

Nationalism and secession: does nationalism promise more than it can deliver?

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In all cases of secession in the 20th century, the secessionists invariably referred to their group's nationhood as a reason – and often the principal reason – for their secession. Usually they would argue that their group is different as a national group from other groups in the state and that, by virtue of being a different nation is entitled to a separate and independent state. In their argument, they appear to assume a general principle best summarised in the slogan 'to each nation, a state of its own'. Secessionists would often provide additional reasons why their nation cannot or should not remain in the same state with the other groups. These reasons would often fall into two general categories, that of (in)justice and of liberty: the first refers to the injustice(s) which their national group is or has been suffering at the hands of the others and the second refers to the liberty and/or opportunities that an independent state would provide their national group for the improvement of the economic, political and spiritual well-being of its members. In this paper I shall examine arguments referring primarily to the separate nationhood and to the suffering of injustice as a national group. If someone suffers an injustice while a member of an association, may indeed justify her or his exit from that association; this holds true for any individual as well as any group, even those groups which make no claim to separate nationhood. The same holds for political or any other kind of liberty: a desire for liberty may justify such an exit by an individual or a group which makes no claim to nationhood. Separate nationhood, in contrast, can be cited as a reason only by groups which satisfy some, apparently objective, criteria of nationhood. In this sense, a justification referring to the separate nationhood of the group seeking secession is quite distinct from any justification referring only to the redress of injustice or to the need for liberty. Before considering separate nationhood as a reason for secession, it would be necessary to determine how nationhood is understood in the justifications of this type.

Nationhood and its characteristics

Nationhood separates one group of people from another: in this sense it is eminently suitable as a reason for establishing a separate and independent state. In fact, it may be argued that in its modern sense the concept of a distinct nation was first used by governments attempting to justify their denial of the Pope's universal

jurisdiction and their military operations or exclusionary commercial policies against other states – that is, other organised political groups. For this purpose governments argued that the populations over which they ruled possessed either characteristics and/or needs which justified the very policies which they planned and carried out (however arbitrary the latter might have appeared to those who did not subscribe to such early nationalist ideologies). In justifications of this kind, each nation was supposed to possess a set of characteristics which were unique and thus uniquely differentiating from other national groups. These characteristics could be rather arbitrarily classified into four categories: moral or psychological, linguistic/intellectual, geographical and historical.

Individuals of each nation are thus supposed to display a set of preferences and attitudes which are discernible from their behaviour and their speech. Thus the English are supposed to be unexcitable, friendly to strangers but very private and committed to fair play or fairness. The French are, in contrast, more excitable, less friendly to strangers but more committed to culinary and other pleasures. Even if these lists of characteristics, in all their numerous variants, appear to be the caricatures of everyday stereotyping, they indicate that members of different national groups can often be identified as being members of that group by various traits of their behaviour in public and by their everyday customs which they share. In other words, many male English, Scottish and Welsh do drink beer and other alcoholic beverages in distinct surroundings called ‘pubs’ while most male Frenchmen do not. And while conversing in those convivial surroundings the body language of the English does visibly differ from their counterparts in France and Germany. These very obvious facts do not of course make any of these traits into ‘national markers’ – the unique and differentiating character traits of national groups. To make such traits into ‘national markers’ a separate generalizing or rhetorical step is required. To put it very simply, this step involves taking some aspects of public behaviour of some members of the purported national group and then proclaiming it a unique and distinguishing characteristic of the whole group.

The national marker which is easily the most universal is that of language. In most European states, the state authorities, through primary school, male conscription and the media, have popularized the use of a standard language, usually a former dialect of one region or class, as the national language. That privileged

dialect was then proclaimed a national marker – the marker of the national group which the great majority of the population going through primary school would be able to use. Even when the language – like English – is shared by a number of national groups, the differences in its use and pronunciation are sufficient to make it a marker of a particular national group. In most cases the standard language would have a body of literary works written in it or its alleged earlier variants. This body is correspondingly proclaimed a national canon of literature, which together with other works of art – in music, visual arts and the like – form a distinct national artistic heritage. Each national group is thus assigned both a language or a distinct variant of it, and a body of artistic works created by its prominent members, as a national artistic heritage. Individual members of the group, with the mastery of the language, and through their school curriculum or family education are then taught to regard the artistic corpus as a prized possession of their own group which entitles the group to intellectual respect equal to other groups with similar possessions. While individual acquaintance with these usually highbrow works of art may greatly vary, it is assumed that individual members of the group have, in virtue of their belonging to the group and their mastery of the language, both a special understanding of these works of art and a special non-aesthetic attachment to it; in short, they are supposed to be individually proud of these artistic achievements as the achievements of their group.

Each national group is further supposed to have a natural homeland where its members have lived for some period of time. In some cases, mostly of European national groups, the memory of the settlement or life within that territory is supposed to reach to early historical or pre-historical times when the ancestors of the modern nations supposedly settled or lived on the chosen territory. The requirement of homeland usually defines a national group in terms of their presumed descent from a group of ancestors. These ancestors need not be, at the time of settlement, aware of their belonging to that national group of which they are ancestors. And, in fact, members of the present day migrant nation may have ancestors who belonged to a variety of distinct national groups, speaking different languages. Even so the homeland of a national group is not exclusively defined in terms of the area in which it currently resides: the homeland needs to have been at least symbolically claimed by a group of the ‘first’ settlers or residents of that modern nation. Let

us call this claim – which is made by the current residents of the homeland – the ancestral claim to a national homeland.

Even though most of those who defines themselves now as American or Australian do not claim any descent from the first or even much later settlers of these states, their claim to a homeland in these territories is linked to the history of both the settlement and the creation or foundation of the state. In a sense, those who first settled and those who then proceeded to establish independent states on these territories are thought to have, rather symbolically, claimed that territory as a homeland for those who came to become members of the national group later, by further settlement and not by descent. Their settlement and their state-creation defined the claim to that territory by the national group historically linked to them, in contradistinction to any claims by the actual residents at the time of settlement. The residents of the time – the indigenous populations - were not the ‘ancestors’ even in this symbolic sense, and not only because they were in fact removed from the land to make room for the first national ‘ancestors’. Not only did they not participate in the formation of the states or the ‘national’ languages or cultures but were positively excluded from them as incompatible with the initial conceptions of these national groups. But even when the ‘first’ settlement occurred in early historical times, the ‘ancestral’ claim to a homeland is always, in a national historical narrative, regarded as exclusive in the same sense as it was in the case of a modern migrant nation. In those narratives, the alleged ancestors were supposed to have claimed that territory as an exclusive homeland for ‘their’ national group and for no other national group. The claim to a homeland thus always appears to be a claim to an exclusive homeland for the national group, even when the national group is now of very diverse ancestry.

Apart from the historical claims to a territory, each national group has a common historical narrative of its collective continuity, the narrative to which its members claim exclusive possession: that narrative is supposed to be a history of their group and they are taught, either through their family or through state-sponsored education, to regard it with special pride, even if it contains little of any particular achievement. The main object of national achievement is often the group’s continuity and endurance in adversity: almost

every narrative of this kind glorifies the national group's resistance to subjugation, assimilation or conquest of their homeland.

All four categories of markers are thus strongly differentiating: each group is supposed to have unique customs or traits, a unique language expressed in a unique body of literature and art, a unique and quite exclusive homeland, and a history of continuous and rather heroic resistance to other groups' attempts to subjugate and assimilate it. In a sense, taken together they over-determine the difference of each group from any others. The over-determination suggests that the very nationhood of each nation makes it necessarily different from any other group: it is the uniqueness of the each nation that is expressed in these various traits.

To mark a group as a national group not all four are, of course, necessary. For example, some national groups like Walloons and Flemings in Belgium do not speak very distinct languages from French and Dutch respectively but they consider themselves separate national groups because the language each group speaks is very different from each other. In some cases when the adjacent groups, speaking the same language, need to be differentiated as separate national groups in spite of their common language, their political and intellectual leaders broaden the range of differentiating 'national' markers while at the same time broadening the scope of differences between the dialects spoken by each national group. Thus the 'national markers' distinguishing the Serbs, Croats and Bosnian Muslims (Bosniaks) include their different religious affiliation (Eastern Orthodoxy, Roman Catholicism and Islam) and each respective state proscribes the compulsory use of the vocabulary which is supposed to differentiate the official languages from each other. Thus the official name for coffee is in Serbian 'kafa', in Croatian 'kava' and in Bosnian 'kahva'. Some groups, whose nationhood has been recognized only in the 20th century do not have a very rich body of literature or historical narrative; in order to achieve a sufficient degree of richness they include in their cannon works and events claimed by other national cannons and historical narratives.

For the purposes of the paper, it is not necessary that a group wishing to secede possess the national markers of all four categories. However, in order to make a bid for secession, a group needs to be

concentrated on a territory; for this reason we shall assume that it necessarily has a homeland, or claims a territory as its homeland. In addition to a homeland, the group would need to have other differentiating characteristics but it does not have to have all of the other three categories.

From nationhood to an independent state: do the national markers entitle a group to a state of its own?

Let us, however, suppose that there is a group whose members share the following traits: a language or dialect of its own, expressed in a body of literary works; a set of everyday customs different from those of all the neighbouring groups; a majority on a delimited territory; a history of an allegedly continuous settlement of that very territory and of a common action, resisting conquest or assimilation by other groups. Suppose also that most members of the group, through education and media contact, are aware of the common traits that they have. In short, the group or its members possess all the distinguishing 'national markers' – and also know that they possess them: as a consequence they regard themselves as a nation different from any neighbouring groups. Does the possession of all these traits and the awareness of their possession, give a prima facie right to this group to establish a separate state on the territory the group considers its homeland? At this point we can leave aside the questions such as What kind of right would that right be? Could it be overridden by other rights? or Under what circumstances could this right be exercised? In short, does being a nation with a homeland by itself entitle that nation to a state separate from the state of its neighbours? Does the division of humanity into nations (with homelands) imply the right of these nations to each have their own state?

As we have seen, 'national markers' are constructed to separate each nation from adjacent group and to make it unique: the separation and uniqueness of each group suggest, quite naturally, separate state or political organisation. Indeed, these national markers might have been constructed with just such an aim in mind: to each separate nation, a separate state. But even if the aim was to suggest that each entity marked by the national markers should have a state organisation, the possession of the required national markers still does not prove that each nation is entitled to a state of its own. One may indeed agree that each nation, so defined, should have a state organisation and still ask why it should be so? To answer the question one

would need an account of how the national markers and their possession oblige others to either let each national group form a state unhindered by anyone else or assist each national group to do so. In other words, such an account should show how by being a nation, a group is either at liberty (has a liberty-right) to form a state unhindered by others or has the right to claim (a claim-right) assistance from others to do so.

In cases of secession, the difference between a liberty-right and a claim-right to secede is often insignificant. In many cases of secession, the principal question is whether the parent state will grant the liberty to the new state to secede, that is to say, to be established, unhindered from the parent state. But in order for the parent state to grant the liberty to the new state to secede, the parent state has to act in both administrative and legal realm: it needs to order its administrative and coercive organs not to hinder the establishment of their counterparts in the new state and it has to enact or repeal legislation which would legalise both these orders and the secession itself. In granting the liberty to secede, the parent state is in effect assisting the new state to secede. Therefore, for a parent state, there is often no significant difference between granting a liberty to secede and assisting a part of its territory to secede. In view of this, in the present paper we shall focus on the issue of the claim-right to secession, in particular, the right claimed from the parent state. The right to secede which we are now examining could be articulated as follows: if a group is a nation, then others should be prepared to assist that nation, by offering public support, in its endeavour to establish a state of its own. In particular, if this national group resides in a state in which it is a minority, other citizens of that state, through its representatives, are obliged to assist the secession of that group from the state even if the secession is going to harm some of their interests (but not their rights). Why should the nationhood of that group oblige those not belonging to it to assist in the establishment of its state? In particular, why should the citizens of a parent state be obliged to assist a national group of its fellow-citizens to leave the state of which they are all citizens?

Before attempting to answer this question, one should also note that if a group has all the markers and its members regard themselves as a nation, it is not a moral or political duty of others to agree with them and recognise them as a nation. One can still disagree with their claims to separate nationhood on the simple ground that all the markers which the group possesses are not sufficient to distinguish them from their

neighbours as a separate national group; one can argue that they are still quite similar to their neighbours and thus do not qualify as a nation. This of course could not happen in the paradigmatic cases of nations with a nation state of their own, such as the Germans and the French. After all, it was the consideration of such paradigmatic cases of states and nations, that yielded the above national markers. But in our present case we are considering 'stateless' minority groups and not paradigmatic cases of nationhood. In such a case, we can recognise that a group has most (and even all) national markers and still deny that it is a nation in the sense that paradigmatic nations such as the French and the Germans are. We can argue that a group's national markers are too similar or too close to those of a neighbouring group(s) and argue that the difference in some of the national markers (for example, in its official language) is self-consciously exaggerated in order to achieve a status of a separate nation and thus qualify for a separate state. We can even agree that this group deserves – for various other reasons – to have a separate state but still deny that it is a separate nation. In the cases of many stateless minorities, there is often no conclusive evidence which would rebut arguments of this kind and guarantee the minority the obligatory or universal recognition as a separate nation.

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If nationhood is the source or the basis of the claim-right to a separate state, clearly those who are obliged to assist the nation – for example, the parent state and its citizens – in gaining a state of its own, have first to recognise the group as a national group. However, we have seen above, the possession of national markers in itself is not sufficient to guarantee such a recognition. This leaves the possibility of denying the obligation to assist the aspiring national group on the ground that has failed to gain the required recognition of its nationhood. Clearly the mere possession of the national markers does not automatically generate an obligation to assist the possessor group in gaining a state of its own.

In spite of this, let us start from the assumption of a recognised nation: let us grant that there is a group which is generally recognised as a nation but resides as a minority in a larger state. What is within this nationhood, which we recognise, that entitles this group to a separate state?

The two most differentiating traits – its long settlement on a territory and a distinct language – by themselves offer no entitlement to a state: having been settled on a territory for some time carries no implication as to what identity the state should have. The same holds for having a distinct language. There are a sizeable number of settled groups with distinct languages within Europe which do not claim an entitlement to state nor would others believe that their being stateless is an injustice against them. Perhaps having unambiguous territorial boundaries with little overlap with one's neighbours would make the group a better candidate for a separate state than the groups whose demographic boundaries are fuzzy simply because it would be easier to draw state borders. But in itself this trait neither requires nor entitles the group to a state.

The argument for fairness: for a fair distribution of states among otherwise equal nations

To this one can reply that by itself national markers do not entitle any group to a state. However, given that some groups with those national markers have got their 'own' states, it is only fair to allow others with the same markers to also have a state of their 'own'. The possession of national markers here is obviously taken to signal both the status and the capability such as those possessed by the national groups which 'possess' a state. The argument for fairness assumes that a state is in some important, and not only symbolic, sense the possession of a single national group; the rhetoric of many politicians and even constitutional acts of many European states support this assumption. But in order for the argument to work, it is necessary that the dominant nation has exclusive possession of the state, so that no other national group within the state can possess it in the same way. The argument in full now runs as follows:

2. A single national group exclusively possesses a state.
3. This leaves any national group within the state without a state of its own
4. The national minority X has all the national markers as the dominant nation and is thus no less deserving nor capable than the dominant nation of having a state.
5. It is unfair to leave a deserving national group such as this without a state.
6. Therefore, that national group has the right to a state of its own.

One could however challenge both premise 1 and premise 3. First, one can argue that in most liberal democratic states single national groups do not exclusively possess a state but rather share it, in various degrees, with individuals and groups who do not belong to that national group. Further, one can argue, that the rhetoric of politicians and constitutional acts notwithstanding, most liberal democratic states serve all of its citizens equally or at least try to do so. In this important sense, no single national group possesses these states. Of course, politicians do appeal to the 'national possession' of the state to mobilise that national group or groups in support of their political agenda (often couched in the language of the defence of the 'national' state); and the constitutional acts often refer to the majority national groups in order to deny state territory to other national groups which have in the past coveted parts of it. The major political institutions in these states do express the culture of the majority national group, but that is neither the only nor the most important indicator of 'possession' by a national group. Often these institutions do not only express the dominant culture but also the international culture of liberal-democratic institutions shared by many national groups, including those of minorities; and sometimes these institutions express or try to express the culture of the national minorities living in the state. This suggests that even the indicator of cultural expression does not unambiguously point to the exclusive possession by a single dominant national group. Therefore, if the possession is not exclusive, then premise 2 does not follow: a national minority can and often does share in the possession of a state and is not left without a state of its own. Of course, this sharing may be unsatisfactory for various reasons; in fact the national minority (that is, its members) may feel that the very fact of sharing or having to share a state with another nation is unsatisfactory. But being dissatisfied with sharing a state with another larger national group is not equivalent to not having a state of one's own. Therefore, premise 2 does not follow from the sheer fact of dissatisfaction by the national minority with the sharing arrangements. If premise 2 cannot be upheld, the whole argument of unfairness collapses.

As for premise 3, one can question the claim that the possession of national markers makes the possessor group deserving of a state. The fact that a group is different from another group in any one of the three ways does not in itself qualify it for a state. The majority nation which allegedly 'possesses' the state in

question does not deserve it either by virtue of its national markers. The fact that a national group is in a majority in a state does not indicate any desert on the part of the group: this may have been a result of a series of events in the past which were outside the control of that group or its leaders. It is not even clear that these national markers make the group in question any more capable of 'possessing' a state than a group which does not possess these markers. One can argue that the possession of the markers could make the job of determining the boundaries of the state easier: the boundaries of the state would go as far as the majority population with its unique national markers go. While this may be so, it does not imply that the national group capable of having state boundaries established is more capable of 'possessing' a state in the relevant sense than any other group. For example, a group of people with a strong preference for direct democracy can also be living in a territorially delimited way; and although they do not speak a single common language as yet, they are in the process of learning a language which will be used in political communication among them. Such a group would be as capable of establishing and maintaining a separate state as a national group. Indeed, one could argue that, in view of their shared view of the desirable political system, this group is more capable of performing this task than a national group whose members may differ in their political views. Pari passu, one may want to argue that in virtue of this shared view, this group is more deserving of a separate state than any other, including a national group. In the Working Paper No 1. 'Liberalism and secession: a few questions' I outlined some difficulties that this argument faces. But the argument assumes that states should be 'distributed' to groups according to a specific principle of desert. If one believes that the current distribution of states is a fairly contingent and unprincipled matter and that any planned re-distribution may cause more harm than good, one would not be ready to accept any argument for the re-distribution of state according to some principle of desert. In any case, possessing clear national markers does not, by itself, show that the group possessing it is in some natural 'desert' which qualifies it for a state of its own.

The argument for fairness is thus far from conclusive; the appeal to fairness in the distribution of states to nations cannot sustain the claim that the parent state and its citizens are obliged to assist a national group within that state in establishing its own separate state.

National diversity and how to preserve it: the argument for national diversity.

One can however argue that it is not any particular aspect of nationhood but its presence alone that entitles a national group to a state. The argument, which we shall call the argument for national diversity, is derived from scattered observations in Herder's works.¹ It runs as follows: Human diversity enables individuals to express their individuality in different ways or contexts. Since the ability to express their individuality is an essential element of human life, human diversity is also essential for human life. Division of humankind into national groups is an aspect of human diversity. Therefore, nationhood is an essential and valuable aspect of human diversity and of human life. The principal instrument for the preservation of nationhood and of national diversity are nation-states: the states which through their public institutions both express the individual nationhood and offer a public context in which various aspects of nationhood – language, customs, art and political life – prosper and flourish. In order to maintain existing national diversity, it is necessary that each nation have the appropriate public institutions within, and through which, the various aspects of their nationhood can develop. The appropriate public institutions are those of a state committed to the promotion of a single national culture or worldview. In the absence of such a public context national groups may lose various valuable aspects of their nationhood and thus decrease the existing national diversity. In this way, languages and various art forms, specific to national groups, have been lost and may in the future be lost as well. Therefore, each nation should have state institutions which would provide a public context for the development of various aspects of its nationhood. If we are committed to maintaining and fostering national diversity, we are obliged to assist each nation to acquire state institutions for that purpose; this of course implies that the parent state and its citizens are obliged to do this as well.

This argument is in short this:

1. National diversity is valuable and we are committed to maintaining it.
2. A nation-state for each nation is the only effective means of maintaining national diversity.
3. Therefore, we are obliged to assist each nation without a state to get a nation-state of its own.

¹ In his Reflections on the Philosophy of the History of Mankind, Johann Gottfried von Herder repeatedly suggests that diversity in languages and cultures protects or contributes to the protection of individual

This is an argument of the following general type:

If one holds X as valuable and is committed to X, and Y is the only effective means to X, then one is committed to Y as well.

This type of argument can be questioned on all three points: Is X valuable? Is Y the only effective means to X? Is one's choice of X compatible with one's choice of Y? If the answer to any one of the three questions is negative, the argument of the above type is inconclusive. In the case of the above argument the questions we can ask are as follows:

1. Is national diversity, to which we are allegedly committed, valuable?
2. Is a separate state for every nation that can sustain it (a nation state) the only effective means of preserving national diversity?
3. Is the commitment to national diversity compatible with the commitment to the principle that every nation should have its own nation state?

This essay will review each of the three questions regarding our argument. The most lengthy discussion will be that of the second question. Most of the nationalist arguments in their attempts to establish that their nation or each nation worthy of its name should have a separate state of its own, focus on demonstrating that each nation - or at least the nation to which the arguer belongs - needs to have a state. In doing so they are advancing arguments in support of the positive answer of the second question; it is this variety of arguments that we shall examine here.

1. *Is national diversity valuable for its own sake?*

The above argument assumes that national diversity is valuable, apparently regardless of the value of each individual nationhood or national culture involved in this diversity. From this it follows that national diversity involving aggressive and expansionist nations is valuable as well. The liberals would perhaps be

freedom. See [Reflections on the Philosophy of the History of Mankind](#), abridged by Frank E. Manuel,

the first to object to this: they do not value those national cultures which extol war, murder, manslaughter, conquest, subjugation of other nations and the like. If so, liberals in general do not consider all national diversity valuable but at best only the diversity which satisfies their liberal values. Their conception thus calls not for maintaining national diversity as it is but for purging it of undesirable national characteristics and redesigning it to fit the non-violent and non-conflictual values of liberalism. Even if redesigned in this manner, one could ask whether liberals would consider national diversity valuable for its own sake or only as a means of protecting individual liberty. Liberals give priority to individual liberty over any other value. In our present world, most liberal democratic states, which protect individual liberty, are the states in which a single national group is in majority; for the sake of brevity, we call such states nation-states. From this one could possibly infer that liberal nation-states are the effective means for the protection of individual liberty. However, one can easily imagine a non-national political system which would also effectively protect individual liberty; such would be either a liberal state extending over all the world or nationally diverse liberal regional states extending over whole continents. Such a liberal political system would require no nation-states and would require no commitment to preserving the existing national diversity via nation states. If so, it is not clear what intrinsic value the existing national diversity would offer to a liberal. But for the purposes of the argument one could assume that national diversity, re-designed to fit liberal values, would be, in the present unimagined world, valuable for a liberal as well, at least as a means of protecting individual liberty.

On the other hand, nationalists who do not share liberal values may argue that aggressive or illiberal national cultures are part of 'natural' (as opposed to redesigned) national diversity. According to those *naturalist* nationalists, national struggle is part of the competition among nations and, therefore, it is perfectly natural for nations to fight each other. In this competition and struggle, some nations are more successful than others; some successful nations have powerful states and others, less successful, are left without a nation-state of their own. Relations among nations – both within multinational states and among nation-states – are, the natural nationalists may observe, marked by competition for advantage and at times by violent conflict. The result of the competition and conflict will be different positions of national groups

in relation to their access to a state of their own. As the process of competition and conflict is a fact of nature so is its result: as it is a natural fact about the world we live in, the unequal position of national groups is not unjust. Consequently, we are not obliged to intervene to remedy or rectify the alleged injustice. And even if we do, we, members of more powerful or successful nations, cannot equalise nations in any way: we can only offer temporary help to those whom we think deserve our help. Such help is not a matter of obligation and is not likely to end the competition and conflict among nations but only to give some national groups advantage over others. In short, we are not obliged to maintain national diversity; in so far as exists, it is a fact of nature over which we have little control.

The third conception of national diversity we shall call national *conservationism* following the analogy with the environmental conservationists. The environmental conservationist would like to prevent the diminution of natural diversity of species resulting from human actions. The national conservationist would like to do the same in relation to national diversity; like the environmental conservationist, the national one values national diversity for its own sake and not a means towards some other good. In contrast to the naturalist nationalist, the national conservationist believes that we have a degree of control over present national diversity. To maintain or to foster national diversity, the national conservationist would rule out only that kind of violent struggle and competition which leads to the disappearance or assimilation of national groups. The competition or struggle which does not threaten the preservation or the increase in national diversity is not ruled out or condemned: this is a 'natural' competition or struggle as against an 'unnatural' one threatening national diversity. How one is to differentiate the non-threatening or 'natural' competition or struggle from the threatening or 'unnatural' one in practice is not our present concern; this is a worry for the national conservationist. For the purposes of the present argument it is, however, important to note that the national conservationist, in virtue of his or her commitment to national diversity, would endorse any means which would protect smaller or weaker nations from extinction or assimilation. In consequence, he or she would believe that we are obliged to assist, in any appropriate non-violent way, nations facing assimilation or extinction to avoid that fate. This implies that the parent state and its citizens are also obliged to assist in preserving intact any national group(s) within its boundaries, whether it is in minority or in majority.

As we can see each of these three different conceptions of national diversity has a different implication as to our obligations to assist national groups. The liberal conception implies that we may be obliged to assist only those national groups which endorse liberal values or at least reject violence and subjugation of other nations. The naturalist nationalist conception implies that we are not obliged to do anything to assist nations (except perhaps our own), while the national conservationist implies that we are obliged to assist any nation threatened with extinction or assimilation to avoid that fate. This variety of conceptions of national diversity indicates that the first premise of the above argument for national diversity – that national diversity is valuable and we are committed to maintaining it - needs to be made more specific.

For the purposes of the present argument, the naturalist nationalist conception of national diversity is of no use because it denies its conclusion, that is, our obligation to assist national groups without a state to get a state of their own. The liberal conception is clearly much more choosy about the national groups we are obliged to assist than the national conservationist one; but for the purposes of the argument either of the two would do. At this stage, we can assume without further argument that both liberalism and national conservationism maintain that national diversity, at least as each of these doctrines conceives it, is valuable. In due course, we shall examine the third question of whether the national conservationist conception of national diversity is compatible with the principle ‘to every (worthy) nation, a separate state of its own’.

2. Is a nation state for each national group the only effective means for preserving national identity and national diversity?

The principle ‘to every (worthy) nation, a separate state of its own’ can be justified in many ways. In this part we shall only look at one type of justification – that of effectiveness in preserving national identity and thus national diversity. In its most general form, this type of justification asserts that only nation- states, controlled by a single national group, are the only effective means of maintaining the desired national diversity. This is because only nation states, controlled by a single national group, provide the public context in which nationhood can develop and flourish. This implies that a liberal democratic state, in

which one nation forms a majority and thus controls the representative body and government, is incapable of providing a public context for the development of the nationhood of a national minority, and that for the development of its nationhood it is necessary that, in a liberal democratic state, a national group be in majority.

In support of this thesis on the effectiveness of nation states for preserving and developing nationhood, one can advance a variety of arguments. In this section we shall examine the arguments which are based on the need to protect (1) national self-esteem, (2) nationhood or national identity (3) national economic interests, and (4) the possession of ancestral national land.

The argument from self-esteem

The argument from self-esteem attempts to prove that a minority cannot develop its nationhood in a liberal-democratic state in which it is a minority. First, one claims that specific national customs or customary attitudes are essential elements of the conception every person has of one's own identity. From this it follows that their self-esteem depends in their ability to practice these customs unhindered. Second, if a group is in a minority, the majority can at any point legally forbid or hinder the practice of these customs. The situation in which one's customs are always open to legal prohibition is highly damaging to the self-esteem of the members of minority. Therefore, their self-esteem demands that the minority be in position to remove the possibility that some other group may legally hinder their customary way of life; this can be achieved only in a nation-state in which the former minority becomes a majority. Second, a national group's historical narrative usually refers to its striving for a national state either by recording its past achievement of such a state or by noting its endeavours to achieve it. Now since the national group which is in majority has achieved a nation-state of its own, a minority sharing that state with that majority is confronted with a constant reminder of its own failure to achieve its own nation-state. This constant reminder is also damaging to the self esteem of the members of the minority. In order to avoid such a damage to the self-esteem, every national group needs to have a state of its own in which it is a majority.

This argument does not refer to the need to protect the nationhood of national minority groups; the arguments from protection of national identity are discussed below. The two arguments outlined above refer only to the effectiveness of nation-state as an instrument from preventing the damage to self-esteem. Let us look at the first argument. One's self-esteem is allegedly damaged when one is, against one's own wish, left at the mercy of others or when one is denied something, with no fault of one's own, which one deserves and others have it. This is allegedly the case with the customs of minority groups in nation-states in which they are not in majority. But liberal democratic states are capable of legally entrenching minority customs which would make it quite difficult for majorities to change; for instances, attempts by majorities to change minority protection laws would be open – and often are open – to challenges in courts of law. The customs regarding the ritual use of drugs for American Indians are examples of this kind. The courts in some states in the USA have exempted members of certain Indian tribes from the laws prohibiting the use of those drugs which are used in Indian ceremonial or religious life. These rulings, legally protecting the customs which are important for the identity and self-esteem of American Indians, are not easily removable by legislative majorities in the states in question. Other liberal political systems offer similar methods of protection of minority customs. In short, liberal democratic states have the means of entrenching minority rights which do not leave national minorities at the mercy of the majorities. Having a nation state of one's own is not the only way to entrench customs or customary attitudes effectively. In fact, entrenchment, via legal regulation or judicial ruling, may be in some cases more effective as a means of preserving national customs than the support of a majority in a nation state. Attitudes towards national customs are subject to change; in particular, cultural influences from larger or economically more developed societies may quickly change traditional customs of large segments of the population who believe themselves disadvantaged. A quick spread of pyramid saving schemes in various countries of Eastern Europe after 1989 testified to a very quick change in traditionally unfavourable attitudes towards money or business speculation. Nation-states presented no obstacle to such change in customary attitudes: as the changed in customary attitudes is reflected in political preferences of the majority population, no parliamentary majority could be found for attempting prevent change in these national customs through legislation.

In regards to the second argument, while national histories still present the acquisition of a state as a supreme goal of a formerly state-less nation, this view is increasingly challenged both at the level of scholarly history and school textbook writing. In fact, it is difficult to sustain any claim that nations, as collectivities, self-consciously cherish specific goals such as that of acquiring a state of their own. In recent times, as nation states have proliferated at the expense of multinational monarchies or federations, it was usually the political and social elites that have led the drive towards a nation state for their national group. It was history-minded members of this elite that presented their own goals as the historical goals of their national groups.² In their view, quite understandably, their national groups deserved in some rather vague ethical and/or historical sense a nation-state of their own. Since such views are easily challenged, they need not hurt the self-esteem of members of any minorities in liberal-democratic nation states; in order to minimise such an impact on self-esteem history textbooks and media presentation of the states' histories could be purged of nationalistic references of the above kind and the contribution of the national minorities to the political and cultural life of the state could also be suitably presented. The aim of such rewriting of state histories would be not to please the national minorities in exchange for their political support, but to present the process of state-building more accurately and to emphasise that the resulting state is not a possession of any single national group or groups but rather of all of its citizens. Such a process of rewriting of state histories is in fact in place in many states of the European Union.

Since a liberal democratic state, in so far as endorses liberal political principles, should treat all of its citizens equally – and is in this respect 'nation blind' as well as 'colour blind' – and since it also endeavours to protect the culture of its minorities, its cultural policies and political practices should not lead to any loss of self-esteem among these groups. But, regardless of what should be the case, what to do if the minorities in such states do feel slighted and humiliated by the majority and if the state is unfairly favouring the majority group? As long as a liberal democratic state could remedy these ills within its own political system, one can argue, there is no need for the minority to resort to secession. There are, however, also situations in which it would be *conceptually* impossible for a liberal democratic state to remedy the

² For an account of this process in 'smaller' European nations which were previously national minorities in larger empires see Miroslav Hroch, [Social Preconditions on National Revival in Europe: A Comparative](#)

loss of self-esteem and the feeling of humiliation among members of the minority. These are the cases in which many members of a national minority define their own nationhood in terms of acquiring a state of their own. Suppose that the imaginary group of Ruritians, currently living in (an equally imaginary state of) Grandtonia, define themselves as a nation who once had, but had since unfairly lost a state of its own; every Ruritanian, who feels strongly that he or she is Ruritanian, feels equally strongly that his or her nation once had a state and that it still deserves to have a state. Even if Grandtonia is a 'nation blind' liberal democratic state, which does not recognise any symbolic or otherwise privileged status of its national majority and entrenches various Ruritanian customs and culture in its laws, the Ruritians would still continue to feel humiliated because they, on their own self-definition, deserve a separate state in which they are in majority.

If this is the case, the above argument about the development of nationhood in a liberal democratic state is question-begging.. In this case, a nation or its members define the words 'national identity' or 'nationhood' as 'belonging to a nation that deserves a state of its own;' this is their own self-definition of their national identity. If so, the argument in effect states that for the development of that sense of nationhood, it is necessary that the nation in question gets a state of its own because the nation in question defines its own nationhood in that particular sense. In brief, the nation should get a state of its own because the nation (or its members) say so. But the argument does not give us any other reasons, apart from the nation's own self-definition of its national identity, why, in such a case, a state of one's own would be necessary.

Apart from being question-begging, the above argument for secession cannot establish the desired conclusion of the over-all argument for national diversity. The over-all argument concludes that we, as non-members of a national minority, are obliged to assist the (worthy) national minorities in getting a nation-state of their own. The present argument asserts that a national minority should get a state of its own because its members believe or say that it should. If, however, a minority (that is, its members) believe it is entitled to a state, that is, to the secession from its parent state, that belief by itself does not put anyone unaffiliated with the group under an obligation to assist them in this enterprise. Similarly, if the minority

feels the loss of self-esteem or feel slighted, these feelings again put no one under the obligation to assist them in getting a state of their own. One can indeed feel a lot of sympathy and try to alleviate their feelings in various ways but there is no obligation to assist them in their secession.

Their feelings of being slighted may be caused by or resemble envy: they feel that the majority group is no way superior and should therefore have no advantage over them. They also believe that the only way to remove that feeling is to remove the alleged advantage of the majority group by getting a state of their own. But they do not realise that in many cases the majority group is not as advantaged as they believe them to be. If so, they are demanding, in order to assuage their hurt feelings, that a secession remove an advantage which does not exist

The arguments for the protection of nationhood

The point of the above objections to the arguments from the loss of self-esteem is that in a nation-blind liberal democratic state, the state institutions and public policies should offer no good grounds for a minority to feel slighted or humiliated. These objections thus imply that if a minority (that is, its members) in a nation-blind liberal democratic state does feel slighted, it does so because its members hold incorrect beliefs about the role of the majority national group and the state – that is, its members wrongly believe that the majority somehow possesses the state and thus excludes the minority or minorities from the possession. But their belief may be based on their previous experience (or the previous experience of other minorities) – the experience of injustice and of oppression suffered at the hands of state apparatus dominated by majority national groups. If so their belief that the majority in fact ‘possesses’ or at least uses the state, is not wrong and their feelings of humiliation are well-grounded in their or someone else’s experience.

But if their feelings are thus well-grounded, the state in which they suffered injustice has failed to protect the minority or minorities from injustice or oppression. The question is then not whether a minority needs a state of its own to maintain the self-esteem of its members intact but whether it needs a state of its own to protect its members from injustice or oppression. There is no doubt that national minorities in many states have been and still are subject to discrimination of various kinds – economic, social and political; and various forms of discrimination, such as employment discrimination, persist even if legally banned. The legal prohibition of discrimination and affirmative action in employment policies are thus not always effective in removing discrimination against national minorities and migrant groups of different nationality. In view of this, a minority which is exposed to persistent discrimination would be quite naturally led to believe that the only effective way to remove it would be to establish a state in which it is in majority. If this belief is correct, then it would follow that it would be necessary for that national minority to get a nation state of its own.

The point of this argument is not that many existing nation states do not protect their national minorities from various forms of discrimination. The point is that even if attempting to be ‘nation-blind’ a liberal democratic state, in which a national group is in majority, cannot provide such protection. In other words a democratic system in which decisions are made by a majority inherently leaves national minorities without protection from discrimination. This type of system will always leave some areas of public life inaccessible to members of a national minority and so national minorities will still be subject to discrimination.³ First, the argument presupposes that discrimination against the minority or minorities is due to the national characteristics of the minority. Within our framework of four categories of national markers this means that the discrimination which members of the minority experience is due to any one of four aspects of its nationhood: customs, language, geography or history. Second, the argument presupposes that the discrimination arises from the very system of majority decision making.

³ This seems to be the argument advanced in Yael Tamer’s Liberal Nationalism, Princeton: Princeton University Press, 1993. For example, she states that ‘...[If] belonging to a minority group unavoidably carries with it social, political and frequently economic disadvantages...’ (ibid. p.149). See also pp. 72-73 and 142.

Let us then start with a case in which both of the above presuppositions appear to hold. In a democratic state, the election to the highest political offices is carried out by a majority procedure: to be elected to these offices, candidates need to secure a majority of votes either in the representative assemblies or in direct elections. This would be one of the areas where discrimination against the minority would be so to speak intrinsic to the system of job-allocation. Let suppose candidates from the minority group failed to secure enough votes to be elected to the highest offices. How could one establish that the reason for their failure was their sharing any one of the four aspects of nationhood of their minority? It is unlikely that the reason for the failure to be elected has anything to do with the homeland of the minority or with their preferred account of history. This leaves us two other possibilities: these good candidates were not elected because they share the particular customs of their minority group and/or because their native language is that of the minority. To establish that these two characteristics are reasons for their failure to get elected to the highest offices, it is not sufficient to establish that they have not shown an understanding, or ability to follow the customs of the majority or to speak the language of the majority proficiently. In a representative system based on competitive contesting of elections, the candidates for highest office need to appeal to the majority of the electorate; if minority candidates are not as good as other candidates, it would be self-destructive for the political party to which they belong to chose them as candidates for the highest office. If the candidates from a national minority only failed in that respect, this is not an indication of discrimination against them but an indication of the preferences of the majority. In such a case, the minority candidates are not elected for the highest elective office because they are, in the view of the majority, not as good candidates for the job as others. To establish that this was a case of discrimination one would have to show that they were discriminated against in spite of being as good as those from the majority. In other words, one has to show that they have equal skills to the elected candidates. We may call this requirement the Equal Skills Requirement. In the present cases of the highest elective offices, if there are candidates from the minority who satisfy this requirement, and yet did not get the required majority, then one could argue that this system of majority decision making discriminates against candidates for the highest office on the basis of their national characteristics and that the only way to remove discrimination of this kind is to form a nation state of that minority.

Of course, one could object to the Equal Skills requirement that first, the criteria of discrimination are too stringent and, second, the requirement is unfair to the members of the minority. Let us start with the second objection. When one is educated in one's own language, then it is much more difficult to master the majority language as well as native speakers. Unless one learned the majority language at a young age, one would always be marked as a non-native speaker. The same holds for the majority customs and mores. Consequently it is unfair and nearly impossible to require the minority candidates for political office have the same proficiency as the majority candidates.

The second objection – of unfairness – misses the mark. In a liberal democratic state, members of the minority would (and do) have the opportunity, through the educational system, to master the majority and minority cultures equally well. In consequence, as highest office holders in Canada and Belgium show, it is not impossible for members of a minority to acquire sufficiently good proficiency in both the customs and language of the majority. Further, as the highest office holders are to be representative of the majority, it is not unfair to require them to be sufficiently proficient in the language with which they are to communicate and in which they are to represent their electorate. It would also not be unfair to require political candidates from a majority group, who want to represent the minority, to master the minority language and customs; and the highest office holders in liberal democratic states with a large minority, often master that minority language as well.

Let us now look at the second objection, that these criteria for discrimination are too stringent because they require that other grounds for the failure of minority candidates – their relatively lower level of linguistic and cultural competence – be ruled out. The objection would run as follows: even if a candidate for high office from a minority group is not chosen because of his or her lower competence, the reason for her or his lower competence is their belonging to a minority group. Therefore, the reason for their failure to be elected is the discrimination against them as members of the minority group. This, however, is not true: the candidates' belonging to a minority group may indeed explain, at least in part, their lower competence in the required skill, but it does not demonstrate discrimination against them or the minority group. It would do so only if there was or has been educational discrimination against their group which prevented them

from acquiring the required skills. If there was such discrimination, this could be remedied – and it often is remedied – by providing to the members of the minority equal educational opportunities and also remedial education in the majority language. But if the candidates had an opportunity to master the skills needed for highest political office and they failed to do so, there is no discrimination against them or their minority group. Candidates with the same level of skills from the majority group would have been rejected for the same or similar reasons. As we noted above, in some multinational states members of the national minorities master the requisite skills and get elected to the highest elective offices. This indicates that a majoritarian democratic system does not, necessarily, discriminate against members of the national minority and that their national characteristics – their language and their customs – are not, necessarily, a basis for unequal treatment even in an area which the majority decides who gets the jobs.

However, one can still argue that the Equal Skills requirement simply misses the mark: the discrimination against a minority does not consist in denying its members the jobs or positions for which they compete against members of the majority but in making it too costly or too difficult for them to compete for those jobs. Take the highest elective offices: for a member of a minority it is much more difficult to learn the requisite skills and to establish the requisite networks than it is for a member of the majority. A member of a minority has to grapple with a foreign language in a foreign culture among people who are to him foreign while a member of the majority is on his own – and everything comes easier for her or him. From this it follows that for members of the minority it would be easier and/or less costly to advance their careers in a state of their own. This applies across the board – from the rubbish collector to the prime minister; all of these people would find it easier not to have to compete for jobs with members of the majority on terms largely set out by that majority.

This is no longer an argument about discrimination but an argument about the removal of undesirable competition. It is not that members of the minority are discriminated against as members of the minority but that members of the minority in competition for certain kinds of job do not have the same advantages as members of the majority. From the point of view of the former, the latter's advantage is unfair and therefore undesirable. Secession of the minority region would remove the competition of the majority

members from those jobs. Note that the assumption is that in a smaller nation state, the citizens of that state would have as many job opportunities and as varied range of job opportunities as they do in the present state in which they are in a minority. This assumption is not universally true: secession leads at times to the loss of jobs and job opportunities in the region as well as in opportunities for migration in search of employment.

But the major objection to the argument from the removal of undesirable competition is that it is not an argument for the protection of the national minority. The aim of secession – the creation of a separate state – in this case is to level of the field for job competition for *some* members of the minority by the removal of the competition they find undesirable. The undesirable competition is removed only in the areas of employment where equal mastery of the majority language and culture is essential. But many jobs, especially in commerce, manufacturing, information technology and the like, do not require such a mastery of the majority language/culture. Migrants, often with rudimentary mastery of the majority language, successfully perform in many jobs of this kind. Members of the minority may not find the competition from the majority for those jobs unfair – and secession may decrease the number and variety of jobs just in those areas in which there is no unfair competition from the majority. If so, secession would protect the economic interests of some members of the minority, in particular, politicians and the media, government and education employees. The removal of competition from members of the majority for political office, and for media and government-funded employment, is a significant bonus for the groups seeking employment in these fields but this protects neither the rights nor even the economic interests of all the members of the national minority in question.

Moreover, the protection of the economic interests of some segments of the minority population or the leveling of the field of competition for employment of a certain kind could be achieved without secession. Various affirmative action schemes as well as the establishment of lower tiers of government in the regions where the minority forms a majority lead to the removal of competition from the majority of population for the range of government jobs, elected offices, and government-funded jobs. Therefore, this argument does

not even establish that in order to protect the economic interests of some segments of national minorities, it is necessary to establish a separate state.

However, this argument clearly establishes who is likely to profit from secession most: it is the politicians, media and government employees who stand to gain the most from state of their own in so far opportunities for career advancement and a wider choice of jobs goes. It is not, therefore, surprising that these groups are often the most ardent and active advocates of secession.

The argument from the protection against discrimination fails to establish that a liberal democratic state cannot protect a national minority from discrimination. But our examination of this argument revealed that a liberal democratic state cannot offer the same range of job opportunities – for example, in politics, government and media – to the members of a national minority which a nation-state of their own could offer. A liberal democratic state cannot – and was not meant to – offer the same range of job opportunities to every group and thus every national group in the state. This implies that secession from a state in which there are a minority, may indeed protect the economic interests of that minority. Let us now examine this argument.

The argument from the protection of the minority's economic interests

Why should members of a national minority tolerate anything they consider to be unfair competition from the members of the majority? This question leads us to the question of economic disadvantage as a reason for secession. In any state, including liberal democratic ones, various groups – not only national ones – may suffer economic disadvantage. Here we shall discuss briefly economic disadvantage as a possible reason for secession of any group and then return to the present question of the economic disadvantage of national minority groups.

One can also ask why members of any group of people should tolerate what they consider unfair competition from any other group? One reason for not tolerating such competition is that it threatens the

established way of life of that group. Take a group of individual fishermen who own their own boats and sell their catch directly to their customers or through a cooperative. In many countries, they have an established way of life, with distinct customs, folklore and even a dialect spoken in that region. They also have a homeland – a region of seashore – and a history of their communities stretching back for many centuries. Yet fishermen do not consider themselves a national group – unless they belong to a separate national group, independent of their source of employment. They usually have no canon of literature or narrative of a history of their achievements and no intellectual elite which would consider themselves representative of a national group.

In many liberal democratic countries – such as France and Norway – large, sometimes multinational, companies with their flotilla of well equipped fishing boats present competition to the individual fishermen. The latter consider such competition quite unfair; it also threatens their established way of life as well as the destruction of their fishing communities. As a matter of fact, liberal democratic states such as Norway and France protect individual fishermen by limiting the access of the multinational companies to the catchment areas and by offering various subsidies to the individual fishermen. Now suppose, contrary to that fact, that a liberal democratic state is unwilling to protect its individual fishermen in any way from that competition. In consequence, the fishermen see no other way of preserving their way of life but to seek a separate state which would prohibit the import of any fish and prohibit fishing by citizens or companies of any other state in the ‘maritime exclusion’ zone of that new state. Is there a general right to preserve a traditional lifestyle which would justify their establishment of a separate state?

But before we consider this, we can ask - will the establishment of a separate state along these lines secure their traditional lifestyle? The most likely outcome will be that their fish-based economy will stagnate: the multinational companies with their lower fish prices would take an even larger slice of the market in their former parent state and elsewhere; the loss of the market will eventually leave them producing for their own needs alone. This will result in the spread of unemployment and the emigration of younger population from the seceded state. The remaining population could preserve their lifestyle at the price of reducing their standard of living and of decreasing their population. Finally, the preserved way of life may attract

tourists and in such circumstances their way of life would be displayed to tourists as an attraction from the past. If this happens, their traditional way of life would no longer provide sufficient income through its fishing but will gain income as a tourist/museum attraction. From a traditional way of earning an income it would transform itself into a tourist income earner. This transformation could have also been carried out with much less cost in the parent state as well. Had the region remained in the parent state, the parent state might have invested in tourist and other more viable industries in the region thus retaining some of the population which had emigrated from the new state; and the migration of the unemployed from the region would have been carried much easier within the parent state. In short, the secession of the fisheries region is unlikely to preserve the traditional way of life as a sustaining way of life; and the transformation of that way of life into a museum/tourist display lifestyle would have been carried out with less cost in the parent state.

Had there been a general right of secession for the purpose of protecting a traditional way of life, a large number of communities within any parent state would be in a position to claim this right. The creation of a large number of separate states committed to traditional ways of life would reduce employment opportunities for a large number of people, both in those new states and outside them. This would not only significantly increase unemployment but would reduce the standard of living of those employed in the new states and in the parent state(s). In effect, the right to protect one's traditional way of life through secession would require that the majority sacrifice their current way of life – their employment opportunities and their standard of living – for the sake of the minorities' traditional way of life. But there is nothing more valuable, intrinsically, in a traditional way of life which would justify forcing the majority to sacrifice theirs. The traditional way of life does not protect or preserve the basic liberties of individuals any better than they are protected in a modern liberal democratic state; on the contrary one can argue that a traditional way of life often demands a higher degree of conformity of the individual to the demands of the group than liberalism would deem appropriate or necessary. The traditional way of life, within a liberal theory, cannot claim the special status which would require a separate state for its protection. Within a liberal democratic state, the livelihood of various groups – for example, farmers and fishermen – is often protected through financial subsidies or protective tariffs; and the central government as well as lower tiers

of government – regional or provincial government – often protects areas from tourist and industrial development. While this type of protection may not be sufficient to maintain various traditional lifestyles as sustaining sources of income, secession, at much a greater cost, cannot secure this either.

Let us now consider the protection of economic interests of a national minority. Like the above fishing communities, a national minority in a liberal democratic state may believe that the economic interests of its members are not being protected in that state. On the grounds of economic profitability or sustainability, the parent state may refuse to protect from competition the existing (not necessarily traditional) industries in a region in which these are the principal employers of the members of the national minority settled in the region. The parent state government claims that the decline or even disappearance of these industries is inevitable and that therefore the members of the national minority should find new employment, elsewhere in the state if necessary. The parent state, however, is ready to invest in retraining the population and offering incentives to attract new and more profitable industries to the region. Their refusal to protect the existing industries is thus not a case of discriminatory policies against the minority (they refuse to do this for the majority populated regions as well). As before, one could ask whether in such a case national minorities have a right to protect their economic interests through secession. Would the creation of a new state be an effective instrument for this kind of protection?

The above example of the community of fishermen may provide a useful analogy. Removing competition from a segment of industry or subsidising it from state funds does not necessarily maintain or increase the standard of living of the national minority, nor does it, in the long run, preserve their jobs. In order to subsidise one segment of the economy one needs to increase taxes in others or to increase taxation of the general population. Unless this segment becomes profitable or competitive, it becomes a drain on the economy and the state; in a liberal democratic state the majority of the population is not usually ready to sacrifice its own standard of living indefinitely for a subsidy to one segment of the economy. In order to effectively protect a segment of the economy which the parent state did not want to protect, the government of the newly seceded state has to be able to make this segment or this industry profitable or secure long-term subsidies for it. While this is indeed possible, no secessionist movement can guarantee this prior to its

secession. The secessionist movement may indeed have a better policy grasp of the economy of the region than the parent state does. The members of the national minority may trust their own secessionist leaders more than the parent state and believe that, unlike the parent state, their leaders are committed to the protection of their economic interests. This may make them ready to sacrifice, at least in the short term, their current standard of living and to subsidize currently unprofitable industries in their newly seceded state. But in spite of all these advantages the secessionist government may fail in its attempt to protect its principal segment of industry (the segment that employs the largest number of its citizens) because of unfavourable market trends and outside competition; if there is less demand for its products worldwide and competition offers less expensive alternatives, the secessionist government can do little to keep this segment of industry profitable. The success of protective policies of this kind depends on a series of factors outside of the region and of the (former) parent state; any such policy thus faces the uncertainty of economic markets outside the targeted region.

Now there is no evidence to show that a secessionist government would, in principle, face these uncertainties of economic markets and competition better than the parent state government would. On the contrary, one could argue that a larger state, with a more diversified economy would be better equipped to face such uncertainties. A larger state would have more resources to restructure and replace existing industries with more profitable enterprises. There is, therefore, no evidence to show that the creation of a new state would, necessarily, protect the economic interests of a national minority by protecting the industries that the parent state does not want to protect, although in some cases this may indeed happen.

There is one type of case in which secession, necessarily, protects or even improves the economic situation of the former national minority which, in the seceded state, would form a majority. This is the case in which the region in which the minority is settled possesses mineral resources – such as oil or precious metals – for which there is a steady global demand. Since the benefits of the exploitation of these mineral resources are, following the secession of the region, to be distributed among a smaller number of people, each citizen as well as the new state ‘purse’ would benefit more than they did in the parent state. In such a case, it is the mere act of exclusion of the majority population of the former parent state and not the

superior economic policies of the secessionist government or its commitment to the interests of the national minority that brings this kind of economic benefit to the national minority. In such a case, the economic interests of the national minority are protected or improved at the expense of the majority of the population of the parent state: the seceded state's gain here is clearly the parent state's loss (and this holds for their respective citizens). No theorist of secession - except the anarcho-capitalists⁴ - would hold that this would justify secession of any national minority. The desire to reassign income from the exploitation of natural resources from the majority of a population to a minority is not, on its own, considered to be a justification for secession. In general, it is not considered that a minority has a right to take away the income from natural resources from the parent state for its own exclusive use; in order to justify such a move, the minority has to appeal to some other rights – such as the right to control the resources of the land to which it has a special relation, the right which we shall examine below.

Even if one wanted to argue that a minority is justified in seceding solely on the grounds of its desire to appropriate such an income, this desire or preference would not provide any ground to claim that the outsiders are *obliged* to assist the minority in its secession. To assist the minority in secession in such a case would be to assist a group in securing a financial gain at the expense of others. But no one is obliged to assist anyone in such a task. On the contrary, one could argue that one is obliged to assist in preventing the harm being done to the parent state and its population by such an action. But even if one does not agree on the latter, one could still argue that in such a case the reason for secession - the securing of a gain at the expense of others – defeats any obligation to assist this group in their secession. If so, one could grant that in this case secession would indeed be an effective way of protecting the economic interests of a minority but that the reason for secession – the minority's self-interest causing avoidable harm to others - precludes any conclusion that we, the outsiders, are obliged in any way to assist that secession.

In order to avoid the above objection that the self-interest of a minority causes harm to others, secessionists or their leaders usually justify their secession not as an attempt to gain economic advantage for their group at the expense of others but as an attempt to recover their group's rightful ownership over

⁴ For an account of their views see my Working Paper no. 1 'Liberalism and secession: a few questions'.

the land and its mineral resources. If secession is presented as a recovery of the rightful ownership of, or control over the land on which the minority is settled, then the economic loss of the majority is no longer a wrong done to the majority; the economic gains that the majority of the parent state was getting prior to the secession were wrongfully acquired from the land to which they – the majority – had no right. This is an argument from a national minority's special relation to land on which it has been settled. This argument we shall examine now.

The nation and its land: the argument from a special relation to the ancestral land

Each nation usually has a narrative history of achievements and of continuous settlement of a piece of land conceived as a homeland. Diaspora nations – such as the Jews – have, instead, a tale of displacement and expulsion. The tale of settlement of a homeland provides both a focus for their personal attachment to the homeland – as the land of their ancestors – and grounds for the claim to that land as a rightful patrimony: the land was handed over to succeeding generations for their care and upkeep. The model – which Burke elaborates and expands on in his Reflections on the Revolution in France – is that of family patrimony or heirloom. This model may suggest a relation based on a legal title: the ancestors lived on and thus collectively possessed the land and they passed this common property on to succeeding generations. However, this suggestion is misleading for two reasons. First, legal possession of land implies that at any point of time there is an individual or corporate title-holder. But since a nation is not a corporate body with an institutional structure empowering individuals to act on its behalf, national or historical possession of land leaves it unclear who the title holder is. Instead of its own corporate structure, each nation appears to borrow institutional structures from a modern state, the structures which are often representative not of a national group as a collectivity but of citizens of the state, not all of whom belong to that national group. Second, the institutional and individual representatives of the nation – their political representatives – unlike the title holders or their agents, do not have the right to alienate their nation's land or to exchange it for any other goods. For this reason one could argue that the political representatives in a modern state are not really acting as agents for the national group as a corporate title holder.

A nation's possession of its historical lands does not imply or require the nation's exclusive political control over it: in many liberal-democratic states it is the citizens, residing on that land, who through their representatives exercise control over the land. While most of the citizens would often belong to the nation which claims the land, not all citizens would possess the national markers of that nation, and yet would be entitled, in virtue of their citizenship, to participate in decision-making over the land. In spite of this, the national group which has settled on this land first (or believes to have done so) could still claim this land as its own ancestral land. We shall call this view the Ancestral Possession View. According to this view, a nation has the right or is entitled to claim as 'its own' the land which its ancestors have settled in the past. Such a claim gives rise to two complementary obligations towards the claimed land: one is to maintain and develop the resources situated on it for the benefit and well-being of its members (both the living and the yet unborn), and the other is to preserve it for the use of their descendants. While there may be disagreement among members of the claimant nation, about the best use of the natural resources of the land, as long as these natural resources are used primarily for the benefit of members of the nation and not of others, the basic duty of care for the land appears to be discharged. The second duty – that of the preservation of the land for the descendants – is discharged by the national group if its members continue to be settled on the land and do not allow others to exploit it. Thus both of these duties are discharged primarily by keeping those who are not members of the claimant nation – the foreigners – from controlling the resources or income from the land. In other words, by preventing both the foreign exploitation of natural resources and foreign conquest of the land. The latter of course presents a threat of an irretrievable loss: if another national group invades and conquers the land, it may be able to wrest it for ever from the conquered national group. This seems to be the only way to irretrievably lose the nation's land. The selling or leasing of the resources of the land to foreigners, in contrast, can be terminated and the land reclaimed for the claimant nation. Therefore, defense of the land from foreign conquest is the duty of every member of the claimant nation overriding all other political obligations.

A nation's possession of a land as homeland, according to this view, generates the above two duties of protection from other national groups and of transfer of the land to the future generations of the same national group. In fact, it is difficult to see what other duties or rights such a possession generates. If so, the

main point of claiming possession of a land for a particular nation appears to consist in denying use of the land and political control over the land to members of other nations. However narrow it may appear, this ancestral possession view provides a convenient ground for justifying the land's secession from the existing parent state. To see this consider the following imagined scenario: let us suppose that the ancestral land of a nation was conquered by a larger or more powerful nation; the former remains as a national minority or indigenous group living on the conquered land. After a few generations, the conquerors claim the same land as the land of their ancestors as well. The conquered however claim the land as the first settlers or as the indigenous group. They believe that they should be enabled to discharge their duties of possession: that is to deny the later settlers control over at least some parts of the land which their ancestors settled first. Having a state of their own – a state which they control – would be doubt enable them to discharge these duties well because the state provides efficient instruments for the denial of control to those who are not the citizens of the state. Is the fact of first settlement sufficient to justify the creation of a separate state or a state-like entity which the descendants of the first settlers are to control?

Several liberal-democratic states – such as the USA, Canada, Australia and New Zealand – appear to recognise the first settler's claim to their ancestral land: their positive legislation, implicitly or explicitly enable various indigenous groups to discharge their duties of possession. Does this recognition provide grounds for justifying a secession of the indigenous groups and of their land? Let us first examine how these claims are recognised. The claims are recognised in two ways: First, members of indigenous groups are granted the right of self-government on delimited territory; this self-government usually includes limited powers of legislation, policing and court jurisdiction. Second, members of the indigenous groups living on the territory are exempt from some of the legal regulations that other citizens of that state are not; they are thus given a limited juridical exemption. But in recognizing the land claims, the liberal-democratic states have not transferred all its sovereign functions to the indigenous self-governing bodies; in no case have these indigenous self-governing communities taken up defence or foreign relations functions. In most cases, the indigenous community is given a restricted right to control access to and use of the land; thus it is often empowered to prohibit access to its territory or parts of its territory to non-members of the community. Their power of prohibition is not, however, absolute: the parent state's government is in a

position to override it and let its agents enter the prohibited territory against the will of the indigenous community. In this sense, the parent state's government retains the ultimate sovereign powers over the territory. Moreover, the state representative bodies have not divested themselves of the right to legislate over those indigenous lands or the communities residing on them. In other words, the parent state representative bodies have kept these communities within its scope of jurisdiction while at the same time restricting their own jurisdiction and transferring some of the state functions to the self-governing bodies of these communities. This looks very much like a limited devolution of political and legal powers to territorially based self-governing bodies of indigenous communities.

The basis for this devolution has been twofold. On one hand, there were the treaties their political leaders made with the colonial or white settler representatives at the time of the conquest of their land and, on the other, the rectification of injustices committed against them. The governments of the parent states have recognised, whether explicitly through statements of apology or implicitly through legislation, that the occupation of the land of indigenous peoples was unjust at least in the sense that it had denied them some of the rights of ownership or territorial control which they enjoyed prior to its occupation by the foreign – in this case white - settlers. The grant of self-government and control over land is viewed in general either as an attempt at (a partial) rectification of that injustice and/or as an attempt to uphold the original treaties their leaders concluded. Either of these two appears to be a necessary condition for the devolution of powers to indigenous groups and their self-governing bodies: if neither of the two held, a community's claim to an ancestral land would by itself not be sufficient to devolve political and legal powers in the above way to the present-day descendants of these ancestors.

In attempting to rectify past injustice, liberal democratic states usually acknowledges that these injustices have continued to cause harm to members of indigenous groups and thus, at least in part, account for the political, economic and social disadvantages they suffer at present. In rectifying past injustices, these states are thus also attempting to remove the present disadvantage and to equalise the rights and opportunities of all of its citizens. The primary aim of the liberal-democratic states is thus not to rectify past injustice or to recognise the right of indigenous groups to the possession of their ancestral lands; their primary aim is to

equalise the rights and opportunities of all of its citizens, including those of the indigenous groups. The grant of self-government and of judicial exemption is an instrument which the indigenous groups themselves prefer to for variety of reasons for the rectification of past and present injustices. One of them appears to be linked to the collective self-esteem: the recognition of these claims enhances their members self-esteem since it recognises them, as a group, as equal to their erstwhile conquerors and recognises the past injustices against them. But that is not the only reason why their leaders often restrict their political goals to a limited self-government on the territory on which they reside. A limited devolution of powers, falling well short of secession, enables the members of indigenous communities to enjoy all the rights and opportunities of citizenship in the parent liberal-democratic state; this enables them not only to enter its labour market, if they wish, and to avail themselves of educational facilities offered by the state, but also to continue to have access to the state funds earmarked for indigenous communities. In the case of secession from the larger state, all of these benefits would cease or be restricted. Furthermore, the parent state takes upon itself the duty of defence of the land from other national groups – and thus relieves the indigenous community from a costly task. A restricted devolution of powers to indigenous communities, as a response to their ancestral land claim, is thus not preparatory to or aiming at secession.

A mere claim to the ancestral land is, as we have seen, not a sufficient ground for such a devolution of powers. Rather such a claim provides a basis for determining the territory which the indigenous communities are entitled to govern. The boundaries of the territory are determined, in practice, either on the basis of the original treaties which often gave a general description of that territory or on the basis of some evidence of the past use of the land by the ancestors of the present indigenous community. Usually neither of the two usually enable a precise determination of the boundaries of the territory; in most cases, it is the parent state's courts or government bodies that in effect determine what these boundaries are. In this sense, the indigenous claims to ancestral land primarily indicate what territory the leaders of the present community or the community itself would like to claim as their ancestral land. These claims are then interpreted and evaluated by the courts or government bodies of the state within which the indigenous community resides.

While a claim to ancestral land is clearly insufficient to justify secession of this territory, we can still ask whether such a claim could form an essential element of justification of a secession of the territory from the parent state. Suppose that a few centuries ago the ancestors of the Ruritarians, a national minority in the present day province of Ruritania, had been conquered by another state, Grandtonia; the conquerors, Grandtonians, then settled on the same territory and annexed it to their state. Once the conqueror's state evolved into a liberal-democratic state, it endeavoured to rectify the past injustice by a variety of policies, including the devolution of powers to the province of Ruritania in which the conquered Ruritarians are now in a substantial minority but not a majority. The majority Grandtonians in that province believe that Ruritarians are somehow inferior to them and accordingly persist in their discriminatory practices against the latter often thwarting the Grandtonian (parent) state's anti-discriminatory policies. The former, using their majority status, resist any effecting power-sharing measures with Ruritarians within the province's self-governing bodies. In response to this stance, the Ruritarian political representatives are committed to the secession of the whole of the province of Ruritania from the Grandtonian state, on the grounds that they were the first settlers and that therefore they have the right to control it in virtue of their ancestral possession. Thus they appeal to the Right to Ancestral Possession which (allegedly) entitles the descendants of those who have settled the land first to exert political control over that land. A claim of this kind asserts that the first settlement of a piece of land gives the right of political control over the land to the descendants of the first settlers. Their argument consists of two parts: first, the local Grandtonian majority does not recognise the Ruritarians as equal political agents and, because of their cultural/religious worldview, is not likely to change this view of Ruritarians. This is unjust and results in other injustices which the Ruritarians are not obliged to suffer; therefore, they are entitled to a state of their own in which they will not be subject to such injustices. Second, Ruritarians are the first settlers who have a prior claim to the whole province and who were unjustly reduced to a national minority.⁵ Therefore, the Ruritarians are entitled to a state of their own, a state in which they will constitute a majority on the land of their ancestors. As it stands, the argument fails to relate the first to the second part: while the first part does establish a prima facie justification for a secession – a persistent political and social injustice which the parent state is not capable of remedying – the second part does not show that this justification applies to the whole of their

⁵ One could notice some parallels between this imaginary scenario and the current political situation in

lands which were settled by their ancestors. For it is not obvious that the inclusion of all of Ruritarian ancestral lands a) is necessary in order to rectify the present political injustice or b) will not bring about political injustice of the same kind, that is, the denial of equal political status to the Grandtonian minority. In this case, the claim to the ancestral land, as its first settlers, is not an instrument for the rectification of a present and persistent political and social injustice and, because of this, cannot serve as a guide to the determination of the boundaries of the future independent state. From the examination of the indigenous people's claims it should be apparent, that, within a liberal political theory, being a descendant of the first settlers on its own does not establish any entitlement to state protection additional to the entitlement that any other citizen has. This status, on its own, does not bring with it any additional rights or privileges not accorded to all other citizens. The indigenous people's status of the first settlers does not, on its own, entitle them to self-government over the ancestral lands. In order to be used as justification of secession, this status needs to be specifically related to the present injustice. In other words, it needs to be shown that the descendants of the first settlers – like many members of the present day indigenous communities – are currently suffering injustice, partly as a result of the deprivation of their ancestral lands and that, therefore, their return would remedy it at least to some extent. In view of this, the right to ancestral possession alone neither justifies secession nor offers a guide for determining the boundaries of a state-to-secede in cases in which secession is justified by reference to a persistent injustice which cannot be remedied in the present liberal democratic state.

But perhaps the reference to the right to ancestral possession had another role – that of rectifying only the past and not the present injustice. In the above scenario, the past injustice was that of conquest and occupation of the Ruritarian ancestral lands. Here is an imaginary scenario that focuses on such a case. Suppose the Ruritarians are in majority in the self-governing province of Ruritania (a province of Grandtonia) and enjoy an equal political and social status to the province's minority of Grandtonians (who are in a majority in the parent state). They also have, on average, a higher income than the province's minority of Grandtonians as well as the right to display all the symbolism – flags, songs and marked sacred sites – of their pre-conquest state or political community of Ruritania. The only injustice of which they can

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complain is that of their past conquest and subjugation. There is no doubt that secession would rectify this particular past injustice by making the province into an independent state and in this sense returning it to the status quo before the conquest. But would the rectification of that past injustice alone justify the province's secession?

In attempting to decide this issue, one would need to consider first, whether, such a secession brings about any injustice or similar harm in the present and, second, if it does, whether the present injustice or harm would outweigh the rectification of the past injustice. For example, if secession is likely to lead to the discrimination against the later settlers, the Grandtonians, which would cause them to leave the province under duress, then one could argue that this secession is not justifiable. The secession would rectify an injustice that the past generation of Ruritarians had suffered, the injustice which is of strongly felt, but still of largely symbolic significance to the present day Ruritarians (at present they do not actually suffer the subjugation and conquest by the Grandtonians). If secession is carried out, the Grandtonian minority may, however, suffer an actual and not only symbolic injustice; that injustice would be actual in so far as it would cause them to leave the new state even though most of them were born there. The harm and injustice that the secession may bring about to a large number of people is in such a case not outweighed by the rectification of the past injustice. If however the remaining Grandtonian state is significantly poorer than the Ruritarian province, which is aiming at secession, and, in consequence, the Grandtonian minority in the Ruritarian province are likely to remain there even after the latter's secession, preferring to be a disadvantaged minority in a rich state than members of the majority in a poor one, then this secession would be justifiable. The secession of the Baltic states – Estonian, Lithuania and Latvia – in 1990 from the former Soviet Union appears to have approximated this scenario: the Russian minority – the conqueror-settlers who migrated to these republics after their conquest by the USSR in 1940 – preferred to remain in the seceded states, in spite of the obvious disadvantages, than to emigrate to the much poorer Russian Federation where they would be members of the majority. Had the secessions of the three Baltic republics led to the mass emigration of its Russian minorities – in Estonia the minority comprised 40 per cent of its population – the harm to these minorities and possibly to the seceding states themselves (Estonia would

have been depleted of a significant proportion of its population) would have possibly outweighed the benefits of the regained independence.

According to the above view, it is the over-all consequences of the secession and not its rectification of past injustice alone that is relevant to its justifiability. This is clearly a consequentialist view of the justifiability of secession. To this one can contrast the view, advanced by Alan Buchanan, according to which the rectification of injustice of conquest of a state is sufficient to justify a secession, regardless of its consequences to the minorities or majorities in the seceded state. His is a purely remedial view of the justifiability of secession. According to this view, secession of a formerly conquered state would be justifiable even if the majority of its present inhabitants would not support it. If a minority of inhabitants wanted to rectify the injustice and were able to effect secession – for example, by bribing rulers of the parent-state to agree to it – this secession would be justifiable. Against the remedial view, one could argue that it would allow an undemocratic change of state: it would allow the state to be changed against the wishes of the majority of inhabitants. This kind of change appears no less unjust than the change of state through conquest: the latter is also undemocratic and is effected against the wishes of the majority of the population which often actively resist the change. The remedial view would thus allow an unjust and undemocratic act to be a rectification of past injustice. This I believe is not only paradoxical but unacceptable: an injustice to the present generation is not rectification of an injustice committed against the past generations.

If this is correct, then the first settlers' claim to their land, even when coupled with an attempt to rectify a past injustice, does not, necessarily, offer a justification of a secession. As in the case of ancestral land claims of indigenous people, such claims are evaluated in the context of the over-all consequences that the possession of the land by the claimant group would have: a serious injustice committed in the past against the descendants of the first settlers does not, by itself, entitle the present day descendants of the first settlers to control of that land. Only their need to remove or remedy persistent injustice or harm to present day descendants gives them a good reason to demand that form of control over the land which would assist in removing the present harm or injustice. The need to remove only the past injustice, which is primarily of

symbolic significance to the present day descendants of the first settlers, may also provide a good reason for an ancestral claim to the land, provided that the benefits of resulting secession or devolution of power outweigh the harm or injustice that the latter are likely to produce.

From the forgoing discussion it follows that claims to ancestral land are primarily concerned with the removal or rectification of injustices and not with the establishment of a group's special tie or title to the land. The aim of these claims is not the recognition of a special tie or special title of the first settlers but rather the recognition of their right to a form of political and juridical control over the land; since this form of political and juridical control, in the case of indigenous people, often appears to compete with the control which the parent state exercises over the same territory, it appears to require a differentiating description. The indigenous inhabitants often do not want to exercise the kind of control that a state, through its coercive apparatus, exercises over the land; their self-government institutions thus do not copy or imitate the institutions of the parent state. Moreover, often the indigenous culture has no concept of state or governmental control akin to that of liberal-democratic or modern state. While the control that the present day indigenous communities or their representatives exercise over their lands through their self-government bodies is a form of political and legal control, the institutions through which they do exercise it are not those of the modern multiparty political/state system. Accordingly, the source of the legitimacy of the self-governing institutions of indigenous communities is often not that of a liberal-democratic political system. Indigenous people often seek their political/legal conceptions and institutions in their institutions and practices pre-dating white settlement and conquest. This naturally leads them to describe their relation to the land as well as towards their institutions in the terms of their traditional culture which often has no equivalent in the political or legal culture of the parent state. Hence the inclination to regard indigenous people's ties to their ancestral land as spiritual, in contrast to the ties to the land which later European settlers established within their political and legal culture. The spirituality of their ties thus offers a basis for a differentiating description of their control over the land: theirs is not the control exercised by the parent state but based on their spiritual ties with the land of their ancestors.

However, whatever kind of ties indigenous peoples have with their land, their claims, based on those ties, to control the land are, within liberal-democratic states, assessed in terms of their role in removing the present injustices and disadvantages as well in rectifying past injustices. This is why the model of ancestral/spiritual tie to the land that these claims appear to present is of no particular use in justifying secession of national minorities: even if a national minority had similar – spiritual - ties to the land of their ancestors, this fact in itself would be of little relevance in justifying their claim to have exclusive non-spiritual, that is, modern legal and political control, over a territory which is presently part of the state in which they are a national minority.

The land and its mineral resources: the argument from the right to ancestral possession

Now we can return to a national minority's claim to the natural resources of their ancestral land with which we started this discussion. A national minority's claim to the land of their ancestors, as we have argued above, is, on its own, insufficient to justify their claim to the exclusive control over that land and thus its secession. But suppose that the national minority is consistently denied a sufficient share of the natural resources from their ancestral land: the income from the exploitation of mineral resources – for example, oil – of the ancestral land mostly, but not exclusively, goes to the parent state and not to the province or region in which the ancestral land is located. The political leaders of the minority consider this an injustice which can be removed only by secession of the ancestral land and the minority settled on it. Only in an independent state could the former minority receive the benefits from their ancestral lands which are their due.

What are the benefits from the ancestral lands which are due to their descendants, now in minority in a larger state? As we have noted, the possession of the ancestral land is not of a legal title and it is not entirely clear who the holders of this kind of title are. In view of this, it is quite difficult to determine what benefits the national minorities or the descendants of the first settlers are entitled to from the exploitation of the mineral resources of the land. In an attempt to determine this, let us consider some more imaginary scenarios. Suppose that oil is found in some areas of the ancestral lands in the province of Ruritania, which

are owned by members of the national minority. Once oil is discovered, the price of land rises steeply and the private owners voluntarily sell their land to private oil companies which have been granted the lease to exploit the oil by the parent state and by the provincial, Ruritania, government (controlled by members of the minority). The parent state and the provincial Ruritania government agree to split the income from leases and taxes from the exploitation of the oil on a fifty-fifty basis. Given that the minority claiming this land as its ancestral land in the parent state is in majority in that province, is it getting the benefits from the land that are due to it? If it is not, what would be the right proportion of income to which it would be entitled? Perhaps the question should be: At which point of the division of the income between the parent state and the provincial government, would the minority's leaders be right in saying that only secession of their province could secure the due benefits for the minority? I do not think there is a simple formula which enables us to calculate this; nor has such a formula been advanced so far. I think that the issue is not that of appropriate division of the natural resources but of the sharing of the political decision-making concerning the use and control over the land. To show this, I shall start with an equally general question - namely, What entitlements do members of a settled community - a national minority - have from the mining or mineral exploitation of a piece of land in a region in which they live while they collectively do not have a legal title to the piece of land which is to be exploited. To explore this question I shall construct four distinct scenarios whose common feature is the discovery and mining of precious metals such as gold, or a marketable commodity such as oil, on the territory settled for a few generations by a community which shares the political jurisdiction of the territory with a larger parent state. The aim of exploring these four different cases is to establish what entitlements the community has, in virtue of its continuous settlement on the territory, over the income derived from the exploitation of these mineral resources

The first scenario. Gold has been discovered on the surface of the soil at a number of adjacent farms in the province. The owners all belong to the settled community/national minority, although only some of them have inherited their farms from a few generations of ancestors while the others have recently bought the farms from the families of the first settlers. All farm owners decide to mine the gold themselves individually or through a mining company which they, the farm owners, fully own. For this purpose the farmers-miners pay any taxes or leases owed to the parent state as well as the provincial government which

is controlled by their community. Some of them refuse to share any of their profits with the wider community, while some donate a share of their profits to their community.. No member of the community argues that the original farmers-miners who refuse to donate a share of their profits to the community are thereby denying their community any entitlement to the profit of their ancestral lands. Further, at some stage, some miner-farmers sell or lease their land to a publicly owned company based in the parent state's capital. The company pays all its dues to the parent state and the provincial/local government, including any new environment-protection and infrastructure taxes introduced by the provincial government in the wake of the discovery of gold, but refuses to donate anything further to the community. On the analogy with the farmers/miners, one cannot argue that the mining company is denying any entitlements due to the community from their ancestral lands.

The second scenario. Now suppose that the land on which oil is found is public and its use has been for a long time controlled and managed by the central (parent state) government; because it was a wilderness difficult to access and of no interest to tourists or visitors, the provincial (national minority-controlled) government showed no interest in the land prior to the discovery of oil. The parent state now leases the land to publicly owned companies based in the parent state and agrees to split all income with the provincial government fifty/fifty. Its officials argue that the provincial government has no special needs since the province's per capita income and infrastructure was, before the discovery of oil, on par with the rest of the state and sometimes higher. The fifty per cent share would be sufficient, they argue, for the provincial government to protect the environment from the damage caused by the oil exploitation and to compensate communities whose lives are about to be disrupted in various undesirable ways by these new developments. The parent state on the other hand intends to channel its share of the income to the economic development of the less developed parts of the state.

In this scenario, the parent state proposes to share the income of the land it controls on the basis of the need of various groups or parts of the parent state. The provincial government, representing the land claimant national minority, can respond in two ways: either by denying the right of the parent state to distribute the income according to its perceived needs or by arguing that the need of the province and its population is

greater than that claimed by the parent state. The first strategy, at least in this scenario, would have little if any legal basis, because the provincial government, prior to the discovery of oil, found it useful to leave the management and control of the land to the parent state. In spite of this, the provincial government or the minority political leaders could still claim the land on the ground of the Right to Ancestral Possessions; as we have seen been, the right (allegedly) entitles the descendents of the first settlers to political control over the land their ancestors settled first. In the present case, the national minority has been settled on the land prior to the creation of the parent state and thus on the basis of prior settlement claims has the right to control the resources of the land on which it was settled. The Right to Ancestral Possession is inalienable: no one can take away the right (although other states can take the land) from the descendents of the first settlers. Accordingly, the right to control the resources of the land, based on that Right, is immutable and inalienable: the fact that it was not asserted before the discovery of the oil does not nullify its existence. In leaving the management of the apparently useless land to the parent state, the political representatives of the community have not, it is here claimed, transferred the right to control the resources to the parent state, because no one is entitled to transfer such a right to anyone else.

The argument from the Right to Ancestral Possession appears to be transparently self-serving here: the right to ancestral possession and the derivative right of control of the resources of the land has not been mentioned or invoked as long as the land was considered worthless and there was apparently nothing to be gained by invoking these rights other than the burdensome responsibilities of land management. To have claimed that right before the discovery of oil would have, obviously, involved the national minority in unnecessary expense and burdened it with a responsibility it did not want to take. This is equivalent to saying that the national minority and its leaders did not care for that land until they could find some benefit to be extracted from it. But if one accepts this interpretation of their position, one has in effect denied that the national minority has any right to ancestral possession: it requires responsibility for the patrimony inherited from the ancestors which in this scenario the community had declined to assume. Moreover, even if the right to ancestral possession was granted, it is not clear that in this form the right could override the needs of other, poorer, parts of the parent state. The minority leaders in this case are saying that the fact that their ancestors have settled on this land a few generations ago or before anyone else justifies their refusal to

share its resources with other groups in, or citizens of, the state. For the reasons we have already noted, it is an open question whether or not this history of settlement is a sufficient justification for this. As we have seen, it is unclear what the right of ancestral possession entitles one to do with the land and who the holders of that right are. But regardless of this, if members of a community hold that its ancestral possession gives them a right to refuse to share the resources with other members of the state, they are thereby indicating that they do not consider the state in which they are living a community on the same level as their own. Since, according to them, other citizens of the parent state who are not members of their community have no claim to the resources from their community's land, they apparently regard their own community as a separate state-like organisation which has the exclusive right of control over the land on which the community lives. This undoubtedly indicates that they consider their community and its land capable of secession from the parent state. Whether such a secession would be justified solely on the grounds that their ancestors' settlement preceded the creation of the parent state is, of course, another question. In conclusion, the national minority's appeal to their right to ancestral possession, on its own, either fails to override the needs of other members of the parent-state or, if we think that it does, then this indicates that the national minority (and we, the outsiders) believe that the minority would be justified in seceding from the parent state if the latter attempts to satisfy these needs using the resources which the minority claims as its own. In the latter case, an additional argument would be needed to show that the right to ancestral possession does, indeed, justify such a secession: an appeal to such a right does not, by itself, provide such a justification.

The third scenario. Our national minority pays particular respect to, verging on the veneration of, the land of their ancestors, including the wilderness areas. Their land is dotted with a variety of widely distributed landmarks, marking various glorious events or achievements of their ancestors; their history books, their art presentation, their education curricula all contain stories about their ancestors' love for the land of their settlement. Schoolchildren are regularly taken to visit those landmarks as well as national park/wilderness areas; a practice which they continue into adulthood. Further, generations of members of the minority are thus taught to care for public land as their common possession inherited from their ancestors. As a consequence, the national minority and its provincial government invest in various ways in the

enhancement of the aesthetic and commercial aspects of the land. While they do not object to the parent state's legal title to the land, as well as its investment and interest in the public land, they consider their own, provincial, government as primarily responsible for its upkeep and management. Under these conditions, there is little doubt that the provincial government, controlled by the national minority, would be entitled to share in the control of revenue from the oil exploitation on public land, even if that provincial government had no legal title to that very piece of land on which the oil is found. One could argue that the provincial government's care and investment in public land entitles it to be at least an equal partner in the decision-making over the use of the public land to which the parent state has a legal title.

In practice, this would mean that the provincial government would have the power of veto over any plans for the exploitation of the mineral resources and that its consent would also be required to any scheme to share the revenue from that exploitation. But this powers of the provincial government do not imply a right to refuse to share the revenue, or a right to override the needs of other part of the parent state or of its central organs. If the provincial government would claimed the right to refuse to share the revenue or the right to refuse to allow the exploitation of the resources, this would indicate that it considers the province capable of an existence separate from the parent state – that is, capable of a justifiable secession. Now the provincial government or the political leaders of the national minority could consider itself capable of a justifiable secession on grounds quite separate from that of the right to ancestral possession. The third scenario only describes one set of the grounds on which the provincial government could claim that it is entitled to be an equal partner in decision-making over the use of the resources of the land it manages. By itself this right does not amount to the right to or a justification of secession; and clearly the right to be an equal partner in decision-making of this kind is not based exclusively on the right to ancestral possession. Ancestral possession is only one of the factors which are taken into account in justifying the claim of the provincial government to equal partnership; other factors are the significance of the land to the present members of the community and the care and investment that the provincial government put into the land. One can argue, of course, that had it not been for the continuous settlement – and in this sense the continuous ancestral possession – the other factors would not have come into force either. In this sense,

ancestral possession of the land appears to be a causally necessary but not a causally sufficient factor in the justification of the right or entitlement to equal partnership in decision making.

But could this particular mix of factors – ancestral possession, present significance and the care and investment put into the land – also be used to justify secession? One pattern of justification which could indeed make use of this particular mix is the already exemplified pattern of the rectification or avoidance of injustice. To illustrate this consider the *fourth scenario*: Suppose that the provincial government manages, cares and invests in the public land; that the national minority settled in the provinces expresses a widespread interest in the land as its ancestral possession as described in the third scenario. And suppose that large reserves of oil are found in one of the wilderness areas to which the parent state has a legal title. In response to the provincial government's requests for equal partnership in decision-making over the use of this resource, the parent state argues that it has the right to determine solely how the land is to be exploited but that it will compensate for any damage that the exploitation causes to the environment and the surrounding community, using its own (parent-state) agencies for that purpose. Any other course of action, the parent state officials argue, would imply that the parent state has divested itself of sovereignty over the land. In short, in this matter the parent state chooses to ignore both the requests for equal partnership or co-decision-making and the agencies of the provincial government.

The provincial government, representing the minority claiming ancestral possession, could argue that this is unjust. The legal title of the parent state to the land, by itself, does not exclude the minority settled on that territory from participating in the decision-making over the use of the land. The minority's care, interest, and investment in the land as well as its continuous settlement of the land, entitles its representatives a voice in the decision-making process and its government a role in the implementation of these decisions. The parent state's refusal to grant a voice and a role to this minority indicates that it is ready to follow its own self-interest, separate from the interests of the national minority and that it does not consider itself accountable to that group. In this case at least, the parent state is not acting as if it is accountable to that national minority for the actions it is taking regarding its welfare and interests. Such a disregard, one could argue, is politically unjust and the minority's representatives would be obliged to address this injustice. If

the parent state would then refused to address these grievances by granting a satisfactory role to the representatives of the province or region in the decision-making concerning that land and its resources and the implementation of these decisions, the provincial government would then be justified in proposing to secede the province from the parent state.

However, the primary justification for a secession in these circumstances would not be the minority's ancestral possession of the land but the political injustice which it would be attempting to remove. In the fourth scenario, ancestral possession is one of the factors which lead the minority's leaders to claim equal partnership with the parent state. One can even argue, as in the third scenario, that their ancestral possession was a causally necessary factor – had it not been for their ancestral possession of land, the community's claim to equal partnership would not have arisen. But their ancestral possession of the land is not causally necessary for the political injustice to arise: the parent state's denial of a voice to the minority and the provincial political representatives, would be politically unjust even if the minority made no claims to ancestral possession of the land. The denial of an appropriate voice to the minority which had an obvious interest and stake in the matter of political decision-making – in the exploitation of the land in the region which they inhabit – would be unjust even if the minority in question were not the descendants of the first settlers of the land. One could, of course, argue that the political injustice is compounded or aggravated by the fact that the minority has been settled on the land for generations. One could also argue that the refusal to share in decision-making, apart from harming the interests of the minority in the land and its exploitation, also offends their historical conception of themselves as the custodians and carers of the land inherited from their ancestors. In that sense this refusal adds insult to injury, and, in campaigning in order to gain support for secession among members of the minority, its politicians would quite naturally emphasise the insulting aspects of such a refusal.

To see that ancestral possession of the land is not a necessary condition, causal or otherwise, for political injustice of this kind consider the following case. Suppose the parent state grants the minority representatives the status of equal partner in decision-making and agrees with their demands for their share of revenue while systematically denying their right to ancestral possession. For example, in the agreements

the parent state proposes to the minority representatives, they always insert a phrase such as ‘This agreement has no implication as to the right of ancestral possession of the land, if any’ and in their public statements always claim that the minority has no such right. In doing this they do not mean to offend or denigrate but only to clarify the grounds on which they agree to share the decision-making with the minority representatives. The parent state’s denial of the right to ancestral possession here is presented not as a denial of a historical fact, but of the implications of a few historical facts. The minority might have been settled on the territory for many centuries, but the parent state officials or apologists may argue that this fact gives the minority no right to question the parent state’s legitimacy or its sovereignty over the territory. In denying this right to the minority they intend to block the use of the right to ancestral possessions for the purposes of bringing into question the legitimacy of the state and, ultimately, its use as grounds for secession. Many other communities have been settled for centuries in this or other states and yet they do not question the legitimacy of the parent states in which they are minorities. The parent state in denying the right to ancestral possession seek to prevent setting a precedent in the argument over potential secession.

The parent state’s argument, as an argument about legitimacy or sovereignty, may be correct or incorrect. The secessionist-inclined members of the minority would probably advance various counter-arguments against it. But the denial of the right to ancestral possessions backed by an argument such as the above, is not on its own politically unjust. It is not politically unjust to deny a community the right to ancestral possession if this is not meant either to deprive that community of certain political rights to or to avoid certain obligations of the parent state to that community. In particular, a denial of the right to ancestral possession is not politically unjust if it implies that the community has no general right to secede, at will, the territory which it claims to have inherited from its ancestors. In the latest scenario, the minority representatives would not be justified in attempting to secede from the parent state for the simple reason that there had been no political injustice committed against them.

The right to ancestral possession and the rectification of past injustices

However, denial of the right to ancestral possession may appear to be highly offensive to members of the minority who think of themselves primarily as the people who live on that land – as Ruritarians, for example. They were taught by their parents and elders and in their schools that the land in question has been ‘theirs’ from time immemorial. If so, they cherish the land dearly as a part of their own personal history or their own sense of personal identity; their own conception of themselves might have become tied to the land and to their community’s possession of it. In such a case their reaction to the denial of the right of ancestral possession may be twofold: it may be viewed as an attack on their persons, by denying that they are who they are; and, further, they may regard it as an attempt not only to deny them their identity but to dispossess them of the place in which they live. The denial of the right of ancestral possession may thus be regarded as a double attack – on their identity and on the ownership of their own place of living. A natural response to such an attack is to remove the attacker from one’s own land or territory so as to ensure that the attacker is not capable of actually carrying out what his/her denial implies. Therefore, according to the twofold interpretation of the denial, the minority’s members would support the removal of the parent state’s powers from their region and thereby its secession from the parent state.

But a denial of the right to ancestral possession is not, necessarily, an attack on the identity and homeland of the community claiming that right nor need it be interpreted as such an attack. However, if one is already promoting the creation of an independent state of one’s own, then it is clearly convenient to interpret any denials of the right to ancestral possession as an attack on the personal identity and/or homeland of the group in question. Such an interpretation would also gain a wide range of supporters for secession among those who strongly identify with the land but who would otherwise have no reason to support secession. The above interpretation of the denial as an act of aggression is thus a most convenient interpretation for those seeking to secede the land from the parent state. According to this interpretation, the right of ancestral possession also provides an – or possibly the most – effective means of protection of one’s personal identity and of one’s homeland. To put it very crudely, if a group’s ancestors were the first to settle first and their descendents have remained there for a period of time, this gives the group the right to create a separate state of its own – and this state should be able to protect the identity and the territory of the group from others who want to deny the former and to take over the latter.

When formulated in this way, it is clear that the right to ancestral possession no longer performs the task of protecting the group or its interests: only a state of their own which could perform that task. Therefore, the right to ancestral possession is, once again, one of the grounds on which the group claims the right to establish its own state. But if the identity and the homeland of the group was in no way threatened, the right to ancestral possession, as shown above, would not be sufficient to establish the right of this group to create a separate state of its own. In order to gain that right, in the above case, there must be a threat which the group or its representatives are trying to avert by the creation of a separate state of their own. Without the threat of an injustice or wrong, the fact of ancestral possession of the land would not be regarded as a justification, let alone a sufficient justification, for secession.

But within a justification of a secession which is planned in response to a threat, the fact of ancestral possession may function in at least two ways: it may explain why the denial of that right is regarded as a threat to the seceding community, and it may also indicate the extent or the boundaries of the territory claimed by the group. Since members of the group settled on the land regard their settlement on that land as part of their personal identity, they view the denial of the right to ancestral possession as a denial of their personal identity. Such a denial of identity in this context would imply first that that these people are deluding themselves as to who they are and, second, that in doing so, they are inferior to members of other groups who are not; the latter, the superior national groups, have correct beliefs about their ancestry and thus about their identity. The denial of equal status and the implications of delusion are highly humiliating to the people against whom they are directed. This at least in part explains why a denial of the right of ancestral possession is considered so much of a personal threat.

The second role of ancestral possession is, however, more controversial. It is not obvious why at present any state's boundaries should replicate the boundaries of any political unit or any spread of the population in the past. To make the past relevant to the present, the standard nationalist argument for the recovery of these boundaries appeals also for rectification of a past injustice: since the land was conquered in the past and new settlers brought in by force, the recovery of the land settled by the first

settlers, the ancestors of the present group, is a rectification of that particular past injustice. Once again it is not the ancestral possession alone but rectification of an injustice that provides a basis for this argument for ancestral boundaries. In order to examine the role of the rectification of injustice in arguments of this kind, consider the following scenario: the ancestors of the present day Ruritians had settled a large but not too fertile land, the present day province of Ruritania of the Grandtonian parent state. In the past two centuries the over-population of these agricultural lands led many Ruritians to migrate, voluntarily, into the urban, industrial and more fertile lands of Grandtonia. In their previous ancestral lands of Ruritania they were replaced by migrants from Minitonia, a neighbouring state which is poorer and less economically developed than Grandtonia. Now the Ruritanian movement for secession claims the whole of their ancestral lands, on the grounds of the right to ancestral possession, although Ruritians no longer constitute a majority in their ancestral Ruritania. Their claim to ancient Ruritania is not based on the rectification of injustice but solely on their ancestral possession. The majority Minitonians in Ruritania however reject the claim and desire to remain within Grandtonia. Under these circumstances, the ancestral possession of Ruritania would provide no basis, at least not within a liberal-democratic theory, for determining the boundaries of the potential or future independent state of Ruritania. In considering the secession claims and related claims of boundaries, liberal-democratic theory would primarily address the interests and choices of the present population and would thus rely on a democratic principle, that of majoritarian decision making, rather than any historical principle such as that of ancestral possession. The latter clearly does not address the interests and choices of the majority of the present population: the fact that some other group lived on a territory a few centuries ago is of little consequence to its present population, unless, of course, the ancient settlers and their possession of the territory is part of the narrative defining the present population's group identity.

To sum up: the right of ancestral possession of land, within a liberal-democratic theory, offers no justification for secession of the land 'possessed' in the past by the ancestors of the present day groups; this right, on its own, provides no basis for the determination of the boundaries of the state to be seceded. Moreover, it does not appear to be a necessary element in those justifications of secession which refer to the rectification of the present injustices. Only in cases of rectification of some past injustices – such as the

forced expulsion of populations or past conquest – it is necessary to refer to the ancestral possession of land. Even in such cases the fact that a group of people were settled on the territory by itself does not grant their current descendants the right to control that territory and thus to secede. Instead that right is regarded or used as an instrument for rectifying the injustice committed to the expelled populations and their current descendants. The reason for such a narrow scope of usefulness of this (alleged) right is found primarily in its reference to the past: According to liberal-democratic theory, a state – whether already in existence or yet to be established – should satisfy the needs and interests of its current citizens; past settlement of the land is relevant for this objective only in so far as it affects the current inhabitants of the land. That is why, within such a theory, the (alleged) right to ancestral possession plays such a small role in justifying the creation of new states.

3. National diversity and nation-state

The above arguments, however different they were among themselves, were all attempting to show that each nation requires a state in order to further particular interests of their members or to protect its interests or its existence from other nations. In this way, the above arguments were attempts to show why and how the creation of states for each nation would maintain or protect the nationhood of each national group and thus preserve the existing national diversity. Under examination these arguments proved to be inconclusive and thus failed to support the second premise – that the creation of nation states is the most effective instrument for the preservation or maintenance of nationhood – of the argument for national diversity. Now we are left with the conclusion of this argument, that our commitment to national diversity obliges us to assist every nation to get its own state. In regards to this conclusion, the following question was raised: Is the commitment to national diversity compatible with the commitment to the principle that every nation should have its own nation state? In other words, is our commitment to the former compatible with the principle we are allegedly obliged to follow, namely, that every nation should get its own state.

As we have seen above, our commitment to national diversity is not an indiscriminate commitment to any diversity of nations but either to a liberal or to a national conservationist diversity. Either conception of

diversity excludes the national groups whose actions or beliefs would diminish the existing national diversity; these national groups we shall call 'the threatening groups'. The liberal conception is, as we have seen, more exclusivist than the national conservationist one because even those nations who are intent on breaching the rights of other individuals or groups without necessarily diminishing the existing national diversity are excluded from the liberal conception of national diversity. For the sake of simplicity we shall here consider only the national conservationist conception.

This conception implies that we are obliged to prevent the threatening groups from acquiring a state of their own or any means which may aid their threatening intentions. If we are committed to maintaining national diversity in any form, then we are undoubtedly committed to preventing any groups or individuals from diminishing it. But are we equally obliged to assist all non-threatening national groups to acquire a state of their own? In considering this question, we could ask first : Would this course of action necessarily lead to the maintenance the existing national diversity?

A non-threatening national group is a group which makes no claims to territory inhabited by other national groups and thus does not threaten either to subjugate, or assimilate, another national group. According to the national conservationist conception, however, a group which is intent on assimilating a minority group within the territory it claims would be non-threatening provided that the minority group is part of a larger national group which has a state of its own, for example, adjacent to the state in which this national minority resides; even if this minority group is assimilated, the over-all national diversity – the number of national groups – remains the same.

However, does having a state of one's own aid the non-threatening national groups to maintain their non-threatening characteristics? Suppose that within a territory of a non-threatening national group there is a dispersed and unique national group – a minority which cannot be assimilated without the over-all loss of the national diversity. Because of its dispersion, this minority cannot form a state of its own. When the non-threatening national group was a part of a multi-national state, the unique minority's culture appeared to be well-protected and its members had not demanded any rights that other groups did not have. However, the

previous multi-national state has split into nation-states and the unique but dispersed minority now finds itself the only minority in the present new nation state. Its political representatives believe that this new situation requires that they be granted substantial self-government rights in any locality in which they form a majority and that the children of all members of the minority, irrespective of their abode, should be offered publicly funded language instruction in their native language. Further they demand an exemption from certain legal requirements of the new nation state; for example, they demand to use their native language in official correspondence and should be free to purchase tobacco tax free (because tobacco plays an important part of their culture and tobacco is heavily taxed in the new state). The new nation state refuses to grant any of requests, arguing that while obliged not to assimilate the unique national minority, its government is not obliged to maintain the national culture and identity of the minority at the expense of the majority. As a result of these policies, the number of native speakers of the minority language significantly decreases and the continued existence of the minority is at some point threatened.

This example shows that in some cases the slogan 'to each (non-threatening) nation, a state of its own' may in fact lead to a decrease of national diversity. This does not show, of course, that this slogan or the principle behind it is incompatible with the commitment to national diversity but only that it is not always, or not necessarily, compatible. If so, being committed to national diversity does not necessarily give a rise to the obligation to assist any national group in getting a state. In some cases, getting a state of one's own may in fact decrease national diversity.

In response, the national conservationist may want to qualify its slogan 'to each nation, a separate state' by saying that in any state in which a unique national group resides, which cannot be granted a state, the state should be a state 'of' that group as well. This means that the unique minority group, in virtue of its uniqueness, should be politically equal to the majority national group. Thus, the slogan would now be as follows: 'to each (unique) nation, a state of its own, whether singly or together with one or more nations'. But if we qualify it in this way, the national diversity argument is no longer an argument for secession but for the cultural and political equality of (unique) national groups within the existing states. In other words, with this qualification, it turns out that our commitment to the maintenance of national diversity, obliges us

to assist each national group get a state within which it would be able to prosper and maintain its national culture and identity. This in some cases may require that national minorities achieve a level of political self-government similar or equal to that of the majority nations. An additional argument would be needed to prove that in all cases prosperity and/or maintenance of national culture of minorities requires that the latter achieve the same level of self-government that the majority has; this would be an argument that each minority requires its own state-like public institutions – representative assemblies, executive governments and judicial organs – on par with those of the majority. Whether one could offer a conclusive argument of this kind is not our present concern.

In short, the commitment to national diversity does not, necessarily, imply the obligation to assist each nation to get a state of its own: national diversity could be maintained without the proliferation of nation states. This I would think disposes of one of the most plausible general nationalist arguments for secession. But why, in spite of this, does nationalism exert such an appeal on the advocates of secessionism among national minorities?

Concluding remarks: nationalism, justice and motivation for secession

While nationalism has been the principal driving force for secession in this century, it does not appear, upon examination, to offer conclusive and universal justification of it. This does not, of course, imply that in some cases nationalist justification of secession would not be tenable. In particular, there are nationalist justifications of secession which refer to the injustices committed against the seceding national groups. Thus a particular secession may be justified as a response to, or a way of removing an injustice, committed against a particular group. In so far as the principal plank of such a justification is the rectification or removal of injustice, these are not specifically nationalist justifications but rather justice-based justifications. For example, if secession is justified by an unequal political representation or unequal input in decision-making of a particular national group, the fact that the inequality concerns a national group as opposed to any other group may be of minor significance for that justification. Of course, secession appears to be a suitable way of removing political or other types of injustice committed against a group which is concentrated on a particular territory: its territorial concentration enables the group to remove both the territory and its own population from the jurisdiction of a state committing this injustice. National groups often, but not always, are so territorially concentrated and thus capable of seceding their territory. However, their territorial concentration may not play any role in the justification of secession as a response to an injustice but is only a condition necessary for the application of this particular remedial instrument. An injustice committed against a motley group of people, who do not form a single national group but who reside (and have done so for some time) on a particular territory may justify their secession, in spite of their rather diverse national belonging. In such a case neither their particular nationhood nor their territorial concentration forms a part of the justification for secession; the justification is justice-based alone.

One can indeed argue that we, the outsiders, are obliged to assist people to remove or rectify various injustices to which they are exposed. But this obligation of ours is quite independent from any commitment we may have to national diversity or any sympathy that we may have for particular national groups. Secessionist movements of particular national groups – for example, the Irish in Northern Ireland or the

Basques in Spain – justify their striving for secession by reference to injustices allegedly committed against their national groups. Since these movements are motivated by nationalist ideologies it is easy to assume that the justification for their secession is also based on their nationalist ideologies. But in so far as they refer to injustices committed against their nations, these justifications are not, necessarily, nationalist justifications as well. On examination it may turn out that a great many nationalist movements justify their secession by reference to injustices and not only to the rights of their nation or any nation to a separate state. If this is correct, one could easily explain why some justifications of secessions of particular national groups may be tenable in spite of the failure of nationalist justification of secession in general: these justifications are not based on any particular doctrine about nations or about that particular nation but rather on the injustices committed against the nation(s) in question. In some cases, the oppression of or discrimination against a particular national group is quite obvious and requires little if any theoretical elaboration. In these cases, the question may be whether a creation of a separate state would be the best or the least harmful way of removing oppression or discrimination. Obviously, in answering this question one need not refer to any particular doctrine about nations and their rights. In short, nationalism may be, in some cases of oppression and injustice, irrelevant for the justification of the secession of the national groups exposed to injustice. Nonetheless, the nationalist slogan ‘to each (worthy) nation, a state’ may still provide a potent motivation to members of the nationalist movement campaigning or fighting for the secession of that group. In the case of secession, as in many other cases, we need to keep apart the motivation for a certain act from its normative justification; the latter may indeed provide a motivation for it, but the former may not constitute a valid justification of the act.

