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NATIONAL IDENTITY, SOCIAL JUSTICE, AND INTERNAL MINORITIES: A CRITIQUE OF DAVID MILLER'S LIBERAL NATIONALISM

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OF DAVID MILLER'S LIBERAL NATIONALISM

by

SHAILA BORA

Under the Direction of Andrew Altman, PhD

ABSTRACT

In this thesis I argue that David Miller has not successfully generated an account of nationalism that is liberal. I first present Miller's account the nation, national identity and national culture. I then draw out how the ability of internal minorities to contest repugnant elements of national identity or culture is deeply ties to the liberal character of nationalism. I then argue that the exclusion of particular identities that is required by Miller's public sphere deprives internal minorities of the epistemic resources they need to challenge repugnant elements of national culture or identity. This puts the liberal character of Miller's nationalism into question. After I provide a rebuttal on behalf of Miller that leads to a reinterpretation of his view. However, I argue the modified account is still unsatisfactory in providing a means for contestation. Consequently I conclude if Miller is to provide an account of nationalism that is truly liberal he needs to tell a different story about the role of particular identities in public sphere deliberation.

INDEX WORDS: Nationalism, Liberalism, Race, Social Justice, Identity, Culture

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DEDICATION

I would like to dedicate this work to my fellow philosophy and gender studies graduate students

who have helped me sharpen my philosophical tools, negotiate graduate school surprises and

been a source of solidarity and love.

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1   INTRODUCTION

2   One thread woven through David Miller's account of liberal nationalism in *On Nationality* (1995) and *Citizenship and National Identity* (2000) is the importance nationalism and national identity in facilitating social justice.[1] It is Miller's contention that only a polity with a strong national identity will have the necessary psychological and emotional motivations to remedy conditions of social injustice. This claim should initially strike one as odd given that Miller's project is to generate an account of *liberal* nationalism. On the one hand, liberalism requires "equal respect for the many different personal and group identities,"[2] while on the other, nationalism involves "the imposition of a fixed identity deriving from the dominant group in a society on other groups."[3] It seems nationalism seeks to subjugate the very group identities and affiliated cultures a doctrine of liberalism requires one to respect. Thereby nationalism itself produces serious problems for the project of liberal social justice.

3   In order to resolve the apparent tension between liberalism and nationalism Miller builds two requirements into his doctrine. The first requirement states that private cultures are permitted to exist[4] but must do so wholly outside of the national public culture. The second requirement asserts, "national identities must be stripped of elements that are repugnant to the self-understanding"[5] of internal minorities. The former requirement is robustly theorized by Miller and does much of the heavy lifting to square nationalism with liberalism while the latter is mentioned only in passing as a means to guard against

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[1] Social justice is contrasted with global justice on Miller's account. Social justice is internal to a nation or society while global justice considers all individuals regardless of their national or societal membership.

[2] David Miller, *On Nationality* (New York: Oxford University Press, 1995). 119.

[3] *Ibid*. 119.

[4] I have chosen 'exist' rather than 'flourish' because it is unclear if private cultures should ideally be assimilated fully into national culture on Miller's view.

[5] Miller, *On Nationality*, 142.

illiberalness. Thus exactly what kinds of elements an internal minority may find repugnant to their self-understanding is unclear.

4   Though Miller is not explicit about what types of elements will likely be objectionable given his second requirement, I suggest its content can be deduced from his larger project. Miller recognizes nationalism's historic illiberal reputation particularly surrounding its tendency towards xenophobia and racism. He also acknowledges that people take their ethnicity and affiliated culture to be partially though deeply constitutive of their self-understanding. Thus I suggest that Miller's second requirement is plausibly understood as a resource for reforming racist and xenophobic tendencies internal to national identity or culture, thereby helping Miller to reconcile nationalism and liberalism. This thesis critically examines whether the requirement can successfully play that role.

5   In Section 1, I present Miller's account of the nation, national identity and national culture. Next I demonstrate how the ability of internal minorities to contest repugnant elements of national identity or culture is deeply tied to the liberal character of nationalism. In Section 2, I argue that the exclusion of particular identities from Miller's public sphere deprives internal minorities of the epistemic resources they need to challenge repugnant elements of national culture or identity. This puts the liberal character of Miller's nationalism into question. I then present an alternative interpretation of Miller's position that seeks to be more accommodating of internal minorities. In Section 3, I argue that the modified account still cannot satisfactorily provide minorities with a means for contesting national identity or culture. I conclude that, if Miller is to provide an account of nationalism that is truly liberal, he needs to tell a different story about the role of particular identities in public sphere deliberation.

5.1   Note on Methodology

Before presenting Miller's view I need to make a short methodological detour. One could object at the outset of my project that Miller is producing ideal theory. Ideal theory can be characterized[6] by the "jointly necessary and sufficient" assumptions of "strict compliance and favorable conditions".[7] Strict compliance assumes individuals fully comply with the schema of social cooperation and demands of justice that the theory proposes. Favorable conditions assume the required socio-economic circumstances are present that make a just society possible according to the given theory.

If Miller is generating ideal theory then the first assumption assures that all legitimate claims of repugnancy to self-understanding yields a revision to national identity or culture, while the second assumption guarantees that pervasive conditions of racism and xenophobia are not present. If Miller could be shown definitively to be doing ideal theory then this thesis is better understood as an application of Miller's principles to non-ideal conditions rather than a critique of an element internal to and problematic for Miller's theory more globally. However, I argue that a close reading of Miller suggests his project is better understood as a project in non-ideal theory.

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[6] For example: Charles Mills, "Ideal Theory as Ideology." *Hypatia* 20, no. 3 (August 2005): 165-83., Laura Valentini, "Ideal vs. Non-Ideal Theory: A Conceptual Map." *Philosophy Compass* 7, no. 9 (September 2012)., and Zofia Stemplowska and Adam Swift "Ideal and Nonideal Theory" in The Oxford Handbook of Political Philosophy ed. David Estlund (Oxford: Oxford University Press, 2017): 373- 98.

[7] Zofia Stemplowska and Adam Swift "Ideal and Nonideal Theory" in The Oxford Handbook of Political Philosophy ed. David Estlund (Oxford: Oxford University Press, 2012): 374.

The first reason can be drawn out by Miller's introduction in *On Nationality*. Miller begins his theoretical project stating that it is an open possibility that national "identities are fatally flawed".[8] One fatal flaw of nationalism, according to Miller, is that they are always already xenophobic or racist. A second potentially fatal flaw is that nationalism gives legitimacy to political authoritarianism that encourages nationals to "support leaders and policies that diminish their liberty or exploit them economically"[9] due to jingoism. By citing these two concerns as the primary defeaters for a theory of nationalism to contend with, Miller does not assume favorable socio-economic conditions indicative of ideal theory.

Relatedly, Miller's spends ample time considering nationalism in relation to ethnic and cultural minorities. He does not presuppose a harmonious schema of social and political cooperation to build his theory, for example a homogeneous group who share an ethnic identity. Instead he begins his theory from a consideration of the current constituency of actual nations that contain cultural and ethnic minorities and the tensions that can arise in the culturally and ethnically plural nation. Further whether national identity and culture are very conservative or liberal is left open on his view. The content of nationalism is determined by how the co-nationals engage with it and revise it. Again favorable conditions are not assumed but instead allows for the real possibility of social disharmony. For these reasons Miller's account of liberal nationalism can plausibly be read as a work in non-ideal theory. Now that this preliminary worry has been expunged let us turn to Miller's account of liberal nationalism.

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[8] Miller, *On Nationality*, 7.
[9] Miller, *On Nationality*, 12.

5.2   National Identity and Social Justice

National identity and its role in facilitating social justice cannot be understood without first giving Miller's account of what a nation is. Following Benedict Anderson,[10] Miller asserts the existence of a nation is not predicated merely on objective facts or features. Rather, the nation's existence depends on a community of people who share the belief that the "members belong together" and have a "wish to continue their life in common".[11] 'Life in common' does not only mean sharing a geographic location that co-nationals physical occupy together but also indicates a shared national culture. National culture contains both national values and shared beliefs that give nation's their particular character. To take America as example, the importance of hard work is an American national value and the belief that one should prioritize individual interest over community interest is an American shared belief according to Miller. Thus national culture yields a "set of understandings about how a group of people is to conduct its life together"[12] that is particular to any given nation and is more expansive than the nation's political principles.

It is important to note that national culture on Miller's view should be embraced and internalized by members of the nation such that they see national culture as their own. Recall, in the absence of shared national culture the nation fails to exist and so sustaining national culture is a central project of the nation.[13] National culture comes to be shared through an active reproduction and dissemination by public institutions such as public schooling. Now, this presentation of nationalism should be setting off some warning bells for those concerned about liberalism. It seems on Miller's view there is a hegemonic set of values and beliefs that everyone

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[10] Benedict Anderson, *Imagined Communities: reflections on the origin and spread of nationalism.* (London:Verso, 1991).

[11] Miller, *On Nationality*, 23.

[12] *Ibid,*, 26.

[13] National culture is what makes a state into a nation. State organizes through political institutions citizens whereas nation goes beyond political institution as a way of life and set of understandings.

is required, by definition, to assimilate and take up as their own. This would make Miller's nationalism patently illiberal because it requires the imposition of one dominant set of understandings onto everyone. However, Miller provides two means for keeping the worry of illiberalism at bay. The liberal character of nationalism can be maintained so long as the aim of national identity and national culture is to come as close as possible to ethnic and cultural neutrality and the public and the private spheres are differentiated. I explain each of these conditions in turn explicating how each squares Miller's nationalism with the principles of liberalism and how they relate to the project of social justice. I focus primarily on the first condition in the following sub-section 1.2 and discuss the second condition in further detail in section 1.3 specifically in relation to social justice.

5.3   Ethnic and Cultural Neutrality as the Aim of Liberal Nationalism

Miller's first condition states that national identity and national culture should aim to be both ethnically and culturally neutral. For explanatory purposes consider the problem of ethnicity to be addressed primarily to national identity and the problem of cultural neutrality to be addressed primarily to national culture. At the end of this discussion I show why these presumed relations are blurred but for now let us take them for granted. Let us turn first to the problem of ethnicity and national identity.

According to Miller an ethnic group is a group that has a "belief in common descent" and shares "cultural and sometimes physical features."[14] These properties demarcate one ethnic group "off from neighboring communities"[15] who do not share their ethnicity. Accordingly on Miller's account ethnicity differentiates an in-group and an outsider. The distinction between one ethnic group and another need not create intergroup hostility and often has the effect of

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[14] Miller, *On Nationality* 121.
[15] *Ibid.,* 19.

intergroup sharing of affiliated culture and traditions. However, affirming a particular ethnicity as part of national identity is problematic for the ethnically plural nation that Miller's account of liberal nationalism is designed to handle. If a national identity is marked by a particular ethnicity then those other ethnicities that are assumed by the ethnically plural nation will not be able to fully embrace their status as co-national.

For example, if American national identity is understood as being solely informed by the lineage of European settlers than how are immigrants for India supposed to relate to the nation or take on national identity as constitutive of themselves? Surely the sense of belonging that is required for the existence of the ethically plural nation is not possible under these conditions. The ethnic marking of national identity creates a feeling of non-belonging between the self and the nation though the strength of the feeling is surely variable from one individual to the next. Additionally requiring a member of an ethnic group to embrace an ethnicity that is not their own as a requirement to membership in a nation is certainly illiberal. It is illiberal in the sense that membership in the nation would require the imposition of a specific ethnic identity onto all individuals and it is illiberal on the grounds that it does not properly respect individual's conceptions of self that are tied to their ethnicities. While Miller does not explicitly tie these latter points to the justification for the aim of ethnic neutrality he does state, "national identities must be stripped of elements that are repugnant to the self-understanding"[16] of internal minorities which could easily be understood as ethnic minorities. Though Miller only mentions this sentence in passing it is my contention for the reasons above that the ability to revise national identity is deeply implicated in maintaining the liberal character of Miller's nationalism.

Relatedly Miller's asserts that national culture should aim for neutrality in its cultural values. By "cultural values," Miller means group specific values such as religious values that

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[16] *Ibid.*, 142.

members of the culturally plural nation will not share. As with ethnicity the aim of neutrality is meant to prevent the charge of illiberalness by making room for multiple cultures that are compatible with national culture. For example the American national value of hard work is compatible with most if not all religions and does not depend on a particular religion for justification despite the fact that it is a remnant of the people who first founded the nation, their religion and their values.

National culture unlike national identity cannot achieve full neutrality because it is tied to the history of the nation. National language for example "is invariably to some extent the bearer of the culture of the people whose language it originally was"[17] and consequently is not neutral. However, the unattainability of perfect neutrality is not a problem for the nation on Miller's view and actually is required for the nation's existence. Recall the nation depends on the shared understandings and beliefs of co-nationals that give the nation its particular character. National culture can change over time through the engagement of co-nationals but is also deeply tied to history. To ensure that national culture is not unduly illiberal it is also subject to revision if an element is antithetical to one's understanding of self.

As I mentioned in the beginning of this section the problem of ethnicity and the problem of cultural values cannot easily be separated into an issue for national identity and national culture respectively. For example often when one says Indian they mean Hindu even though there is a large portion of the country that does not share that religious affiliation.[18] This example demonstrates how national identity can construct itself around the religious part of an ethnic identity rather than a racial one. This is only to say that the relationship between ethnicity and

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[17]*Ibid.,* 137
[18] Uma Narayan argues in "Restoring History and Politics to 'Third-World Traditions'" in *Dislocating Cultures* (New York: Routledge, 1997) that Hindu practice have been reimagined to facilitate the the project of nationalism in India. For this reason it is not surprising that Indian national identity is marked by religious content.

cultural values on the one hand and national identity and national culture on the other intersect in multiple ways and are not separable into tidy boxes.

Before turning to the separation of the public and private sphere, which is the second structural mechanism that aids Miller in developing liberal nationalism, one more point must be made about the revision to national identity and culture that is permitted when an internal minority feels an element to be repugnant to their sense of self. There is a long tradition of exploring how one's social location gives one access to seeing/knowing things others do not. Marx(ist) understands this relation through the possibility of class consciousness that sees clearly into the inner workings of capitalism. DuBois generates the concept double consciousness where the American Black individual is simultaneously aware of how a racist society sees them and how they know themselves.[19] Feminist Standpoint Epistemologists argue that social location matters to the creation of knowledge and the inclusion of feminist values leads to a more objective knowledge.[20] While some social epistemologists such as Jose Medina argue that oppressed subjects "find themselves in need of certain bodies of knowledge in order to escape punishment or stigmatization, sometimes even to survive."[21] The shared general claim is that the social location of oppressed individuals uniquely positions them epistemically to see the mechanisms of oppression that they are subjugated by and through.

Taking seriously the relationship between neutrality and liberalism that I have developed in this subsection in conjunction with the claim about social location and a privileged epistemic stance demonstrates why it is imperative for Miller's view to guarantee internal minorities can

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[19] W.E.B. DuBois, "Of Our Spiritual Strivings" in *Souls of Black Folk,* ed David W. Blight and Robert Gooding-Williams. (Boston: Bedford Books, 1997).

[20] For Example: Sandra Harding "Rethinking Standpoint Epistemology: What is 'Strong Objectivity'" in *Feminist Standpoint Theory Reader* ed Sandra Harding. (New York: Routledge, 2004). 127-40.
[21] Jose Medina, *Epistemology of Resistance*. (Oxford: Oxford University Press, 2012) 44.

make claims of repugnancy in content. Not only would their inability to do so render nationalism illiberal but further, they are in the best position epistemically to see where revision is necessary precisely because of their social location. The problem can thus be summed up as follows: (1) If Miller's nationalism is liberal then it should aim at cultural and ethnic neutrality. (2) If nationalism is to aim at neutrality then internal minorities must be able to substantively contest content that is repugnant to their self-understanding. Therefore (3) If Miller's nationalism is liberal then internal minorities must be able to substantively contest content that is repugnant to their self-understanding.

The last relationship that must be set in place in order to assess whether or not internal minorities can substantively contest elements of national identity and culture is between national identity and social justice. In the next sub-section I articulate how national identity and social justice are connected on Miller's view. After in section 2 I examine the possible limitations to substantive contestation by internal minorities.

1.3 *The Publicity and Priority of National Identity and Culture*

As I have mentioned the second structuring principle Miller utilizes to ensure his nationalism is liberal is the separation between the public and private spheres.[22] Non-national cultures exist in the private sphere and nationalism is kept liberal because one culture is not permitted to fully subjugate any other. In addition to facilitating compatibility between nationalism and liberalism the settling of nationalism into the public sphere provides the necessary conditions and motivations for achieving social justice on Miller's view.

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[22] I do not dwell on this point because the separation between the public and private sphere because it mirrors John Rawls' formulation in *Political Liberalism*. (New York: Columbia University Press, 2005). that should be familiar.

Public national identity serves as "the basis for political association"[23] bonding co-nationals together through a common identification that "nationality alone can provide".[24] Without a shared national identity the majority group is "being asked to extend equal respect and treatment to groups with whom they have nothing in common beyond the fact of cohabitation"[25] and thus will not be properly motivated to address claims of social injustice from minority groups. National identity solves the motivational problem by making salient one's place in the whole, cutting across particularizing identities such race, gender or ethnicity by providing a common identification for all co-nationals. One becomes psychologically motivated to help fellow co-nationals who have been wronged because they are seen as a sort of extended family member.[26] Further are affectively motivated to end conditions of social injustice by national sentiments because they do not want to feel as though their nation is unjust. Thus the psychological and emotional motivations work together to produce solidarity between co-nationals that is required for social justice.

Instilling the necessary motivations for facilitating social justice consequently requires Miller's public sphere reasoner to "set aside their personal commitments and affiliations" to privilege their national identity which "transcends their sectional identities as women, members of ethnic minorities, etc.".[27] A further consequence of invoking national identity is that the public sphere reasoner prioritizes the "source of ethical standards" and the shared framework through which co-nationals should "justify their decisions to one another by reference to a criteria of

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[23] Miller, *On Nationality*. 119.

[24] *Ibid.*, 140.

[25] *Ibid.*, 139.

[26] On Miller's account this relationship also set into motion special duties to remedy past injustices on behalf of fellow co-nationals. See: David Miller "Reasonable Partiality towards Compatriots". *Ethical Theory and Moral Practice* 8, no 1 (April 2005): 63-81.

[27] David Miller, *Citizenship and National Identity,* (Cambridge: Polity Press, 2000). 65.

justice"[28] that are given by national culture. Thus privileging national identity for public sphere deliberation generates both the necessary motivations to achieve social justice and access to the proper epistemic tools to make one's case.

However, I contend that Miller's mandate to prioritize national identity above and beyond particular identities in the public sphere puts significant limitations on how internal minorities could levy a charge of repugnancy against one or more elements of national identity and culture. If I am correct then this is a problem for Miller on two fronts. First, as I have argued in Section 1.2, the inability to issue that an element of national identity or culture is repugnant to one's self-understanding puts the liberal character of Miller's nationalism into serious question. Further and more importantly the inability to contest elements of national identity and culture is a problem for social justice. As I will demonstrate in the following section the inability to assert concerns about repugnant content of national identity or culture work to exclude certain individuals from being full members of the nation and thus allow the perpetuation of social injustices indefinitely.

6   IS CONTESTATION POSSIBLE IN MILLER'S NATION?

Before turning to the possible limitations of contestability I dig a little deeper into the role of national identity in the public sphere. Recall, nationalism on Miller's view creates the conditions required for social justice and sets up the terms of the debate, including principles with which claims of social justice should be articulated through. For these reasons national identity should be prioritized above all other sectional identities in the public sphere. I argue that the prioritizing of national identity in the public sphere should be understood as aiming at what I will call conditioned impartiality. Prior to discussing what conditioned impartiality is I turn to Iris M. Young's account of impartiality from which I build my account.

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[28] *Ibid.*, 78.

6.1 Conditioned Impartiality and Miller's Public Sphere

According to Young the ideal of impartiality "express a logic of identity that seeks to reduce differences to unity"[29] through the repression or denial of difference. Impartiality requires decoupling the particular individual from their physical body and life-world in order to create a subject that is "self-generating and autonomous"[30] and thus capable of objectivity in their reasoning. Impartiality is therefore made possible through a denial of needs, inclinations and bodily feelings. Importantly any subject should be able to attain this perspective through abstracting away from the particulars of their situation to arrive at a point from which they can judge all persons and situations "according to the same principles, impartially applied".[31] Young's account of impartiality discloses important features of Miller's public sphere though it requires some modification given his account.

On the one hand Miller's national identity does work to create a sort of impartiality. Recall for Miller without national identity the public sphere devolves into a battle of wills and interests that divest individuals of the right kind of psychological and affective ties required for social justice. National identity is supposed to bridge the fractured public sphere by providing a common identification for all. This follows Young's account of impartiality that seeks to create unity through a suppression of difference. It is worth noting for Miller differences are truly suppressed. Racial, religious, ethnic and cultural identities do not properly belong in his public sphere.

Further on Young's account, impartiality advocates judgment though a set of principles that are universally applied to all persons and situations. National culture on Miller's view is the only possible background for deliberation in the pluralistic nation because it generates a set of

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[29] Iris M. Young, *Justice and the Politics of Difference,* (New Jersey: Princeton University Press, 1990): 97.
[30] *Ibid.,* 99.
[31] *Ibid.,* 101.

shared principles and values to assess claims with. In this way co-nationals use impartial criteria to deliberate. However, the principles and values internal to national culture are not really impartial. Recall for Miller the national principles and values are a product of the nation's history and as such are specific to each nation and consequently are not universal in Young's sense. I contend that national principles and values can be understood as a sort of conditioned impartiality. While nation qua nation they will be divergent co-national qua co-national they are meant to deliver a set of standards that apply to all deliberation. In this way internal to a nation the principles and values yield a set of impartial standards in the sense that they apply to all persons and situations and yet they are historically conditioned when viewed nation qua nation.

A further reason for asserting conditioned impartiality rather than complete impartiality is due to the operation of feelings in Miller's public sphere. Though feelings are permitted into the public sphere through privileging national identity, it is only a certain kind of feelings that are allowed. National sentiments work to affectively tie co-nationals together and emotionally motivate some co-nationals to work on the behalf others especially in cases of injustice. Feelings that arise from one's particular identities, however, are intentionally excluded. Allowing those kinds of feelings into the public sphere would destroy the orientation towards the common good, on Miller's account, and permit interest politics to rule. National sentiments are impartial in the sense that they mobilize the logic of unity through the suppression of difference that is indicative of Young's impartiality but again are historically conditioned. Membership in a specific nation is required to be the subject feeling the correlated national sentiments and is also necessary to be taken as their object. In this way national feelings are conditioned by the historical division of places into specific nations and yet internal to the nation bond together co-nationals through their sameness. For these reasons I argue that the invocation of national identity upon entering

Miller's public sphere should be understood to bring in tow the stance of a historically conditioned yet impartial reasoner and set of criteria and values for deliberation. Now that all the required pieces are in place, let us turn to the question of contestability in the Millerian public sphere.

6.2   *Repugnancy, Particularity and Exclusion*

The criteria Miller gives for contestation of an element of national identity or culture is the feeling of repugnancy that it causes in internal minorities. However, I contend this feeling cannot become known because it depends on one's particular identity that is not permitted into Miller's public sphere. Further the complete exclusion of particular identities from the public sphere makes it very difficult to reveal how national identities are biased and thus generate the exclusion of internal minorities from full membership in the nation. I argue that these problems consequently have negative implications for social justice when it is internal minorities who require attention.

In order to achieve the conditioned impartiality that is appropriate to Miller's public sphere one must suppress their particular group membership and correlated interests and feelings. It is worth noting that what one perceives to be in their interest and the feelings that one has are integrally related to one's experiences in the world. When Miller requires that co-nationals suppress their particular interests and feelings he is also demanding one suppress their experiences as a member of those particular group identities. Thus it follows achieving the conditioned impartiality that is demanded by the public sphere requires the internal minority member to suppress their experiences as an internal minority. Suppressing the experiences of living as an internal minority in the nation thus entails suppressing the bodily feeling of repugnancy that is correlated with those experiences. Thus the demand to suppress the particular

in order to achieve conditioned impartiality prevents at the outset both the experiences that inform the feeling of repugnancy and the claim that is undergirded by the feeling. Because the liberalness of Miller's nationalism depends on the ability of members of internal minorities to levy charges of repugnancy, as I have argued in subsection 1.2, this does not bode well for Miller's account.

One may object here however and assert that I have been hyperbolic about the role of repugnancy and particular identities in relation to the ability for internal minorities to contest biased content in national identity or culture. This objector may assert that particular identities and experiences are not necessary for issuing a concern about biased content of national identity or culture but rather bias could be made evident by examining the content of national identity and culture itself. In order to buttress my view against this objection and reinforce my position that the experiences and feelings of internal minorities are integral to grounding a claim against an element of national identity or culture I turn to Sally Haslanger's theorization of manifest and operative concepts.

According to Haslanger's account a 'manifest concept' is the "more explicit, public and "intuitive" definition of the concept whereas an 'operative concept' is the "more implicit, hidden and yet practiced"[32] understanding of a concept. Katherine Jenkins aptly characterizes the former as "the explicit official or formal definition" and the later as "the implicit definition that would be extrapolated from actual usage in a given community".[33] Importantly, a manifest concept and the correlated operative concept could be quite divergent in their content. The incongruences that can occur between a manifest and an operative concept help to reveal why particular identities

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[32] Sally Haslanger, "What are we Talking About? The Semantics and Politics of Social Kinds."*Hypatia* 20, no 4. Analytic Feminism (Autumn 2005):14.
[33] Katherine Jenkins, "Rape Myths and Domestic Abuse as Hermenutical Injustices" *Journal of Applied Philosophy* 34, no 2. (Feb 2016): 9.

and the affiliated experiences and feelings of internal minorities must be permitted into Miller's public sphere if the ability to contest repugnant elements in national identity or culture is to be substantive. In order to demonstrate why the possible mismatch matters to the ability for substantive contestation let us turn to one of Miller's examples.

Miller states that in the United States "national identity has ceased to have any marked ethnic content"[34] and can thus serve as a good model for what a neutral national identity that can serve as the basis of impartial standards should look like. On the one hand, Miller's statement is correct. As a manifest concept, national identity in the United States is neutral in its content. For example, there are no formal US laws excluding individuals from national identity that are grounded explicitly in ethnic or racial identities. On the other hand, examining the operative conceptual content discloses a different truth. Let us take as example the predicament of US Muslim nationals today.

Muslims in the United States are constantly under surveillance in virtue of their religion and its presumed relation to the foreign Muslim terrorist. The imagined internal Muslim terrorist is constructed as "an uncanny, ghostly figure who infiltrates our wardrobes, tries on and stretches out our clothes," which makes "it difficult to discern where "their" place ends and "ours" begins."[35] Importantly the division of 'theirs' and 'ours' or 'them' and 'us' implicitly indicates who properly belongs to the nation and who does not, who is a co-national and who is a foreigner. Thus, the presumed connection to the Muslim terrorist abroad, renders US Muslim nationals as doubly external to the nation, first through foreignness and then as a threat to the nation's existence.[36] The US Muslim national consequently becomes imagined as an external

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[34] Miller, *On Nationality,* 136.
[35] *Ibid.*, 193.
[36] It's worth noting that the first Muslims in the US were slaves. In this way the practice of Islam is deeply implicated in the founding of the nation and has a long history is the US.

foreign threat. This pushes them into a precarious situation, formally included in the nation while simultaneously always already external to it.

This analysis demonstrates conceptually how the operative conceptual content of US national identity is religiously marked.[37] Empirical data also supports this analysis by demonstrating how both State apparatuses and non-State actors consistently deprive US Muslim nationals of the treatment and rights that should be guaranteed in virtue of their membership.[38] With this analysis in hand I return to Miller's view to demonstrate first how banning particular identities from the public sphere significantly limits the possibility of challenging an element of national identity or culture by a member of an internal minority group. And second, the implications for social justice.

As I have argued in subsection 2.1, Miller's public sphere requires conditioned impartiality, and this orientation necessitates a suppression experiences and correlated feelings that go along with living as an internal minority. Without being able to bring personal experiences and feelings about those experiences into the public sphere, how could one reveal to non-Muslim co-nationals the ways that they are implicitly treated as suspicious foreigners? What tools do they have to contest the presumption that they are worthy of suspicion and that this presumption is antithetical to their self-understanding of themselves as law-abiding co-nationals? The fact that the manifest concept of national identity masquerades as neutral makes it

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[37] Of course the religious marking also calls to the surface a host of other associations such as race and place of origin.

[38] As evidence to support this claim see: Mark Potok, "Anti-Muslim Hate Crimes Surged Last Year, Fueled by Hateful Campagin." *Southern Policy Law Center* (2016) accessed 12/15/2016, https://www.splcenter.org/hatewatch/2016/11/14/anti-muslim-hate-crimes-surged-last-year-fueled-hateful-campaign and Carma Hassan and Catherine Shoichet "Arabic Speaking Student Kicked Off Southwest Flight." *CNN* (2016) accessed 12/15/2106, http://www.cnn.com/2016/04/17/us/southwest-muslim-passenger-removed/ on non-State actors and Lena Kampf and Indra Sen "History Does Not Repeat Itself, but Ignorance Does: Post 9/11 Treatment of Muslims and the Liberty-Security Dilemma" *Humanity in Action* (2007) accessed 12/15/2016, http://www.humanityinaction.org/knowledgebase/168-history-does-not-repeat-itself-but-ignorance-does-post-9-11-treatment-of-muslims-and-the-liberty-security-dilemma for example of State endorsement and perpetuation of the narrative.

extremely difficult to contest the grounds of their exclusion without bringing in personal antidotes and feelings about their experiences and treatment. Bringing the particularity of experience and personal affiliation into the public sphere, I contend, is necessary to contesting their unequal inclusion and making it legible to others.[39] Consequently, the stringent exclusion of particular identities and thus the correlated experiences strip internal minorities of the epistemic resources they need in order make their contestation. The inability to contest repugnant elements of national identity or culture is a problem for the liberal character of Miller's nationalism but it is also problematic given the account of social justice he has presented.

Remember that, on Miller's view, the invocation of national identity is supposed to ground the kinds of psychological and emotional motivations necessary to achieve social justice. As Archer's analysis shows, the tying of the foreign Muslim terrorist to Muslim US nationals positions the nationals as foreigners posing an external threat to the nation. Thus, the emotional and psychological motivations required for social justice likely will not extend to the Muslim national because they are not recognized as a member of the nation and even may be understood as a potential threat.[40] Thus the ethno-religious marking of US national identity coupled with the inability to contest its biased content facilitates the positioning of the US Muslim national externally to the nation.[41] The externality to the nation in turn allows conditions of pervasive social injustice to continue even while the manifest concept of US national identity is neutral.

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[39] Historically struggles for liberation and justice, such as the Black liberation struggle in the US, center the experiences and feelings that result from unjust treatment and violence precisely as a means to reveal the conditions they suffer under. It is plausible to understand this as one of the tactics most liberation and justice struggles share.
[40] I have used Muslim US nationals to make my case but I certainly agree that there are many other internal minorities that could find themselves in this position. The logics would work with different justifications and imaginings but the same claim could follow.
[41] I am not making a positive claim about what the content of US national identity is but rather the negative claim that it is marked as non-Muslim and the racialization that goes along with that imagining which could also lead one to be falsely labeled as a member of the Muslim faith.

This is a big problem for Miller's view on both the front of liberalism and the possibility of social justice.

However, there is a rebuttal to be made on behalf of Miller by objecting that the account of Miller's view I have been advancing is too narrow in its interpretation. After all Miller uses the words "set aside" and "bracket" [42] to describe what one should do with their particular identities when entering the public sphere. Paying close attention to Miller's choice of words it is not clear that particular identities must be suppressed or denied in the way that has been suggested. Further Miller states that there is "no limit on what sort of demand may be put forward"[43] in the public sphere. Seemingly this would include demands based in group specific identities and experiences.

A better interpretation of Miller's view is that national identity becomes salient i when engaging in the public sphere because it is the appropriate orientation for the public sphere. Just as, when one is at work she takes up the role of employee along with its rules and principles because it is appropriate to that sphere of life, when one is in the public sphere she take up the role of co-national and its rules and principles of interaction. On this interpretation, privileging national identity in the public sphere not only endows co-nationals with the right kinds of motivations to achieve social justice but also sets in place the necessary background for facilitating presentation, deliberation and the adjudicating claims to social justice.

Miller even provides a method for greater odds of success. He states, "the success of any particular demand" depends on how well it can tap into the "general political ethos of the community."[44] To do so the individual making a social justice claim should "find reasons that can persuade those who initially disagree" which may require "moderating the claim you might

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[42] David Miller, *Citizenship,* 65.
[43] *Ibid.,* 57.
[44] *Ibid.*, 57.

initial wish to make and shifting somewhat on the ground on which you make it" so that it parallels the general political ethos. One way to do so, according to Miller, is to appeal to a norm of justice in national culture that is shared. Group specific justifications that are not shared are less likely to gain traction, and this is why Miller advocates bracketing them.

Thus, the bracketing of particular identities and privileging national identity has two advantages. For the speakers who raise the social justice claim, it calls up the shared principles and values under which they have the best chances of making their case, whereas, for addressees of the claim, invoking national identity endows them with the necessary emotional and psychological motivations to remedy injustice. Further, it helps them to be impartial in their assessments through setting aside their own interests and affiliations. Thus, particular identities are not wholly banished from the public sphere but rather are omitted when they present hurdles for deliberation broadly and for achieving social justice more specifically. With this reinterpretation of Miller's view the problems raised by the example of the US Muslim national seem to be mitigated. Let us briefly return to the example.

Through being tied to the foreign Muslim terrorist US Muslim nationals are treated as always already suspicious. With the reinterpretation of Miller's view in hand they could bring antidotal evidence from experience and a systematic analysis of Islamophobia and its racialization into the public sphere. Further, the US Muslim national could appeal to an American principle -- the judicial norm of innocent until proven guilty-- as means to contest the persecution that comes along with the continuous association with suspicion. What kinds of protections this judicial norm requires is certainly open for debate, but it is one shared standard of justice available in US national culture to make their case under.[45] Thus, the US Muslim

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[45] Note however, this reinterpretation of Miller's view cannot fix the problem of recognition that is related to social justice. If other co-nationals are not willing to recognize Muslim nationals as members of the nation there will be

national does have the necessary epistemic resource to make a claim against biased content in national identity or culture. Further, so long as they can make a convincing case through a shared principle or value other co-nationals will be motivated to take it up. Consequently, Miller's liberal nationalism is both liberal and sets up conditions for facilitating social justice. In the next section I argue that this conclusion comes to quickly. Even if the speaker's particular group identity, affiliated experiences and feelings are allowed into the public sphere, the internal minority member may become silenced and unable to levy contestations of national identity or culture. In order to explain how the hearer's prioritizing of national identity can undermine the speaker's claim I first turn to Miranda Fricker and then to Sara Ahmed. .

6.3   Speaker Identity, Credibility and Feeling

According to Fricker a testimonial exchange occurs where a speaker offers information to a hearer. During the exchange the speaker and hearer "inevitably trade in social perceptions of each other".[46] The hearer is trying to figure out what information is good information, and to do so she must assess the speaker from whom the information is delivered. Often there is no rational deliberative process that takes place in assessing the trustworthiness of a speaker but rather "the hearer *perceives* the speaker as trustworthy to this or that degree in what he is telling her" (emphasis in original).[47] Fricker's use of 'perceives' calls attention to the assumption that credibility is a transparent characteristic that can be read off a body immediately and without reflection. The passive quality of credibility ushers stereotypes into testimonial exchanges.

Stereotypes, according to Fricker, assign one or more attributes to a social group, are widely held and are a necessary tool for sorting true claims from the false. Social stereotypes

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little that can be done to make a claim of social justice heard. This may be a further problem for Miller's view but I will not address it in this paper.

[46] Miranda Fricker, *Epistemic Injustice: Power and the Ethics of Knowing* (New York: Oxford University Press, 2007), 36.

[47] *Ibid.*, 36.

work as heuristic aides for hearers in order to facilitate a "spontaneous assessment of their interlocutor's credibility".[48] Consequently on Fricker's account stereotypes are neither inherently good nor bad but rather a necessary feature of one's epistemic life. However, some stereotypes are pernicious because they consistently and wrongly ascribe a deficient degree of credibility to speakers who should be considered legitimate sources of potential knowledge.

Pernicious stereotypes invoke a "prejudice for or against people owing to some feature of their social identity"[49] which she terms identity prejudice. The prejudice works to mark one's credibility as deficient through attacking one of its constitutive parts, namely, competence or sincerity. Identity prejudice achieves this end by consistently attributing a feature to a member of a stigmatized social group that is "inversely related to competence or sincerity or both: over-emotionality, illogicality, inferior intelligence, incontinence, lack of 'breeding', lack of moral fiber, being on the make"[50] are all examples of the kinds of assigned attributes that undermine a speaker's credibility due to her membership in a devalued social group. To demonstrate how Fricker's account works consider the following example.

During the era of trans-Atlantic slave trade, Black slaves in the US Antebellum South were legally prohibited from testifying against white persons. The social imagination of the time made this prohibition possible by imagining that slaves were more like animals then humans. Because animals are not rational the enslaved couldn't be either. Further like animals the enslaved were inferior in their intelligence, lacked more fiber, and indulgent in bodily pleasures. Consequently they could not be considered competent or sincere epistemic agents precisely because of the identity prejudice in the social imagination that asserted they could not "know". Thus identity prejudice deprived enslaved persons of their ability to contribute to the epistemic

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[48] *Ibid.*, 17.
[49] *Ibid.*, 27-28.
[50] *Ibid.,*32.

community based on their identity group membership and associated, though false, stereotypes.[51]

Now that this example has clarified how identity prejudice and pernicious stereotypes work in

conjunction with the social imagination let us return to Fricker's account.

The social imagination, according to Fricker, has the capacity to "impinge on judgment

directly and without the subject's awareness".[52] Thus what the subject may consciously affirm

are their beliefs can be in contradiction with the judgements they make. Fricker elaborates with

the case of the committed anti-racist. While the anti-racist explicitly rejects racist beliefs and

works to rid himself and others of them, he may still be unable to fully filter out prejudicial

stereotypes in the context of his own social judgment say by crossing to the other side of the

street when he sees a group of Black people at night.[53]

Thus, a perverted social imagination can instill what Alexis Shotwell names a "racial

commonsense"[54] that "delineates implicit epistemic frameworks".[55] The implicit epistemic

frameworks can reify identity prejudices unconsciously and consequently maintain their saliency

even against the sincere desires of the subject.[56] Importantly for the later discussion of Miller's

view, the act of looking must be recognized as particularly dangerous for gender and racial

identities, in the West at least.[57] These identities are habitually defined through "physiological

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[51] Of course, I have picked out only one falsely assigned attribute that worked in conjunction with a host of others to justify the enslavement of Black individuals.

[52] *Ibid.*, 38.

[53] Fricker's claim is empirically substantiated through much of the work on implicit bias. See Bertrand, Marianne, and Sendhil Mullainathan (2004). "Are Emily and Greg more employable than Lakisha and Jamal? A field experiment on labor market discrimination." *American Economic Review* 94 (4): 991–1013. Or Madva, Alexander Maron (2012). *The Hidden Mechanisms of Prejudice: Implicit Bias and Interpersonal Fluency*. Dissertation, Columbia University as examples.

[54] Alexis Shotwell, *Knowing Otherwise: Race, Gender and Implicit Understanding* (University Park: Pennsylvania University Press, 2011), 28.

[55] *Ibid.,* 29.

[56] One could analogously work with gendered common sense, which Shotwell does, or a classed or able-bodied commonsense etc.

[57] For an explanation of why the tendency should be understood as Western see: Oyeronke Oyewumi's "Visualizing the Body: Western Theories and African Subjects" in *African Gender Studies: A Reader.* (Basingstoke: Palgrave Macmillian, 2005), 3-21.

features" which appear as "visible marks on the body"[58] and thus are always already present in the visual scene.[59] This puts members who are imagined to be in one or both of these groups at graver risk for being assigned deficient credibility because the feature that marks them as deficient knowers is assumed to be instantaneously perceptible. Before returning to Miller, one more point must be made about stereotypes and emotion.

Stereotypes depend on repetition for their meaning and prejudicial ones seek to fix the essence of the Other. However, precisely because stereotypes depend on repetition for their meaning they are a site of potential insecurity in their meaning rather than security.[60] One way prejudicial stereotypes can retain their meaning in the social imagination is through negative identity prejudices, which exclude certain individuals from the epistemic community as I have discussed alongside Fricker. However stereotypes also achieve stability through the circuits of emotions in what Sarah Ahmed calls an affective economy.[61]

Ahmed draws an analogy to Marx's conceptualization of surplus value in the capitalist economy to build her account of the affective economy. Like capital affect "not only remains intact while in circulation, but increases its magnitude, adds to itself a surplus value"[62] though movement between objects and signs. Note affect does not reside exclusively in the objects or signs but rather is propagated through motion between them. The more a sign circulates the more frequently it is brought into relation with others and thus the more affective it becomes. Thus 'affective economy' is helpful because it reminds one that affect is always relationally coming into being from the interplay of signs and object that are also in motion.

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[58] Linda Alcoff, *Visible Identities* (New York: Oxford University Press, 2006), 86.
[59] As Alcoff points out class identity is less fixed because it is not marked on the physical body.
[60] This point is argued for by Homi Bhaba in, *The Location of Culture* (London: Routledge, 1994).
[61] Ahmed uses affect and emotion interchangeably. I also use the terms in this way.
[62] Ahmed, Sara. *The Cultural Politics of Emotion*. (New York: Routledge, 2015). 45.

The affective economy is not always tumbling forward toward the future but also slips backwards and sideways between objects and subjects. These movements are not fixed but they are not coincidental either; some affects do consistently stick to some bodies and objects. Stickiness is an effect of the "histories of contact that have already impressed upon the surface of an object".[63] Repetition binds past associations while submerging explicit content and thus, the initial contacts of particular objects/subjects are often indiscernible in the present. A sticky object/subject is not, for example, disgusting when it is alone. Rather the sticky subject/object becomes disgusting through encountering other subject/objects that are repulsed by its closeness. The more frequently object/subjects and specific affects are brought into contact the more ossified and stable the orientations become.

The ossification of negative affects, such as fear, disgust and hate, to particular bodies has undesirable epistemic implications. As Martha Nussbaum argues politics oriented around the politics of disgust (though it could easily be extended to include the other negative affects) can lead to "the misleading impression that the policy has already been well defended"[64] when it has not been and can also cloud how the hearer hears and interprets a new claim. Disgust operates through a visceral embodied register that allows individuals to rationally deny, to use Nussbaum's case, the belief that gay men are disgusting and yet are likely "to be influenced on a deeper level"[65] by their emotions. Thus prejudicial stereotypes not only assign deficient credibility as Fricker argues, but further bring into play feelings associated with prejudicial stereotypes that corrupt the way in which reasons are heard and judged as valid or invalid. With this analysis in hand let us return to Miller.

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[63] *Ibid.,* Ahmed, 90.
[64] Martha Nussbaum, *From Disgust to Humanity,* (New York: Oxford University Press, 2010): 20.
[65] *Ibid.,* 3.

6.4   *The Hearer, National Feelings and Conditioned Impartiality*

On the reinterpretation of Miller's view, it is the co-national who *hears* the social justice claim who must distance himself from his personal commitments, affiliations and feelings in order to impartially assess the case made by the presenter of the contestation. To do so, the hearer should arrive at a position of conditioned impartiality, which I have explained in subsection 2.1. Importantly conditioned impartiality creates the situation where all co-nationals are seen as the same and all situations are judged through he same principles and values.

However, as I argued in the last section, identity prejudice colors how one hears the claim and feels about the reasons given to support it unconsciously.[66] In mandating the treatment of all co-nationals be the same, one runs the risk of foreclosing the possibility of critically reflecting on how race, for example, that is always present in the visual scene may be affecting how they hear and feel about the presented claim. Consequently, even if the contester uses a shared national principle or value to make her case, it may be difficult for it to gain traction based on the influence of a deficient credibility assignment made possible through an identity prejudice in the social imagination. Thus, while a contestation of national identity or culture grounded in a particular identity can enter the public sphere, which is better for social justice and liberalism than the first interpretation of Miller's view, there still seems to be a question of whether or not the contestation will be take up seriously.

The likelihood of uptake in the absence of critical reflection becomes particularly worrisome by considering the role of national sentiments. Recall that, on Miller's view, national sentiments attach one to the nation and nationals through feeling. The feeling of solidarity and trust bind one to fellow co-nationals and the feeling of belonging bind one to the nation. While

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[66] No culture has completely rid itself of patriarchy or racism. While the degree to which these systems of domination may differ from place to place it is safe to assume that the prejudiced social imagination is present everywhere.

national sentiments might help to facilitate social justice for those who are already fully

embraced by the nation for those who occupy a more liminal space in the nation, such as the US

Muslim national, national sentiments may have the opposite effect.

As I argued in subsection 2.2, the US Muslim national is constructed as a foreign threat to

the nation. Being conceived of as a threat to the nation, even unconsciously, surely does not

engender feelings of trust and solidarity in fellow co-nationals. Rather national sentiments call up

negative affects, such as fear, disgust and hate, to orient nationals to the threat, which in this case

are US Muslim nationals.[67] Ahmed argues that fear encourages one to retreat into safety, disgust

encourages one to expel the cause of disgust, and hate calls up feelings to protect one's

community from outsiders.[68] Thus, national sentiments that are meant to aid in the project of

social justice according to Miller can quickly slip to the other side, making social justice

impossible.

Thus, the conditioned impartiality of the hearer and the emotional attachment given by

national sentiments that facilitate social justice on Miller's view may actually work against those

whom his view is intended to help. Additionally it seems the more deeply entrenched the

exclusionary element is in the social imagination of a nation the less likely it will be possible to

contest it. Thus, conditions of social inequality and pervasive injustices might well be permitted

to continue precisely by the mechanisms that are prescribed as a remedy on Miller's view.

Finally, the liberalness of Miller's nationalism depends on the ability of internal minorities to

substantively contest content that is repugnant to their self-understanding. In this section I have

argued it is unlikely and certainly not guaranteed by Miller's view that internal minorities will be

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[67] It is worth noting that internal minorities who struggle for social are often perceived as a threat to the nation. For example, gay rights, immigrant rights, the presence of refugees, women's rights have all been understood as threats to the US at different points.
[68] Ahmed, *Cultural*, 42-101.

able to raise substantive contestations in the public sphere. Thus Miller's view still is not able to adequately produce conditions necessary for social justice or assure that his account of nationalism will in fact be liberal.

7 CONCLUSION

In this thesis, I have argued that Miller's account of liberal nationalism depends on the guarantee that internal minorities can contest elements of national identity that are repugnant to their sense of self. On both interpretations of his view, I have argued that he has failed to provide such a guarantee. In Section 2, I argued that barring particular identities wholly from the public sphere deprived internal minorities of the epistemic resources required to make a substantive contestation. Consequently, I reinterpreted Miller's view to be less stringent in the banning of particular identities from the public sphere. Given this reinterpretation, I argued in Section 3 that Miller's view is still unable to guarantee the substantive ability for internal minorities to contest national culture or identity. The modified view is unsatisfactory because it treats all co-nationals as the same, denying how race, gender, sexual orientation etc., may be clouding the hearer's judgment. Further, I argued that national sentiments for those who are not fully accepted as members of the nation present a significant hurdle to social justice rather than facilitating it. Thus, on neither interpretation has Miller given a satisfactory account of liberal nationalism. I would like to end by stating that these issues do not necessarily mean we should throw out Miller's account of liberal nationalism completely, but one would need to tell a different story than he does about non-national identity's role in public sphere deliberation and the epistemic stance that best facilitates social justice.

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