes in
which cynical ethnic entrepreneurs whip up ethnic animosity among their ranks. Ethnic politicians can quickly lose
their support base if they embrace compromises that appear to threaten the security or privileges of their members,
and hence must continually demonstrate the same chauvinism and intransigence that mobilizes their members.
social segments (“segmental autonomy”)—and two subsidiary requirements—proportional representation in the allocation of political positions, public sectors jobs and public funds, and a minority veto over decisions that affect vital interests of minority groups in which they might otherwise be outvoted (Lijphart 1995: 276-9). The two primary requirements address the principal political determinant of mobilization along ethnocultural lines by pluralizing sovereignty: where all major ethnocultural groups are guaranteed a shared in government each can regard itself as participating in sovereignty over the territory, political competition between groups loses its zero-sum character, and each group can identify with the state since none can claim it as its exclusive possession. Segmental autonomy promotes the security of the identity of each group by granting it a large degree of political control over matters that affect the reproduction of its culture. Where the segments are geographically concentrated these requirements can be satisfied by a federal constitution that grants each group a significant degree of territorial autonomy. Where the segments are interspersed, segmental autonomy can be realized by establishing communal cultural councils that have control over matters relating to the culture of the community, most importantly education.

The important question for present purposes concerns the normative rationale for adopting consociational arrangements and, in light of this, their legitimate political and cultural aims. One way of understanding them would be as implementing the liberal nationalist right to a national culture, so that one of their goals would be to ensure that each of the component nations in a multinational society could preserve its national culture by constructing a separate society in which public life is conducted in its own language. This may be a viable goal in a multinational federation (though, as Kymlicka acknowledges, it may ultimately foster separatism); however,

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36 Where one or more of the segments view themselves as nations and the region in which they are concentrated coincides with their homeland, the federal arrangement has the attraction that it can in part fulfill the aspiration for territorial independence. A danger is that this may give rise to unstable asymmetrical federations in which national segments view the federation as involving a division of sovereignty between the federal and devolved levels, whereas others regard it as a matter of delegation of power from the federal to state level with sovereignty remaining with the federal government (cf. Kymlicka 2001: 104ff).

37 As Lijphart points out, territorial (federal) and non-territorial forms of segmental autonomy may be combined (1995: 282). In general, the four requirements or principles of consociational democracy should be viewed as guidelines that admit of implementation in a variety of ways.
making a right to national culture a central feature of political arrangements in ethnonationally divided societies runs the risk of prolonging destructive social divisions and political instability by legitimizing discriminatory interpretations of national identity. For a precondition of defusing ethnonational conflicts is that the opposing groups should renounce or revise interpretations and representations of their national identities and cultures that effectively deny recognition to members of the opposing group. On the democratic approach I advocate, by contrast, the goal should be to ensure the democratic legitimacy of all levels of government. On this approach the delegation of authority over cultural policy should be tailored to realizing individuals’ rights to express and transmit their culture, in particular though the education system, and to participate in the political process at all levels in their own language. But these goals must be balanced against that of promoting reconciliation between communities—e.g. by making multicultural and multiethnic education available to those who desire it—in recognition of the fact that the trust and willingness to compromise required for shared democratic institutions to operate effectively depends on breaking down the barriers erected by social segregation and ethnocultural chauvinism. Since the success of existing multination states depends on their fostering a shared national identity that complements rather than competes with the separate identities of the component groups, it is reasonable to assume that if consociational arrangements are defuse ethnonational conflicts they will have foster some forms of common identification, and this means that social space must be created in which shared practices, symbols, and rituals can emerge.

A possible objection to this account of the rationale and design of consociational arrangements is that it presupposes the possibility of politically programming cultural processes of identity-formation that depend on spontaneous choices and identifications which cannot be prescribed or steered. It is true that cultural developments cannot be directly imposed on communities, but it is possible to influence such developments indirectly; for example, segmental autonomy is to provide cultural communities with a degree of protection against the effects of discriminatory practices of other groups, thereby defusing their power to humiliate and
generate defensive reactions, thereby inhibiting the mechanism by which identities are radicalized. But in domains of social life where integration is required by considerations of social justice, such as employment and higher education, legal prohibitions on cultural expressions designed to exclude and humiliate (or reasonably perceived as such) may be required to promote equality of opportunity. A danger of consociational democracy is that it may actually inhibit this kind of cultural transformation by legally entrenching group identity; this is especially the case where the identities of the major cultural segments among which power is to be shared are pre-determined. However, consociational arrangements can also be designed in such a way that the political salient groups define themselves through the electoral process, where new parties can be co-opted to consociational arrangements by winning sufficient electoral support under suitably designed proportional election systems (cf. Lijphart 1995). Where feasible self-defining consociational arrangements should be preferred to pre-defined ones as more likely to foster cultural transformation in the long run.

Consociational democracy raises a host of problems concerning the preconditions of its success and it stability in the long run. A major problem in the case of ethnonationally divided societies is that establishing such arrangements requires complex constitutional negotiations and a willingness to compromise on nationalist claims where the trust necessary for good faith negotiations and compromise are absent. The record of the Northern Ireland peace process shows that, given an admittedly improbable convergence of favorable circumstances—among other things, growing acceptance on all sides of the impossibility of a definitive military solution, and the prospect of constitutional political arrangements that provide a plausible electoral alternative to violence—credible external mediation can overcome the obstacles to reaching formal compromises.

For reflections on their viability in Northern Ireland, see McGarry and O’Leary 1995a. Malaysia provides an example of a consociational arrangement that ultimately failed (Esman 1994: 67ff.). On the contingencies of consociationalism more generally, see Horowitz 1995, 563ff. In the Northern Ireland case American mediation played an important role in facilitating negotiations, but a decisive issue was the developing consensus between the British and Irish governments that a precondition of a political resolution was the assertion of the conditionality of British sovereignty and the rescinding of the de facto unionist veto on power-sharing arrangements. A danger that it highlights is that initial acceptance of proposals both by parties and electorates may depend on divergent interpretations of their overall meaning (and of the import of

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democratic rationale for consociational arrangements can be sufficient to motivate contending parties to accept them, and that they can subsequently shape people’s cultural self-understandings in the ways necessary to build intercommunal trust. The problem is that, on the analysis I have proposed, ethnonational conflicts are no more straightforwardly about democracy than they are about cultural self-expression. Though political discrimination and democratic disenfranchisement, like economic discrimination, may be contributing factors in precipitating ethnonational violence, as they were in Northern Ireland, ethnonational movements do not seek inclusion in a pluralistic polity but to maintain or achieve hegemony or to establish an independent national polity. Why should they embrace a consociational compromise whose long-term success means that they will not achieve their goals? Here the recognition that ethnonational identities are not monolithic provides grounds for hope, if not necessarily optimism. If the social and political forces that led to the polarization of ethnonational loyalties are effectively tamed by consociational guarantees, political participation can focus on interests that engage other dimensions of people’s identities—e.g. the common interest in promoting economic opportunities, rather than the sectional interest in how they are distributed among ethnic communities—around which solidarity-generating alliances across communal divides could emerge.

\[\text{some of their provisions) which create problems for their implementation.}\]

\[\text{40 On my reading, for example, the viability of the consociational compromise worked out in Northern Ireland depends ultimately on revolutionary republicanism losing its appeal for nationalists and Protestant supremacy losing its appeal for unionists.}\]
Appendix: Some Salient Features of the Northern Ireland Conflict

Although the causes, and hence the appropriate characterization, of the long-running conflict in Northern Ireland are matters of controversy, at its core is a dispute over the constitutional status of the territory. Broadly speaking, it pits a minority Catholic nationalist community, who view themselves as members of a single Irish nation together with the citizens of the Irish Republic, against a majority Protestant unionist or loyalist community who trace their ethnic ancestry to Scottish Presbyterian and English Protestant communities who settled on land confiscated by the English crown during the 17th century Plantation of Ulster as part of its campaign of subjugation and colonization of Ireland. The appropriateness of the religious terms “Catholic” and “Protestant” to describe the respective communities is open to dispute, since significant portions of the respective communities are no longer observant and there is no clear sense in which the conflict is a religious one (it is not driven by doctrinal disputes nor is it a struggle for freedom of religion, which is enjoyed by all religious groups). However, religion remains an important cultural marker of identity since major civil institutions, such as education and health care, are organized along denominational lines, ensuring a large degree of institutional separation between the communities (reinforcing residential segregation which has increased during the “hot” phase of the conflict). However, to avoid unnecessary complications I will for the most part use the terms “nationalist” and “unionist” to designate the respective communities, though this has the drawback of obscuring the fact that unionists are also nationalists, regarding themselves as part

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41 For an in-depth treatment of the historical background of the conflict, see O’Leary and McGarry 1993. Two contrasting fallacies concerning the historical determinants of ethnonational conflicts tend to crop up in discussions of the Northern Ireland conflict: one is the trivializing view—expressed in the oft-repeated quip that the Irish are incapable of forgetting their history—that distant historical events have no relevance to contemporary developments and should be left to historians; the other is the determinist view that history somehow directly shapes motivations and events in such struggles in ways it does not under “normal” social conditions (see Cochrane 1999, who invokes both). But certain historical facts are undoubtedly relevant to understanding the conflict: for example, the fact that Northern Ireland was created as part of a colonial withdrawal explains the declared willingness of the British government to renounce sovereignty over it under certain circumstances; on the other hand, the fact that unionists are descendants of a community which has lived in the territory for four centuries gives the lie to the idea that they can be treated as the remnants of a colonial occupying force. The determinist view, by contrast, would imply the absurd view that the opposed communities are somehow reenacting the Battle of the Boyne and the Siege of Derry. Historical events remain important for the role they play in cultural practices (e.g. ritual marching and partisan historical narratives) through which group identities are publicly represented and enacted, including their strategic uses in practices of symbolic violence and resistance designed to reinforce or challenge relations of domination (cf. Bourdieu 1991).
of a larger British nation.\textsuperscript{42} The salient feature of unionist political identity is unionists’ overarching desire that Northern Ireland should remain part of the United Kingdom, which for many unionists also implies loyalty to the British monarchy, hence the alternative designation “loyalist.”\textsuperscript{43}

The political parameters of the conflict were set by the British partition of Ireland in 1920 into a six-county Northern Ireland, which remained an integral part of the United Kingdom with extensive local self-governing powers devolved to the Stormont parliament in Belfast, and the independent twenty-six-county Irish Free State, which revised its constitution in 1937 to incorporate a formal claim to sovereignty over the whole island and severed its remaining constitutional connection with Britain by declaring itself a republic in 1949.\textsuperscript{44} The sizable nationalist population remaining in the new territory refused to recognize the legitimacy of the Northern Irish state and became an embattled and discriminated minority subject to the political hegemony of their unionist adversaries, who effectively excluded them from participation in government. Economically and politically marginalized, the nationalist community remained quiescent until the late 1960s when popular protests against discrimination quickly turned violent in the face of government intransigence, with paramilitary groups emerging on both sides. Faced with the breakdown of civil order resulting from an intense campaign of violence waged by the principal nationalist paramilitary organization, the Provisional Irish Republican Army (IRA), and the heavy-handed response by the security forces, including the British Army, the British

\textsuperscript{42} A status which is, ironically, not uniformly granted them by other Britons, who for the most part regard them as “Irish.” Whether there really is a British nation to which the unionists belong is of no relevance for my analysis, since it does not assume that the validity of unionist claims is intrinsically connected with their status as a national group.

\textsuperscript{43} On unionist identity, see Porter 1998.

\textsuperscript{44} The partition was ratified by the 1920 Anglo-Irish Agreement between the British government and the revolutionary Dublin government, though an undertaking to revise the border at a later time to reflect the distribution of unionist and nationalist populations in border areas was effectively vetoed by the unionist government. Partition and self-government were not sought by the unionists, whose preference was that Ireland should remain part of the Union; but in imposing partition the British government was responding in part to unionist political and military mobilization against home rule for the whole of Ireland. And once this arrangement was thrust upon them, unionists developed a highly effective political movement under conservative leadership designed to prevent fragmentation in their ranks and exclude nationalist parties from government (including to a certain extent from local government in districts where they were in a majority). It is worth noting that the legality of the partition, and hence of British sovereignty over the territory, is questionable in international law, which forbids withdrawing colonial powers to impose partitions on their former possessions.
government dissolved the Stormont Parliament in 1972 and reimposed direct rule from Westminster. Until the mid-1990s the IRA engaged in a campaign of bombings and assassinations directed against police, security forces, and property in Northern Ireland and Britain, and loyalist paramilitaries responded with attacks on alleged republican activists and sympathizers.45

Since August 1994, with one hiatus, there has been an uneasy ceasefire while the constitutional political parties—including the political wing of the republican movement, Sinn Féin—have engaged in a tortuous negotiation process designed to create a devolved power-sharing administration in Northern Ireland.46 The ratification of the 1998 Good Friday Agreement by electorates in both Northern Ireland and the Republic has led to the establishment of the Northern Ireland Assembly and an Executive in which representatives of all the major political parties, including Sinn Féin, hold ministries, though its (generally successful) operation has been disrupted by on-going disputes over decommissioning of paramilitary weaponry.47

45 Whereas both the IRA and the principal loyalist paramilitary group, the Ulster Defense Association (UDA), have portrayed their actions as directed against “legitimate” military targets—designed, on the part of the IRA, to precipitate a British withdrawal and, on the part of the UDA, to stem or punish republican violence—much of the violence on both sides has been sectarian in nature (i.e. targeting civilians on the opposed side, whether intentionally or negligently) or has taken the form of punishment beatings and killings of members of their own communities. The efforts of the British security forces to suppress, and later contain, the conflict have involved large-scale military security and intelligence operations, incidents of use of excessive deadly force, and resort to extra-constitutional methods, such as internment and torture of suspects and (suspected) collusion with loyalist paramilitaries (cf. Guelke 1999).

46 The peace process was facilitated by a gradual shift in tactics within the republican movement from a military to an electoral strategy focusing on the participation of Sinn Féin in electoral politics and negotiations, a shift which has been rewarded by significant increases in support in all elections.

47 Major milestones in the peace process are: (1) the 1996 Anglo-Irish Agreement between the British and Irish Governments, granting the latter a limited consultative role in the administration of Northern Ireland; (2) the 1993 Downing Street Declaration, a joint statement by the British and Irish governments in which they committed themselves to pursuing constitutional resolutions of the conflict contingent on the approval of a majority of the Northern Ireland electorate (cf. McGarry and O’Leary 1995: 408-13); (3) the 1994 IRA ceasefire, following secret negotiations with the Irish and British governments, revoked in February 1996 and resumed in July 1997 (IRA splinter groups have continued to engage in violence, whereas loyalist paramilitaries have officially observed a ceasefire since October 1994); (4) the 1996 Good Friday Agreement, resulting from negotiations between the British and Irish governments and all major Northern Irish political parties: the envisaged revisions of the Irish constitution were subsequently passed by referendum in the Irish Republic contingent on the Agreement being ratified by the Northern Ireland electorate, which it was (with one major political party, the reactionary Democratic Unionist Party, dissenting) (U.K. Government, n.d.); (5) the establishment of a Northern Ireland Assembly and power-sharing Executive and a North/South Ministerial Council under the terms of the Agreement; and, in October 2001, (6) the first verified decommissioning of a cache of IRA weapons under the supervision of an international commission established under the terms of the Agreement.
Perhaps the most notable feature of the peace process and the Agreement are their implications concerning the sovereign status of Northern Ireland. By consenting to a possible future secession of Northern Ireland from the United Kingdom and its unification with the Republic conditional on the assent of a majority of the Northern Irish electorate, the British government has accepted the conditionality of its sovereignty over the territory, a remarkable, perhaps unique, concession by a nation-state. In principle this makes the future status of Northern Ireland dependent on birth and emigration rates in the two communities (which currently point to a future nationalist electoral majority); however, the most just and stable long-term solution would probably be a form of joint sovereignty by the British and Irish governments which would grant each community a minority veto on exclusive British or Irish sovereignty.
References


