6 Nationalism

Nationalism has an ugly history. Emerging in the 19th century as an ally of the modern state (hence *nation*-state), nationalism was blamed for the major global conflicts of the following century. The charge was not without merit, as the ideologies of imperialism, communism, and fascism were bolstered by the idea of a collective nation to whom each member owes loyalty and service above everything. Nationalism, in this sense, is an ideology. Undoubtedly, national pride, when it is divorced from any moral criteria, is easily manipulated to serve the wrong ends. Consequently, it may seem prudent to eschew nationalism altogether. Among the moral lessons of the 20th century is "anything, but nationalism." Certainly, to many, it has seemed that way.

Yet nationalism appears to have made a return in the very societies that had forsworn it. From the Brexit referendum and the election wins of Donald Trump in 2016 and 2024, to the rise of nationalist movements in Europe, nationalism has once again gained political power and cultural momentum. Further, nationalism is prominently part of the political agenda on the right. This has alarmed much of the political commentariat, as right-wing nationalism is assumed to be a one-way road to fascism, as demonstrated by the political experience of the last century. Fear mongering around nationalism has consequently been common, with accusations and denunciations typically taking the place of argument or careful analysis. But neither of these tactics have been effective. Indeed, with every false accusation, the epithets are diluted, while the emotional appeal of nationalism appears to grow stronger.

Nationalism and conservatism, in one sense, are natural allies. For when the "nation" is synonymous with the political community, it is among the things, a conservative argues, that must be conserved. The nation is the *sine qua non* of political life. This is an older sense of nationalism, explored in the previous chapter, that, properly speaking, focuses on the origins and identity of a distinctive people, who form a single, sovereign political order. A people is "free" to the extent that they have such an identity and govern

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themselves accordingly. Such is the classic Biblical story of *Exodus*, which narrates in dramatic fashion the formation of the Israelite nation.

A national narrative is what binds a people together and orients them around shared ends. Conservatism and nationalism are incompatible, I will argue, only when nationalism becomes ideological, that is, when the nation is elevated above everything else. A conservative can, then, embrace the older form of nationalism, while rejecting its ideological manifestations. Put another way, we should attach special moral value to the nation. But to avoid slipping into ideology, the nation should always be subordinate to something higher than itself.

This chapter makes a conservative case for nationalism, what might be called, following recent political developments in America, "national conservatism."[1] Given the instability, distrust, and alienation in Western societies, which we discussed in the previous chapter, the recent turn towards nationalism makes sense. It cannot be wished away or shunned into obscurity. Instead, conservatives should embrace nationalism, while carefully circumscribing its inherent tendency to become ideological.

Nationalism speaks to our need for stability, united by common faith in a shared moral narrative, while putting the interests of our fellow citizens first. A patriotic nationalism, therefore, will prioritize the interests of citizens over foreigners, uphold some shared national idea, and rely upon a stock of patriotic sentiment that moderates political (and other) differences. It is only when these reasonable needs go unmet that nationalism has the potential to metastasize into something ugly and dangerous. Rather than its evil ally, conservatism is simply the appropriate medium for the nationalist impulse.

What is Nationalism?

Nationalism requires careful definition. As a first pass, nationalism refers to the prioritization of one's nation above oneself and the interests of other nations. This gives rise to two questions. What is the nation? And in what sense, and over what, should the nation take priority?

First, a nation might be defined along religious, ethnic, racial, or linguistic lines. To be French, for example, perhaps one must speak the French language. Alternatively, a nation might refer merely to citizenship or membership in a political state, so that I may be a member of the French nation, even if I do not speak French. Second, the French nation may take priority, at least for the French citizen, over other nations, and so perhaps dual citizenship should be outlawed. More strongly, the French nation may take priority over one's own life and family, if perhaps, there is the necessity of war. Taking this line of thought to an extreme, the nation might take priority over everything, which, in some cases, could require a citizen to perform acts of evil in service to the nation.

It should be clear how ideological nationalism answers these questions. First, the nation, for the ideological nationalist, is often identified with some morally suspect object, like racial identity. So, for instance, the white nationalist wishes to elevate the white race above all others in an otherwise racially diverse society. But it is not the nationalism here that is morally objectionable, but the narrowness of the nation so construed. A similar argument could be made against religious nationalism. It is not that giving priority to members of one's religious faith is morally objectionable *per se*. But when it is made a criterion of equal political treatment in a multifaith nation, the partiality is objectionable.

Second, ideological nationalism elevates the nation above other competing sources of value, and even above morality as such. While a nationalist conservative acknowledges that sometimes one must die for one's country, the ideological nationalist believes that individual citizens are, in effect, the property of the state, to be sacrificed or disposed of for its sake and for any reason. In this way did so many become causalities of the First World War.

Given that conservatism rejects ideology, it is well placed to reject the odious ideological forms of nationalism. The ideological nationalist appeals to religion, ethnicity, race, language, and so on. Now, a conservative need not deny the importance of any of these specific characteristics in the history of a nation, for it is impossible to speak of a nation without mentioning such things. But to identify a nation with some narrow set of criteria is a species of political rationalism in Oakeshott's sense.[2] It denies the organic, evolved nature of the nation, which, by definition, cannot be reduced intellectually to a formula or philosophical principle(s). A nation is an exclusive entity that nonetheless remains open and flexible, given the dynamic world that it necessarily operates within.

The importance of a nation derives from the meaning felt by its members. But this meaning must be subordinated to something beyond the nation itself. Nationalism, for a conservative, becomes ideological when it seeks to supplant or replace every other competing attachment, for instance, of faith, family, friendship, or neighborhood. On the contrary, the nation, properly understood, should serve and support these things. A nationalist conservative must, therefore, appeal to some moral narrative around which a nation unites. As I argued in the previous chapter, a nation needs a direction to travel in that is higher than itself. Every nation, like every individual person, needs a purpose.

This conservative critique of ideological nationalism suggests better answers to our initial two questions: 1) What is the nation? 2) In what sense should it take priority? First, the nation should be understood territorially, that is, by the borders of a nation-state, and by membership, that is, who is legally a citizen of the nation-state.[3] While this is an admittedly "thin" notion of a nation and its citizens, a conservative does not deny the importance of "thicker" notions. There is more to being an American

than simply holding a U.S. passport. And the nation of the United States of America is more than arbitrary lines drawn on a map, nor is America "just an idea." But national identity should be built up from what is clear and unambiguous in the law. Second, the nation should have priority over other nations. Nationalism depends on an ethic of partiality. President Trump's "America First" slogan, for example, is a priority claim. It is not equivalent to "America Only."[4] In this sense, we owe partiality to our nation in the same way that we owe partiality to our family, not as the only thing that matters, but in priority to other competing interests.

The analogy to family also usefully makes sense of the special affections that nationalism draws upon. For just as partiality toward family members is premised on natural ties of love, the partiality owed toward one's nation presumes feelings of patriotism and fellow-feeling. To be sure, such feelings should not be baseless. "To make us love our country," Edmund Burke observes, "our country ought to be lovely."[5] And where this worthiness does not sufficiently obtain, paraphrasing Aquinas, we might think that patriotism is the love one has for one's country to be better: to love is to will the good of another.[6] This affective aspect of nationalism is important, since every nation falls short of its highest ideal(s). Patriotism is thus at once the source of unity within a nation, and a motive force for improvement that sustains this unity through political disagreements.

Nationalism in the History of Conservative Thought

While ideological nationalism is a relatively recent phenomena in the history of political thought, dating from the French Revolution and the emergence of popular sovereignty, the idea that there is some fundamental political unit of society to which we owe allegiance goes back at least to Aristotle. For Aristotle, this was the Greek city-state, which he defines as the community that is oriented around the pursuit of the highest good of happiness.[7] The political community has the most authority because it aims at this highest good, while encompassing all other forms of community that aim at lower, subordinate goods, e.g., wealth, education, crafts, public safety, etc. Given its function of uniting a people in pursuit of happiness, there are inherent limitations on the size and scale of a political community. While for Aristotle, the city-state constituted the largest feasible political unit, in a modern context, the same role is played by the nation-state. Political obligation, then, extends only so far as one is a citizen of a given nation-state. The nation-state remains the basic political unit of society.

Aristotle calls the justice that obtains between citizens "political justice."[8] Citizens are those who are free and (in some sense) equal, sharing a life together for the sake of happiness. But between those who lack this

relationship, Aristotle remarks that "[they] have nothing politically just in their relations, though they have something just insofar as it is similar to the politically just."[9] Political justice, for Aristotle, also depends on law, such that there can be no political justice among people who do not share law. And since law depends on the existence of a political community, duties of justice are owed primarily to the political community of which you are a member, as well as to one's fellow citizens. This is not to discount the interests of foreign citizens, rather, it simply puts them lower on the scale of priority. If the city-state exists for the sake of happiness, and this means the happiness of its citizens, then the relationship that exists between the rulers and the ruled must put the happiness of the nation and its people first. To do otherwise would be to act contrary to the common good in a straightforward sense. Aristotle, then, gives broad support to nationalism's ethic of partiality.

This ethic of partiality is expressed in Burke's motivation to persuade his fellow countrymen not to emulate the destructive effects of the French Revolution. Burke's case, as usual, rests on sentiment as much as rational argument, which, when properly motivated, is less susceptible to the pull of ideology. Similarly, nationalism is an appeal to sentiment rather than argument. Thus, against the rationalist model put forward by the Revolutionaries, Burke argues that "our institutions can never be embodied . . . in persons; so as to create in us love, veneration, admiration, or attachment."[10] These are the real qualities that bind a nation together; not philosophical principles.

Public affections unite a nation just as private affections unite a family. Such affections are not limited to citizens, but also apply to a nation's rulers. "The true lawgiver," Burke writes, "ought to have an heart full of sensibility. He ought to love and respect his kind, and to fear himself."[11] The absurdity of the French Revolution is the supposition that these feelings might attach to the abstract rationalist designs of government. Instead, Burke offers the gradual development of public affections, beginning in the family, and proceeding outward to the nation, wherein "[t]he love to the whole is not extinguished by this subordinate partiality."[12] Rather, partiality toward the nation is owed on behalf of the affections each citizen feels for the smaller communities that make up the political community as a whole. "To be attached to the subdivision, to love the little platoon we belong to in society, is the first principle (the germ as it were) of public affections."[13]

Hegel carries Burke's idea to a higher degree of abstraction in his account of the ethical life of the state.[14] Hegel, as we saw in Chapter 4, shares Aristotle's view that "the end of the state is the happiness of the citizens."[15] This is not just a matter of formal definition, but where the state fails to

meet the needs of its citizens, Hegel observes, "the footing of the state itself is insecure."[16] On the other side of the relationship, the citizens of a state owe their political allegiance as a duty of piety; it is among the unchosen duties one must accept as a condition of rational freedom. Hegel is clear that this relationship is not unconditional; it is based on a mutual trust that one's interests and ends are located in the state, and vice versa.

"In this way," Hegel writes, "this very other is immediately not an other in my eyes, and in being conscious of this fact, I am free."[17] It is this habitual affection—ordinary in the usual course of healthy political life—that Hegel identifies with the patriotism that healthy forms of nationalism draw upon. Often taken for granted, patriotism is the affective tie that allows us to expect the routine of a safe life in a well-functioning nation-state. But remove the affection, and the safety promised by the nation-state will eventually evaporate into enmity and violence.

To be able to speak of the nation-state at all, of course, is a kind of achievement. As Roger Scruton argues, the territorial and legal jurisdictions of nation-states provide a ready and capacious meaning of "the nation" that avoids the various unsavory associations of nationalism.[18] A nation, in the relevant sense, refers not to some specific ethnic group, but the territorially-defined borders of the nation-state. Consequently, the relevant members of the nation are those who have citizenship in the nation-state. In this way, territorial legal jurisdiction and the laws of citizenship specify to what, and to whom, nationalism requires loyalty. This "thin" sense of nationalism may accommodate the religious, ethnic, racial, and linguistic differences manifest in contemporary nation-states without thereby eliminating the cohesive idea of the nation, through which such differences *are* permitted, or even encouraged. Meanwhile, the "thicker" senses of nationalism may be preserved in what Joseph de Maistre recognizes as the "unwritten" constitution(s) of the state, that is, the particular manners, mores, and habits of belief that distinguish the French from the English, for example, in a way that transcends their geographic and jurisdictional boundaries. Whereas borders and the terms of citizenship can be altered by law, the unwritten constitution resists such legal manipulation.

Conservative Arguments for Nationalism

Nationalism, as I have argued, has two aspects. First, the nation should be understood in terms of a territorial legal jurisdiction, which entails laws of citizenship that specify who is a legitimate member of the nation. Second, the nation and its people should take priority in political deliberations in preference to the people of other nations. Nationalism, in this sense, is the rejection of *cosmopolitanism*.

These two aspects of nationalism, in turn, suggest two arguments in favor of nationalism. The latter argues for nationalism on the basis of the ethic of partiality. Nationalism follows from the fact that we do, in fact, have partial moral obligations, and the nation is among the legitimate sources of such obligations. Meanwhile, drawing on the former aspect, an argument for nationalism can be made on the basis of the indispensability of the nation, thus understood, to a cohesive, stable society. The nation satisfies our need to belong.

We begin with this argument. A minimally cohesive society consists of some combination of shared beliefs and shared affections. "[A] group of men," F.A. Hayek writes, "become a society not by giving themselves laws but by obeying the same rules of conduct."[19] More fundamentally, however, the rules of conduct that are obeyed in each society rest on a deeper set of beliefs about, for instance, why one set of rules rather than another ought to be followed, and for what reasons. This underlying system of shared belief need not be explicit. In fact, as Burke understood, it functions better and more seamlessly if it is *not* explicit because human beings—the religious animal—act more on the basis of habit and sentiment than reason.

But even if it is not necessary to believe in a rule in order to follow it, compliance with a set of rules on a scale as large as a society will not survive if its people cease to believe in the same system of rules. Action follows belief. Further, as Burke argues, the ultimate support for a society's system of rules rests on shared affections, rather than shared reasons. Thus, a minimally cohesive society also depends on shared affections that, for instance, we *are* jointly committed to the rules of our society, and we are willing to inflict punishment on violators in the form of negative social judgments.

Our first argument for nationalism puts forward the nation as uniquely suitable to supplying the basis for these shared beliefs and affections. Nationalism, as I have argued, rests on the shared belief that we owe the nation and its people some special moral consideration, which gives rise to specific membership-based moral obligations. Prior to the various differences of belief found in every society must be the foundational belief that, despite such disagreements, the interests of the nation and its people come first. While what those interests are, and how to satisfy them, is a matter for political debate, the first order question of *whose* interests matter cannot be disputed. This is ultimately how political differences, and the factions to which they give rise, are prevented from engulfing a society in civic conflict. And in the case of religious, racial, ethnic, or linguistic differences, the minimal nationalist idea that allegiance is owed to the territorially-defined jurisdiction of one's place of citizenship is what has, in fact, mitigated these conflicts, giving birth to the diverse societies we habitually take for granted.

When the minimal nationalist idea is taken for granted, the underlying affections that make a society stable go unnoticed, and in time, begin to fade. But the shared affections that nationalism, when activated, draws upon are what prevent political disagreements from spiraling out of control. Whereas shared belief in a society's system of rules underscores the need for authority, the affections shared between citizens reveals a deeper loyalty that renders the need for authority legitimate, because it originates from a mutually affirmed relationship. Citizens of the same nation are bound together in a relationship of mutual need; we are all in the same boat; we ultimately share the same fate. This is the idea Scruton identifies under the surface of "invisible hand" arguments for political order.[20] The willingness to sacrifice one's self-interest, narrowly construed, for the sake of a fellow citizen makes possible the neutral system of rules, without which there is conflict in the perpetual vying for power, interest, and status.

Nationalism and civic friendship are thus inextricably linked. Justice, as Aristotle recognized, is a form of friendship; it is the virtue that stabilizes the relationship among fellow citizens. And nationalism asserts the primacy of what Aristotle called "political" justice, that is, the justice that obtains between citizens of the same political community. Because this relationship is fundamental to the existence of society, civic friendship is itself a kind of common good.[21] To whip up and inflame negative passions against one's political opponents does damage to the common good. It threatens to destroy the civic tie that presupposes the paramount importance of the nation and its people to the political governance of a society. The happy society, like the happy friendship, is based on a mutual commitment to virtue, motivated by a kind of love for the other that transcends political (or other) differences. So, even if this form of friendship can seem "watery," as Aristotle put it, resting, as it does, on a thin sense of nationalism, the watery nature of civic friendship, when flowing in the right direction, is capable of great strength and purpose.[22] Arguably, it is a form of friendship that needs reviving.[23]

If nationalism, as I have argued, is indispensable to the cohesiveness of a society, the nation itself is a source of specific moral obligations. Like the Stoics, however, a conservative need not reject moral universalism. Every human being, by virtue of their rational nature and inherent dignity, has value and must be treated with respect. Typically, this moral maxim enjoins some minimal level of moral treatment, for instance, in a set of universal moral duties. But moral universalism and the ethic of partiality are not incompatible. For, according to the Stoics, we also learn how a person should act by learning his name(s), according to the various roles he may perform.[24] So, if you are a father, you should behave toward your children as a father should. And likewise for a son. The Stoics even encourage us

to aspire to the next, higher relation of closeness, so that I may treat a fellow citizen, for instance, like a brother.[25] All such obligations derive from the importance of morally significant relationships. Nationalism follows this same train of reasoning in its claim that, just like family relationships, nationality comes with specific moral obligations. Demonyms come with moral instruction: if you are Canadian, behave as a Canadian ought; if you are Chinese, behave as a Chinese person ought, and so on.

One way to reject nationalism, as we find in cosmopolitanism, which itself has origins in Stoicism, is to reject the ethic of partiality. All human beings have equal moral value, the Stoics argued. *Therefore*, as Gillian Brock describes cosmopolitanism, "every human being is entitled to equal respect and consideration no matter what her citizenship status or other affiliations happen to be."[26] Although Brock herself does not make this simple argument, it is an obvious *non sequitur*. Just as cosmopolitans, who believe in moral equality, can make room for partiality, a nationalist, who rejects ethical impartiality, need not reject the equal moral worth of human beings. Even if all human beings are created *imago Dei* ("in the image of God"), this idea does not nullify partial moral concerns. A mother may love her child more than the child of a stranger (and act in a way to prioritize the child's interests) without denying that all children have equal moral value. The "view from nowhere" advocated by cosmopolitans is simply a nonstarter.[27] Indeed, the conservative insight is that ethical partiality is among the "prejudices" that we justly hold dear. This moral reality ought to put the burden of proof on the cosmopolitan, not the other way around.

Of course, the preference we have for our nation and its people is not *mere* prejudice, but a sensible response to our fragile situation, depending, as it does, on the mutual relationship of need that obtains between citizens of the same nation. Political justice has not to do with equality *per se*, but equality between equals, as Aristotle puts it.[28] Citizens, as equals, ought to treat one another equally. In this sense, citizens of the same nation stand in relation to one another just as members of the same family. A nation, like a family, is a rich source of partial moral obligations. While the life of a Ukrainian farmer is not worth more than an American autoworker, as an American citizen, when faced with a choice between rivalrous objects of public funding, I should *qua* American citizen favor the autoworker over the farmer. To ignore the needs and interests of one's nation and its people is to act as a negligent citizen, no different, in principle, from the poor decisions of a negligent parent.

Likewise, if the rulers of a nation routinely ignore the interests of their people, even if for a nominally "good cause," they rule badly, and the difference between such rulers and tyrants is a matter of degree, not a

difference in kind. This is because, as Aristotle argues, good and bad rulers, whatever the form of constitution, are distinguished according to whether they act in the common interest, that is, whether they act for the common good.[29] While the tyrant acts for his own personal benefit, rulers who reject nationalism in favor of broader moral concerns merely mask their own self-interest in a cloak of moral concern for others. We can speak, therefore, of the virtues and vices of good rulers and good citizens as arising from the nationalist idea of the special relationship shared by fellow citizens and their rulers.

Nationalism, in this sense, generates the pair virtues of being a good citizen (civic virtue) and the virtue of ruling (statesmanship). Daniel Bonevac calls this the "government-for-the-People doctrine," stating, 1) "Political leaders should make decisions with the goal of benefiting the people they lead," and 2) "Members of a political community, *qua* members of that community should make collective decisions with the goal of benefiting its members."[30] That these theses would likely be accepted by the vast majority of the voting public shows how deeply embedded nationalism is in the way most people think politically. Nationalism is nothing more than a natural expression of ethical partiality, which, the conservative argues, is among the prejudices that constitute a healthy state of political life. Nationalism stems from the moral importance of the nation to the cohesiveness of society. Finally, nationalism is a shared object of belief and a shared source of mutual affections, uniting a society despite their disagreements.

Immigration

Recent turns toward nationalism in the West seem to have been largely driven by negative attitudes about immigration. Some of these negative attitudes likely concern long-term demographic changes that have resulted from more open immigration policies dating to the 1970s. Others concern the more recent development of refugees and migrants fleeing war-torn or poor countries for better prospects in Europe and America. In the United States specifically, the issue centers on the flow of immigrants coming across the Southern border, mostly from Mexico and Latin America. Long-term demographic changes, meanwhile, sometimes focus on the percentage of the foreign-born population. In Great Britian, for instance, the foreign born population was approximately 14 percent in 2021, roughly double what it was in 1980.[31] Some of this increase stems from the migrant crisis of 2015, where 1.3 million arrived in Europe requesting asylum, a number not seen since the end of the Second World War.[32] Lastly, in the United States, a recent estimate supposes there are approximately 16.8 million

illegal immigrants residing in the country, which represents a 16 percent increase since 2021.[33]

Although a nationalist need not support *closed* borders, there are two kinds of nationalist reasons for opposing *open* immigration. The first focuses on illegal immigration. Nationalism, as I have argued, views the nation as primarily a legal jurisdiction, defined territorially, with rules governing membership, that is, who counts as a lawful citizen. Unlawful entry must, therefore, concern the nationalist, as it straightforwardly violates the rule of law, while undermining, however incrementally, the nation's territorial integrity. The second set of reasons apply to illegal *or* legal immigration. These reasons focus on nationalism as a doctrine of ethical partiality. For instance, where illegal immigration is tolerated, this clearly violates a duty to put the interests of the national population first, since chief among those interests is the integrity of the rule of law. But even in the case of *legal* immigration, where amnesty or guarantees of asylum are put forward, such strategies are sometimes pursued outside the democratic process (e.g., President Obama's Executive Order "Deferred Action for Childhood Arrivals" aka. "DACA"), again violating the duty to put the interests of the people first. This creates a backlash as the voters feel powerless to have a say in who lawfully belongs as a fellow member of the nation.

As we have seen, conservatives argue that the rule of law is among the most important safeguards of society. And for the nationalist, since law is integral to what a nation is, the rule of law is critical to the stability of a nation. Illegal immigration is, therefore, immediately unacceptable to a conservative. We can summarize this argument as follows:

1. The rule of law is critical to the stability of a society.
2. Violations of the law weaken the rule of law.
3. Illegal immigration is a violation of the law.
4. Therefore, illegal immigration weakens the rule of law.

Premise 1 ought to be uncontroversial regardless of whether one is politically conservative, and Premise 3 is true by definition. The key premise, then, is Premise 2. We may clarify its meaning by stipulating that it is not violations of the law *per se* that weaken the rule of law, but violations of law that are detected, but not enforced by the relevant authority. Running a stop sign in an uninhabited area, for example, need not weaken the rule of law (even if it does weaken the degree of law-abidingness, at least in one person). But if the incident is witnessed by an officer of the law, but not enforced, the rule of law is weakened, however minimally.

In the case of illegal immigration, Premise 2 is strengthened by the fact that, in the relevant cases, 1) these are large-scale violations of the law,

2) the lack of enforcement is evident and willful, and 3) unlike our stop sign example, the negative effects of non-enforcement are not trivial. We conclude, then, that illegal immigration weakens the rule of law. One may conclude, further, given Premise 1:

5. (since) Weakening the rule of law threatens the stability of society.
6. Illegal immigration threatens the stability of society.

On these grounds, the national conservative has strong reasons to oppose illegal immigration. Failing to enforce the law and police the flow of migrants coming across legally defined borders poses a threat to the nation.

Our second argument focuses on territorial integrity. Nationalist politicians, most notably President Trump, have claimed that "a nation without borders is not a nation."[34] Now, if it is true, as the nationalist argues, that territorial jurisdiction is a necessary condition for the existence of a nation, then it is trivially true that a nation without territorially-defined borders is not a nation.

The question is what it means to have borders. Massive illegal entries do not *ipso facto* erase the legally defined borders of a country any more than violations of law do not erase the laws themselves. This argument appeals to the fact that unenforced laws eventually become a "dead letter," and if that were to happen with the laws that define a nation's territorial integrity, then, while *de jure* a nation may continue to have borders, *de facto* such a nation will lack borders and cease to be a nation. That creates opportunities for selective enforcement, as those who flagrantly break the law go unpunished, while well-intentioned accidental violators of the law are punished. In conjunction with the previous argument, lack of enforcement of immigration law not only undermines the rule of law, but threatens to *de facto* abolish immigration law altogether, which threatens to abolish the nation, in practice, as well as in theory.

The obvious remedy for dead letter laws, of course, is to abolish or reform them, and in a democratic country, this means that the voters should have a say. This brings us to a third nationalist argument against immigration, which claims that less restrictive immigration policies—whether legal or illegal—violate the duty political leaders have to serve the interests of their constituents first. Polls, for instance, consistently show that American voters are dissatisfied with the country's immigration policies, with a plurality wanting less immigration, yet the levels continue to increase with no end in sight.[35] Perhaps the people are wrong or badly informed. But if democracy is supposed to reflect the will of the people, the immigration policies of many democratic countries should be cause for embarrassment.

Even in the case of legal immigration, the nationalist can point to reasons why immigration ought to be more restrictive, even if not shut down entirely.[36] These reasons can be economic, cultural, political, and moral. The economic reasons against increasing immigration usually focus on the jobs available to the native population. For each time a country welcomes in a new immigrant—the argument goes—the employment opportunities available to the native population decrease. Given the drastic changes in the economies of developed countries over the last several decades, this cost of immigration is thought to pose a distinct disadvantage to low-skilled workers of the native population.

What should we make of this argument? The factors here are admittedly complex. Those who favor increased immigration usually point to net economic benefits indicated by an increase in GDP. An economy is not a fixed pie of resources but may expand and become more productive because of a larger population of workers. However, even if increasing immigration results in *net* economic benefits, it does not follow that those benefits are fairly distributed among the native population. A low-skilled native worker may, then, complain that increasing immigration harms *his* economic prospects, even if it makes the nation economically better off as a whole. And since, given nationalism, the interests of the native population should come first, economic reasons against immigration ought to be seriously weighed in national policy decisions.

Although we have defined the nation in a "thin" sense, there remains the "thicker" sense of a nation that, as a nationalist argues, should be considered when it comes to increasing immigration. These are the sometimes cited cultural reasons against immigration. A specific nationalist culture like the Canadian province of Quebec, for example, has declared a national interest in preserving the existence and integrity of the French language. It is accordingly easier to immigrate to work and live in Quebec if one already speaks French. France has upheld similar policies that are intended to protect the cultural identity of the French nation. In an American context, there are important cultural values, ways of life, and traditions, like freedom of speech, that may militate against welcoming immigrants from countries who do not share the American culture of free expression. The "American people" cannot be reduced to whoever is a legal resident or citizen of the nation. A people, as Hegel argues, has a spirit, the quality that makes a people distinct.

Political reasons against increasing immigration include a preference against immigrants whose country of origin does not share the political values of the home country. This often breaks down along partisan lines, with those on the left favoring low-skilled migrants who, they believe, are more likely to vote for increased social spending, while those on the right

favor migrants who demonstrate antipathy toward left-wing ideologies, like the migrants who flee the communist dictatorship of Cuba. These concerns underscore the sense in which, when a nation decides to increase its membership, it is inviting in future voters, who may, in turn, change the political makeup of the country. Closely related are demographic concerns about the composition of immigrants, whether they are low-skilled workers, bring families with them, of young or old age, and so on.

Finally, there are moral reasons to oppose increased immigration. In the case of legal immigration, one may argue that newcomers to a country, by definition, lack the longstanding ties of affection, loyalty, and commitment to the nation's way of life that undergird the social trust upon which all societies are built.[37] A society, as Burke argues, is an intergenerational trust between the living, the dead, and those yet to be born. Immigration, in effect, changes that composition, inserting new links in the chain, without a past or present relationship to the nation, which potentially makes the overall national fabric less cohesive, adding weak foreign threads to an already integrated, strong national fabric.

In the case of illegal immigration, the situation is, in fact, much worse, as the new members of society, with their very first act, break the laws of the country in which they seek welcome and acceptance. And since social trust is plausibly related to the prevalence of law-abidingness in a society, newcomers who break the law must immediately undermine a society's social trust before they are even considered as fellow citizens. While this may seem innocuous on a small scale, Aristotle reminds us that "care should be taken to ensure that no one breaks the law . . . [and] small violations should be particularly guarded against."[38] This is because "illegality creeps in unnoticed, in just the way that property gets used up by frequent small expenditures."[39] In this way, we are led to reason that small violations of law, even on a large scale, amount to nothing. But experience and reflection counsel otherwise.

While none of these reasons against immigration, economic, cultural, political, and moral, are decisive on their own, taken together they make a strong case for democratic countries to eliminate illegal immigration, and perhaps also restrict legal immigration depending on the reasons and local circumstances. According to national conservatism, immigration poses a threat to the integrity of the nation, the primary political unit around which society unites. Further, increasing immigration potentially violates the ethic of partiality, which the nationalist argues, justly supports giving priority to the interests of a nation and its people. For nationalism concerns itself with the following questions. Who are the people? Where is their home? By what laws should newcomers be invited into this home? Whose interests are at stake? And how should the decision about whether

to increase immigration be made? As these questions have gone largely ignored by the political leadership of democratic societies, it is no wonder that nationalists have managed to make immigration a central issue of their political movement. It is only surprising that it has taken this long.

Objections

Objections to more restrictive immigration policies often reflect deeper misgivings about the viability of nationalism itself. These objections may come from the libertarian-right as much as the liberal-left. Libertarian support for open immigration derives from their fundamental commitment to individual liberty, which, as they argue, is something we ought to care about regardless of *whose* liberty is at stake. After all, an American's liberty is worth just as much as a Bangladeshi's. Sometimes the libertarian case for open immigration is made in conjunction with a consequentialist argument, pointing to the potential increased economic benefits of opening labor markets, allowing labor to flow as freely as capital.[40] After all, a Bangladeshi job is worth just as much as an American job.

The liberal-left, meanwhile, in broadly cosmopolitan fashion, supports increasing immigration because, they claim, the nation is not a significant moral entity. National borders are morally arbitrary. We should be indifferent toward increasing the well-being of a fellow citizen, compared to that of a foreigner, who, in typical circumstances, will be much worse off initially than the average member of the native population. Impartiality of this sort is, according to the left-liberal, a matter of social justice, what we owe human beings regardless of their national origins. Efforts to restrict immigration, therefore, can reflect nothing more than nativist, xenophobic, or even racist sentiments.

Let us present more fully these objections and then respond to them. According to the libertarian right, immigration restrictions unjustly limit freedom of movement. If you attempt to enter a country illegally, you will be coercively prevented, and in some cases, detained or sent back to your country of origin. But coercion is a moral evil that must be justified, say, by the claim that coercion is necessary to prevent harm to others, or to protect the liberty of others. Yet would-be illegal migrants to a country threaten nobody. They merely seek to improve their economic circumstances, escape political persecution, or the like. Therefore, the libertarian concludes, immigration restrictions wrongly interfere with an individual's right to liberty.

A nationalist conservative can make two replies. First, even if individuals have a right to liberty, there is no right to enter another country unlawfully. Thus, when a migrant uses their liberty to enter a country illegally,

this is, in fact, an exercise of license, a violation of the law, rather than a legitimate exercise of individual liberty. One might as well argue that private property signs infringe on the individual liberty of trespassers.[41] Now, it is true, one may dispute or argue that this right to restrict newcomers is the very question at issue. But then, making a second reply, the nationalist conservative may argue that the appropriate baseline is not complete individual liberty unless coercion can be morally justified. The default baseline is that states are allowed to control their borders, unless some good reason(s) can be given as to why they should not.[42] But there are many legitimate reasons for the state to use coercion. The state uses coercion to enforce the laws of justice, to collect taxes, to promote national defense, protect national parks, enact economic and environmental regulations, and so on. Since the protection of a nation's borders is at least as important as any of these things, it is natural to suppose that coercion is similarly justified to enforce a country's borders.

The second libertarian objection to restricting immigration points to the potential economic benefits that come with eliminating border restrictions on the movement of labor. According to an often-cited statistic from Michael Clemens, for instance, opening up national borders to the free movement of labor would *double* world GDP.[43] In other words, the world could be twice as rich, but for arbitrary lines on a map that prevent labor from flowing to places where it is most productive and efficient. Insisting on immigration restrictions, therefore, is a way of leaving money on the table, while opening up the restrictions would make everybody better off and (perhaps) nobody worse off.

A brief initial reply is that economics is not everything. A nation may reasonably decide to forego increased economic benefits for the sake of preserving its cultural integrity, for instance. Nor is there reason to believe the rosiest of economic predictions, which, as Oakeshott would recognize, are textbook examples of political rationalism—technical policymaking masquerading as good political decisions, often in opposition to democratic majorities and plain common sense.

A broader reply is that such economic predictions are premised on faulty reasoning. Joshi, for example, observes that the astonishing promise of open immigration doubling the amount of wealth in the world ignores the fact that wealth creation is a consequence of good institutions.[44] But there is no reason to believe that allowing open immigration would leave the best institutions in the world unchanged. Institutions are *dynamic*; they depend on the character of the people who compose them, not on a static description of formal rules and offices. This is why the exportation of a political regime like democracy to an unfamiliar population does not work. Plausibly, the argument also works in the other direction: one cannot assume

institutions will continue to function if the fundamental character of their people is changed, especially if it is done so quickly, extralegally, and without democratic approval.

So much for the libertarian objections. The objections from the liberal-left are more serious, accusing conservatives of perpetrating injustice on innocent, needy people, not to mention the unpleasant personal attacks that come with being labeled a nativist, xenophobe, or racist. According to their first objection, restricting immigration is a matter of injustice. Native populations of wealthy countries *owe* the populations of less fortunate countries the opportunity to improve their situations by migrating somewhere better. Reflecting the liberal-left's general commitment to social justice, where the wealthy owe the poor some degree of economic assistance, this objection to restricting immigration makes the same claim on the global scale. Sometimes the claim is strengthened by asserting that countries are wealthy at the *expense* of poorer countries, so that, at minimum, opening up immigration is a form of just compensation for past wrongs, a kind of perverse application of Robert Nozick's principle of justice in rectification.[45]

In response, the humanitarian impulse that drives this left-liberal objection to the conservative view of immigration should not be discounted or dismissed. The moral imperative to "welcome the stranger" has a rich religious and philosophical history in Western countries, a history that conservatism seeks to preserve and promote. So, to describe the imperative to welcome the stranger as, in some sense, a requirement of justice is not hyperbole.

But, a conservative may reply, justice and beneficence are not the same thing. Justice, according to a familiar distinction made by Adam Smith, is what we must do, what we can coercively exact in specific circumstances, whereas beneficence is something we should do, but always subject to countervailing circumstances, leaving open the exact manner in which the duty is discharged.[46] We may observe, further, that the ethic of partiality underlying nationalism gives preference to the justice of the domestic political community over so-called "global justice." And where the justice of the domestic political community is partly determined by what its democratic population wills, it cannot be just to override that will in the name of global justice, an ideal that, like "social justice," lacks clear meaning, and what's worse, lacks reference to a sovereign people.

A second objection from the left-liberal may be posed in response. What is so special about the needs and interests of a native population? Isn't opposition to immigration, especially on nationalist grounds, really just an excuse for nativism, xenophobia, and racism? For if it is wrong to discriminate between individuals on the basis of race (for example), why is it morally justified to discriminate between societies on the basis of

arbitrary criteria like nationality, ethnicity, or race? Immigration restrictions, according to this objection, are fundamentally about drawing a sharp line between "us" and "them," where the would-be immigrant is seen with suspicion and distrust, labelled an enemy, while the native population is morally pure and above reproach. It is no wonder, then, that so many evils have been committed in the name of nationalism, for it encourages this way of seeing the world, pitting friends against enemies. And if that is true, limiting immigration is really the beginning of a slippery slope toward much harsher forms of exclusion and persecution.

In many cases, this objection to restricting immigration is nothing more than a personal attack, designed to discredit those who oppose immigration, rather than a fair-minded critique of their substantive arguments. It is based on the misconception we dealt with at the outset that nationalism necessarily prioritizes exclusive categories like religion, ethnicity, race, or language. But, according to our definition of nationalism, the nation is simply the territorially-defined jurisdiction of a country and the people who lawfully constitute its citizens. Given this definition, there is obviously nothing morally objectionable to the idea that a nation should be able to control its borders and decide, collectively, who is admitted to its ranks of citizens.

In fact, arguably it is by ignoring this unobjectionable form of nationalism that the odious forms of nationalism gain momentum. For it seems—the "bad" nationalists can somewhat reasonably argue—that the push for open immigration is really just an attempt to fundamentally transform the character of the country without any input from the legally enfranchised voters. Support for open immigration is not motivated by considerations of justice at all, but rather results from a kind of reflexive dislike of the nation as it exists (and has existed in the past). Support for open immigration is a form of what Scruton calls "oikophobia," that is, a fear of one's home, and a corresponding reluctance to defend it.[47] There is, then, a rich irony to the left-liberal accusation of xenophobia against conservatives, as the left-liberals fear not what is foreign, but what is *their own*. Opposition to immigration, meanwhile, need not be xenophobic. On the contrary, it stems from a deeply felt "oikophilia," the love of home that is hesitant to change, especially when undertaken in defiance of the democratic sentiments of the people who live in the home.

Conclusion

The prevalence of nationalism in the current political moment should be neither ignored nor denounced. Just like a family, a society's future depends on the possibility of reproducing itself. The desire to do so must come from the recognition that one's society has value that is not free-floating, but exists

in the habits, character, and attitudes of its members. It is impossible, therefore, to care about the future of a society without caring about who are its legitimate members. The virtue of nationalism is that it provides the motivating idea for the identity of a society and who belongs as its members. In the absence of a healthy nationalism, a nation may undergo a crisis of identity, and if the crisis goes untreated by its leaders, societal suicide is inevitable.

Democratic societies must, therefore, decide who they want to be. As a first step, they might ask "who is here?" and "on what basis?" This is why immigration is among the most important issues facing democratic electorates. Nationalism puts the interests of the nation and its people first. If immigration is not in the interests of the nation or its people, then perhaps it ought to be restricted. Such a determination requires a careful consideration of tradeoffs. But that will not happen so long as nationalism is viewed with unreasonable suspicion.

The rehabilitation of nationalism, in accordance with territorial integrity and the laws of citizenship, promises to remove this suspicion. After all, there is nothing, in principle, that says nationalism must belong solely to the political right. Indeed, to claim that the nation and its people come first is to say nothing about where the nation's true interest lies. One may, indeed, be a liberal nationalist.[48] It is therefore a grave error for liberals to ignore the nationalist question, as it cedes much common sense and emotional appeal to the conservative side of the political debate.[49] National conservatism, meanwhile, will continue to attract adherents who still see value in the idea of the nation and the primacy of its people, who rule and are ruled in turn.

Notes

1 This term is associated with Yoram Hazony whose timely *The Virtue of Nationalism* (New York: Basic Books, 2018) did much to stimulate thought about nationalism on the right. See also Yoram Hazony, *Conservatism: A Rediscovery* (Washington D.C.: Regnery Gateway, 2022), Ch. 2.
2 See Ch. 5 above.
3 Roger Scruton explores this idea in "In Defense of the Nation," in *Debates in Contemporary Political Philosophy: An Anthology*, eds. Derek Matravers and Jon Pike (London: Routledge/Open University, 2003), pp. 271–84.
4 See Daniel Bonevac, "America First," in *Ethics Left and Right: The Moral Issues that Divide Us*, ed. Bob Fischer (New York: Oxford University Press, 2020), p. 130.
5 Edmund Burke, *Reflections on the Revolution in France* (Indianapolis, IN: Liberty Fund, 1999 [1790]), p. 172.
6 Saint Thomas Aquinas, *Summa Theologica*, I–II Q26.A4, trans. Fathers of the English Dominican Province (Canton, OH: Pinnacle Press, 2017). Aquinas himself cites Aristotle, *Rhetoric* II.4.

7 Aristotle, *Politics*, trans. C.D.C Reeve (Indianapolis, IN: Hackett Publishing, 1998), I.1.
8 Aristotle, *Nicomachean Ethics*, trans. Terence Irwin, 3rd edition (Indianapolis, IN: Hackett Publishing, 2019), V.6; interestingly, Aristotle discusses natural justice as a *subset* of political justice, indicating that political justice is the more fundamental concept.
9 Aristotle, *Nicomachean Ethics*, 1134a25.
10 Burke, *Reflections on the Revolution*, p. 171.
11 Burke, *Reflections on the Revolution*, p. 275.
12 Burke, *Reflections on the Revolution*, p. 307.
13 Burke, *Reflections on the Revolution*, p. 136.
14 G.W.F. Hegel, *Outlines of the Philosophy of Right*, trans. T.M. Knox, ed. Stephen Houlgate (Oxford: Oxford World Classics, 2008 [1820]), Part III.
15 Hegel, *Outlines of the Philosophy of Right*, Sec. 265 (Addition), p. 240.
16 Hegel, *Outlines of the Philosophy of Right*, Sec. 265 (Addition), p. 240.
17 Hegel, *Outlines of the Philosophy of Right*, Sec. 268, p. 240.
18 Roger Scruton, *How to Be a Conservative* (London: Bloomsbury, 2014), pp. 31–40.
19 F.A. Hayek, *The Constitution of Liberty* (Chicago: University of Chicago Press, 2011 [1960]), p. 171.
20 Scruton, *How to Be a Conservative*, pp. 19–20.
21 I have made this argument elsewhere. See Tristan J. Rogers, *The Authority of Virtue: Institutions and Character in the Good Society* (New York: Routledge, 2020), Ch. 5.
22 Aristotle, *Politics*, 1262b.
23 For a recent attempt to revive civic friendship see Paul W. Ludwig, *Rediscovering Political Friendship: Aristotle's Theory and Modern Identity, Community, and Equality* (New York: Cambridge University Press, 2020).
24 See Epictetus, *Discourses*, trans. P.E. Matheson (Mineola, NY: Dover Publications, 2004), II.10.
25 This view is associated with the late Greek Stoic Hierocles. I discuss this view further in Ch. 10.
26 Gillian Brock, "Defending the Cosmopolitan Outlook," in *Ethics Left and Right*, p. 134.
27 This phrase is associated with Thomas Nagel. See his *The View from Nowhere* (New York: Oxford University Press, 1986).
28 Aristotle, *Politics*, III.9.
29 Aristotle, *Politics*, III.6–8.
30 Bonevac, "America First," p. 124.
31 Mihnea V. Cuibus, "Migrants in the UK: An Overview," *The Migration Observatory at the University of Oxford*, August 2022. Accessed: https://migrationobservatory.ox.ac.uk/resources/briefings/migrants-in-the-uk-an-overview
32 Melani Berlai et al. (eds.), *The Migrant Crisis: European Perspectives and National Discourses* (Zurich: Lit Verlag, 2017).
33 "How Many Illegal Aliens are in the United States? 2023 Update," *Federation for American Immigration Reform*, June 2023. Accessed: https://www.fairus.org/issue/illegal-immigration/how-many-illegal-aliens-are-united-states-2023-update
34 Trump used this expression in his speech on January 25, 2017 announcing his Executive Order 13767 titled "Border Security and Immigration Enforcement Improvements."

35 Lydia Saad, "Americans Showing Increased Concern about Immigration," *Gallup*, February 13, 2023.
36 I make the case here for more restrictive immigration policies against the status quo of more open immigration policies. However, there is no *a priori* reason why conservatives must support more restrictive policies over less restrictive policies, provided, of course, that they are lawfully implemented.
37 I owe this point to the political commentator Michael Knowles.
38 Aristotle, *Politics*, 1307b30.
39 Aristotle, *Politics*, 1307b30.
40 See e.g., Peter Jaworski, "Markets without Labor Limits: Crime, Welfare, Jobs, and Culture," in *Ethics Left and Right*, pp. 183–90.
41 Incredibly, this point is, in fact, argued for by some socialists. See G.A. Cohen, "Capitalism, Freedom, and the Proletariat," in *The Idea of Freedom*, ed. Alan Ryan (Oxford: Oxford University Press, 1979), pp. 9–25.
42 I follow here Hrishikesh Joshi, "For (Some) Immigration Restrictions," in *Ethics Left and Right*, pp. 191–201.
43 Michael A. Clemens, "Economics and Emigration: Trillion-Dollar Bills on the Sidewalk?" *Journal of Economic Perspectives* Vol. 25, No. 3 (2011), 83–106.
44 Joshi, "For (Some) Immigration Restrictions," pp. 196–7.
45 Robert Nozick, *Anarchy, State, and Utopia* (New York: Basic Books, 1974), pp. 152–3. See also Ch. 5 above.
46 Adam Smith, *The Theory of Moral Sentiments* (Indianapolis, IN: Liberty Fund, 1982 [1759]), Part II, Sec. II. Ch. 1.
47 We return to the idea of "oikophobia" in Ch. 9.
48 See e.g., Yael Tamir, *Liberal Nationalism* (Princeton, NJ: Princeton University Press, 1993).
49 This is the thrust of Tamir's argument in her more recent defense of liberal nationalism. See *Why Nationalism* (Princeton, NJ: Princeton University Press, 2019).