

**THREE VERSIONS OF REPUBLICAN PATRIOTISM:
ROUSSEAU, VIROLI, AND HABERMAS**

ÇAĞRI YÜKSEK

JULY 2018

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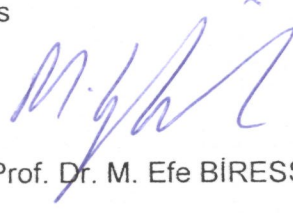
**A THESIS SUBMITTED TO
THE GRADUATE SCHOOL OF SOCIAL SCIENCES
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BY

ÇAĞRI YÜKSEK

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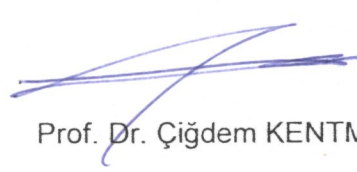
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Director

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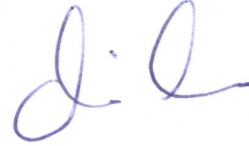


V. Dr. Serhan AL

Prof. Dr. Çiğdem KENTMEN ÇİN

Head of Department

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Assoc. Prof. Dr. Devrim SEZER

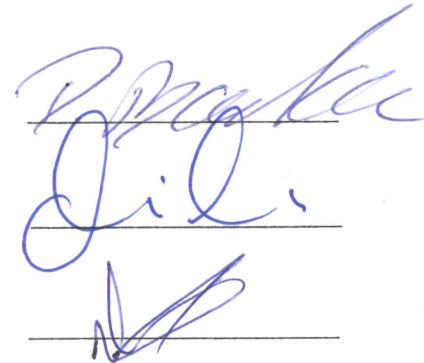
Supervisor

Examining Committee Members

Asst. Prof. Ünsal Doğan Başkır

Assoc. Prof. Dr. Devrim Sezer

Asst. Prof. Özgür Soysal



ABSTRACT

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Yüksek, Çağrı

Political Science and International Relations

Supervisor: Assoc. Prof. Dr. Devrim Sezer

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The question whether or not a democratic republic needs patriotism in order to survive is the starting point of this thesis. In the literature, there is a general agreement that a democratic republic is in need of citizens' care which requires a collective identification. Three forms of republican patriotism are put under scrutiny; Jean-Jacques Rousseau's concept of civil religion, Maurizio Viroli's vision of love of country, and Jürgen Habermas's conception of constitutional patriotism respectively. The main goal of the thesis is to analyze the proper basis of collective identification offered in these different conceptions of patriotism. Making a comparison among them is helpful in revealing the differences in these conceptions, and studying their strengths and weaknesses. It is concluded that Rousseau's civil religion has illiberal

aspects, and its applicability is limited in the contemporary world due to the pluralistic nature of modern society. Viroli's patriotism is free from illiberalism charges, but does not address the question of immigration and relies on an extremely ambiguous conception of culture whose political implications are far from being clear. Habermas asks for the decoupling of majority culture from political culture and argues that this is the only way to face the challenges of multiculturalism. Although it is a conception of patriotism that was derived from the case of Germany and Germany's Nazi past, Habermas's constitutional patriotism provides, in the normative sense, a rational and reasonable perspective for multicultural contemporary societies and democratic republics.

Keywords: Patriotism, Civil Religion, Nationalism, Republicanism, Constitutional Patriotism, Rousseau, Viroli, Habermas

ÖZET

CUMHURİYETÇİ YURTSEVERLİĞİN ÜÇ VERSİYONU: ROUSSEAU, VIROLI VE HABERMAS

Yüksek, Çağrı

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Demokratik cumhuriyetlerin bir yurtseverlik ihtiyacı içinde olup olmadığı sorusu bu tezin başlangıç noktasını oluşturmaktadır. Literatürde, demokratik cumhuriyetlerin vatandaşların ilgisine ihtiyaç duyduğu yönünde bir uzlaşma vardır ve bu ilgi kolektif bir kimliği gerektirmektedir. Üç çeşit cumhuriyetçi yurtseverlik anlayışı masaya yatırılmıştır; bunlar sırasıyla Jean-Jacques Rousseau'nun sivil din konsepti, Maurizio Viroli'nin vatan sevgisi görüşü, ve Jürgen Habermas'ın anayasal yurtseverlik anlayışdır. Tezin ana hedefi; bu farklı yurtseverlik anlayışlarının önerdiği, kolektif aidiyete temel olacağı düşünülen zemini incelemektir. Rousseau'nun sivil dininin illiberal yönleri olduğu ve modern toplumların çoğulcu yapısı sebebiyle günümüzde uygulanabilme imkanının sınırlı olduğu sonucuna varılmıştır. Viroli'nin yurtseverliği bu suçlamalara muhatap değildir. Fakat o da göçmen

meselesine cevap veremediđi gibi, siyasi ıkarımları belli olmayan son derece muđlak bir kltr kavrayıřına dayanır. Habermas, ođunluk kltr ile siyasal kltrn birbirinden ayrılmasını nermekte ve bunu okkltrllđn meydan-okumalarını karřılamak iin tek uygun yol olduđunu savunmaktadır. Her ne kadar Almanya rneđinden ve Almanya'nın Nazi gemiřinden hareketle geliřtirilmiř bir yurtseverlik kavrayıřı olsa da, Habermas'ın anayasal yurtseverlik kavrayıřı okkltrl modern toplumlar (ve demokratik cumhuriyetler) iin normatif bakımdan makul ve makbul bir perspektif sunmaktadır.

Anahtar Kelimeler: Yurtseverlik, Sivil Din, Milliyetilik, Cumhuriyetilik, Anayasal Yurtseverlik, Rousseau, Viroli, Habermas

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CHAPTER 1

INTRODUCTION

The question whether or not a democratic republic requires patriotism stands as an important subject in political and theoretical discussions. Living in a democratic republic is deemed valuable by many people involved in these discussions, but the question of what needs to be done in order to maintain the democratic republic is controversial. Patriotism is considered by some as a proper response to this question because it envisages citizens to “care” about the republic, which is arguably necessary for the survival of a democratic republic.

Creating free and democratic societies demands strong identification on citizens’ part. Free societies have to rely on the continuous support of their members and this fact is more persistent in modern representative democracies which guarantee negative liberty and individual rights of their members. A democratic republic requires participation, and participation, in turn, requires solidarity among citizens and commitment to the common venture. When a particular group of citizens suffer from deep inequalities, they feel neglected by their co-citizens and that leads to alienation. Alienation due to the sense of neglect threatens contemporary democracies to fall apart and preventing deep inequalities is necessary to overcome these dangers. Policies that have redistributive effect and intent are possible in the presence of a high degree of solidarity (Taylor, 2002, pp. 119-120). This is the basic claim of patriotism; a solidarity among citizens and commitment to the republic are needed.

In contrast with patriotism, there is also a position which accepts detachment as a defensible notion not only because detachment frees us from the social, political and economic status quo. More significantly, it might also be seen as a reflection of our individual and moral autonomy. According to this position, patriotism is dangerous because it renders rational criticism impossible. However, the defenders of patriotism respond by claiming that rational criticism does not have to dissolve our social ties. After all, patriotism does not deny the right to criticise the status quo of power and government and their policies. A patriot can be an opponent to his or her country's rulers and forms of government (MacIntyre, 1984, pp. 12-14, 18).

Furthermore, a patriot does not have to be a nationalist. The main distinction between patriotism and nationalism is that "patriotism means the political loyalty of citizens to the free polity they share, whereas nationalism is a matter of ethnicity and culture" (Canovan, 2000, p. 415). Xenos (1996) reminds us that there are attempts to equate the *patria* and the nation, thereby equating patriotism and nationalism. MacIntyre (1984), for instance, understands patriotism as loyalty to a nation as a project. However, as we will see in this study, the tradition of patriotism cannot be confined into the boundaries of nationalism. Patriotism may mean the love of the republic and common liberty, or may be an expression of the political allegiance centred on the norms, values, and procedures of a liberal democratic constitution. It does not necessarily require a national identity or a national culture, which are the central elements of nationalism.

Patriotism and nationalism foresee different sorts of identification because the object of love is different. Still, the paramounting question of what exactly should be the basis of a collective identification in a constitutional democracy persists. Is it going to be purely political? Does it necessarily have prepolitical characteristics such as culture, ethnicity, or religion?

One contemporary response to these questions comes from the Alternative für Deutschland party in Germany. Germany, for years, has been a host country for immigrant workers. But immigrants didn't use to enjoy the

political rights that nation-states provide to their citizens. As the time passed, the fact that immigrants would stay permanently became obvious and the lack of recognition of their political rights became problematic given the Western understanding of basic rights and liberties. To fill this normative gap, attempts were made, such as providing dual citizenship and the right to join the municipal elections. These attempts were made within the nation-state system without providing a new political theory (Göztepe, 2015, p.325).

In this context, we see a backlash in Germany; namely the rise of right-wing populism. In their party programme *Manifesto for Germany*, approved in 2016, The AfD makes a distinction between true refugees and irregular migrants. True refugees who face war or persecution in their countries shall be given shelter but they are supposed to go back when those conditions change positively. Irregular migrants have no reason to be in the country and shouldn't be in the country. This attitude towards immigrants is intimately linked to the AfD's core assumptions about identity and patriotism. The AfD clearly states that it is committed to German cultural identity as the predominant culture and the focal point of German identity is German language. The party is also committed to preserve the nation-state as a cultural unit. According to the AfD, there are three traditions in the foundation of German society; the religious traditions of Christianity, scientific and humanistic heritage, and Roman law (Manifesto for Germany, 2016). The AfD bases collective identity on a prepolitical cultural unit and aims to preserve that cultural heritage. This is why it exempts people of different cultures from being a part of the country.

An exactly opposite position is embodied in Abraham Lincoln's understanding of what it means to be American. He thought that the patriotism in America was unique. Americans were not bonded together by race, culture, religion, tradition or even territory. They were all from various backgrounds but were gathered together by a political idea. They were formed together by a covenant and a dedication to a set of principles. These principles constituted the core of the American identity and the body politic (Xenos, 1996, p. 225). Collective identity understood this way is in direct contrast with the AfD's position. The AfD considers cultural aspects as the

basis of collective identification. Yet, Lincoln centres collective identity on principles and on the promises to hold onto these principles. In his view, a strong emphasis on culture, race, or religion was not necessary. In fact, it was harmful because there was no cultural, racial, and religious commonality. American citizens could constitute a single community only if they were held together by a more abstract and inclusive bond; namely the covenant and commitment to the covenant. Lincoln's insight was that plurality necessitates a more abstract bond in order to be inclusive. This insight explains the reasons behind the modern quests of a more abstract and political form of identification such as constitutional patriotism given that our societies today have become more and more pluralistic.

Still, not all scholars advocate a purely political basis for the collective identification in order to comply with the pluralistic nature of modern societies. Miller (1997) reminds us that common public culture as the core of collective identity does not have to be exclusive and incompatible with the modern world. The content of nationality is fluid and open to contributions from people of different cultural backgrounds. The premise here is that we do not have to give up on culture as the proponents of a purely political identification argue, because we are also not compelled to regard culture as if it has to be cast in stone, exclusive, and necessarily an enemy of the democratic left. This position is supported by Yack (1996) who argues that collective identities are always in the process of development and interpretation. Claims about authentic or fixed identities are just tricks utilized in a way to silence the debate about the content of them. Also without a cultural legacy, he claims, we would have no reason to seek agreement with any group of individuals. The doctrine of popular sovereignty itself requires a prepolitical community that precedes the state as a means of self-government. The reunification of the two Germanys shows us the importance of a cultural legacy especially given the fact that unification was not offered to any other former communist country. Despite the claims of being a purely political idea, even the United States as an object of identification and loyalty has a cultural baggage that is linked to its history (Yack, 1996, pp. 197-199, 208).

Elaborating on the questions of whether or not a democratic republic needs patriotism or whether patriotism is identical to nationalism is of grave importance because it helps us determine the object of veneration and the way we conduct our actions as citizens in relation to our republic. Focusing on the question of the proper basis of collective identification in a constitutional democracy will help us determine the political significance of the cultural, racial, or religious aspects of our identities and embrace the appropriate form of belonging to the needs of modern pluralistic societies.

The argument that will be advanced in this thesis is that democratic republics are in need of their citizens' care which entails their attachment and commitment. It may well be a patriotic care which takes different forms of attachment and commitment. Or else, it takes national forms of care for the republic. It will be shown that the best forms of attachment and commitment are the ones that respond to the challenges posed by the plurality of ethnicities, cultures, religions, or even worldviews. The proper forms of collective identity may very well be patriotic or national. However, they all have to be open to interpretation and contributions from people of different backgrounds as well as be tolerant of the fact that there will inevitably be people who detach themselves from much stronger forms of attachment.

These questions prompt highly controversial debates on patriotism, nationalism, and collective identity. Virtues of patriotism are challenged by Margaret Canovan (2000) as she points out that patriotism cannot solve the dilemma between universalist humanitarianism and particular commitment to a subsection of humankind; hence it is not better than liberal and inclusive forms of nationalism. Her argument is similar to Richard Boyd (2004)'s who reminds us that Spartan model citizenship requires the suppression of pity which is a private virtue, because one has to kill for one's country. She argues that patriotism requires, at least to some extent, the suppression of universalist humanitarianism because citizenship is ultimately a privileged status of a particular group of people. David Miller (1997) is another scholar who contends that patriotism is not enough. His basic premise is that nationality is the only collective identification that provides trust and solidarity needed for social justice policies in pluralistic modern societies. Liberal

understanding of nationality, he claims, is open to interpretation and does not have to be exclusive. Nationality will be attached to a common set of characteristics of the nation which will constitute the national character or common public culture. Even though it implies cultural non-neutrality, the content of the national culture will be open to new voices and challenges.

Constitutional patriotism as Jürgen Habermas interprets it, points to political culture as the basis of allegiance, and political culture includes distinctive interpretations of constitutional principles such as popular sovereignty and human rights. Today, political public spheres are limited into national zones but in the future a common political culture could outgrow national boundaries. In this case, one of the most important debates in the literature are centred on the prospect of national and other conventional forms of collective identity in a constitutional democracy. Jan-Werner Müller as a prominent commentator of Habermas's constitutional patriotism, asks citizens to reflect critically upon their collective identities. That is not the end of conventional identities but the end of unconditional and uncritical identification. Citizens will patriotically endorse universal principles and subject their collective identities and claims to these principles. The object of identification is going to be exactly this ongoing process instead of a particular collective identity. Conventional identities will not be suppressed but just relegated into lesser roles and will not remain fixed. Shabani (2002) believes that this open-ended process, as it recognizes everyone in the community as an equal member, will be strong enough to keep people together. Yet, for social justice policies, Miller (1997) claims that a potent identity such as nationality is needed, and Taylor (2002) asks for a more communitarian approach which will provide a high degree of solidarity. Müller (2007) reminds them that the welfare state did not flourish due to the feelings of solidarity, but rather followed after political struggles of justice and participation.

Yack (1996), on the other hand, claims that political allegiance cannot be understood only in political terms. Cultural inheritance cannot be neglected whether it centers on political symbols and political stories or on language and stories about ethnic origins. We can point to the distinctiveness

of the content of cultural legacy but we cannot deny its existence. He contends that the idea of a purely civic or ethnic nation is a myth. The idea of ethnic nation suggests that you are nothing but your cultural inheritance; whereas the idea of civic nation suggests that national identity is all about consent. In fact, he claims they are not mutually exclusive and can complement one another. Consent and cultural inheritance of shared memories and practices both make a nation. Without the former, cultural legacy would determine all our lives; and without the latter, there would be no reason to seek agreement with a particular group of individuals over another. However, Miller's liberal nationalism cannot be subjected to these criticisms because he does not argue for a purely political nation but accepts the persistence of a national culture. He just suggests nationality to be open to interpretation and contribution which are something Yack would not object to. Neither can constitutional patriotism be subjected to criticisms directed at the idea of a civic nation. Because Habermas and Müller do not advocate for a civic nation. On the contrary, they know that a purely civic nation is a myth and that's why they offer a different sort of a purely civic solidarity and belonging. Also, Müller (2007) concedes that constitutional patriotism presupposes already existing units and does not have to explain why particular people seek consensus with particular people.

Canovan (2000)'s discussion holds merit because she rightly points out that the proponents of patriotism tend to ignore liberal versions of nationalism. She is also correct that patriotism cannot solve the tension between universal humanitarianism and particular political commitments, however, the proponents of patriotism do not necessarily make that claim. Yack (1996)'s point that a community based purely on shared principles may very well produce more doubt and distrust than the one based on mere accident of birth is also of value. Those who do not seem to share the so-called shared principles will be deemed unpatriotic. The problem with this debate is that it is hard to find empirical evidence for these claims. For instance, we cannot find a community based on purely political principles to measure the level of trust or distrust among its members.

The problem of lacking empirical evidence is evident in the discussion of the level of solidarity that constitutional patriotism might provide. We cannot determine if accepting individuals as free and equal persons in ongoing learning processes will be enough to be able to keep them together as it is hard to find real-world examples. Those who are in favor of a cultural basis for collective identification may also claim that the cultural basis they talk about will be inclusive enough to counter the challenges of plurality. Yet, those who look for a community based on purely political grounds believe that those attempts will be futile in sight of modern pluralistic societies. Determining which side is correct is not easy due to the lack of empirical evidence. Still, these discussions are theoretically eye-opening and might as well be politically useful as it helps us to reflect upon how we identify ourselves as a community and relate ourselves to the body politic.

1.1 Scope of the Thesis

Jean-Jacques Rousseau, Maurizio Viroli, and Jürgen Habermas constitute the three pillars of this thesis. They all stress patriotism due to its perceived necessity for the survival of a democratic republic. However, they propose different forms of patriotism. A detailed analysis of these three forms of patriotism may provide insights for challenges we face today. Now, let's briefly introduce them and their works that are going to be examined in this thesis. Then, the reasons why they constitute the central focus of this research will be discussed.

Jean-Jacques Rousseau was a Genevan philosopher of the 18th century. It is widely accepted that he influenced the leaders of the French Revolution. Patriotism holds a significant place in his political philosophy. *The Social Contract* and *Discourse on Political Economy* are the main works that are examined. The former reveals the central concepts of his political philosophy such as his understanding of liberty, equality, and sovereignty. In this work, he also advances his idea of the general will and a civic profession of faith. The latter contains a significant emphasis on civic virtue and elaboration on the ways to utilize it for the benefit of the democratic republic.

Considerations on the Government of Poland is also a part of the analysis because it helps us to locate the importance of nationalism in his political philosophy. There are also references to his *Discourse on the Arts and Sciences* and *Letter to M. D'alembert on Spectacles* because they offer some important points about his understanding of virtue.

Maurizio Viroli is an Italian political theorist whose main fields of research are political theory and the history of political thought. He has a special expertise on patriotism among many other topics. His main work with respect to patriotism is *For Love of Country: An Essay on Patriotism and Nationalism* and it will be the main pillar of the analysis of his views. In this work, he advances his idea of patriotism as an antidote to nationalism and provides the historical context of both patriotism and nationalism. *On Civic Republicanism: Reply to Xenos and Yack* is his article in which he aims to respond to his critics and makes further points on cultural and political dimensions of patriotism.

Jürgen Habermas is a renowned German social and political thinker who is highly influential both outside academic circles and within them. With regard to patriotism, he advances his version of a constitutional patriotism as the only permissible collective identification in a constitutional democracy. References are mainly given to his three books; *Between Facts and Norms*, *The Inclusion of the Other*, and *The Postnational Constellation: Political Essays*. Only relevant chapters are utilized; "Citizenship and National Identity", "The European Nation-State: On the Past and Future of Sovereignty and Citizenship", and "The Postnational Constellation and the Future of Democracy" respectively. The first one tells us about the relation between republican conviction and prepolitical community and what could we have now in a pluralistic society. The second one discusses the historical role and limitations of the nation-state, along with his focus on the unity of political culture in the multiplicity of subcultures. The last one is the one in which Habermas offers a more abstract form of collective identification due to the pressures applied by multiculturalism and globalization.

The main body of the thesis will begin with the analysis of Rousseau's patriotism. It is because he has a social contract theory in which he outlines how a republic should be and how it should be enhanced and furthered by patriotic virtue. Rousseau believes that a republic needs a civil religion as a form of patriotism. Humans are born free, but everywhere they are in chains. Rousseau wants to free them from their chains as he thinks that it is possible only in a republic. If people become the author of the laws, they will be free. Since the laws are the declaration of the common good, obeying it will set people free. Only in republic the common good governs, and every state ruled by laws is a republic. Hence, the common good and laws as its declaration, are essential for a republic and need to be protected.

Given that people will make the laws and they are supposed to act in accordance with the common good, Rousseau is concerned with the possibility of the domination of private interests over common interests. The hegemony of private interests means the erosion of patriotism and the loss of the republic because it means that citizens simply do not care about it. Rousseau regards conflict as a threat to the republic. The existence of conflict, for Rousseau, refers to a lack of knowledge or interest in the common good. This is why he appeals to the civil religion without which, he believes, it is not possible to be a good citizen. He wants people to care about their country and be respectful to the common good. These are the social sentiments that all citizens ought to have. Civil religion is, in essence, a religious-like commitment to these sentiments. It is a sanctified patriotism which will sanctify the love of country and respect to laws, thereby instrumentalizing religious feelings for civic achievements. Yet, Rousseau has nationalist elements in his political philosophy and stresses on distinctive national customs as something to be valued and protected.

The chapter on Rousseau is followed by a chapter on Viroli, due to the fact that Viroli's views on patriotism resemble those of Rousseau's with respect to the care for the republic and the common good, even though he makes particular revisions. Viroli believes that patriotism is a better alternative and even an antidote to nationalism. Nationalism must be confronted because it prevents the democratic left to benefit from the social

forces that it normally could have benefited. Even though both of them appeal to the domain of passions, patriotism is essentially different than nationalism because the object of attachment is not the nation but the country. Patriotism, he argues, aims to give citizens a culture of liberty, an interest in the republic, a love of the common good. Nationalism, on the other hand, will inevitably corrupt virtues and sentiments of citizenship because it is longing for ethnic, linguistic, or cultural homogeneity which do not necessarily enhance civic duties, but rather emboldens intolerance. Viroli presumes that nationalism demands unconditional loyalty while patriotic love is a charitable one; hence patriotism is more preferable if we are concerned with civism.

The significance of Viroli's patriotism is based on the ambitious claim that citizens do not have to be stuck between theories that presume disinterested, culturally-neutral individuals and theories that limit political action within the prepolitical boundaries of culture, ethnicity, and religion. They are free to transcend the prepolitical spheres of politics, yet, remain culturally-oriented, interested, and passionate. They can orient themselves in a culture of liberty as a republican way of life, have a strong interest in the republic, and share powerful passions directed at the common good. Viroli does not express hostility toward conflict in a democratic republic. However, he does not have a say on the issue of conflict resolution. He seems to presume that love of the republic and the common good will instantly be able to contain negative effects of conflict. In contrast with Rousseau, Viroli places less emphasis on national customs and a stronger emphasis on the republican citizenship and the culture that makes it possible. Viroli's patriotism tolerates particular republican references to culture and particular charitable passions directed at the country and co-citizens.

The final chapter of the main body focuses on Habermas and his constitutional patriotism. Habermas argues that neither civil religion nor prepolitical values can be the source of political identification in a modern constitutional democracy; hence the need for a more abstract patriotism. He recognizes the historical importance of more concrete forms of solidarity and sources of political identity. Nation, for instance, is a relatively concrete form of political community because it implies common language, culture, history,

or even descent. Still, nationalism did provide a new source of legitimacy for the states, after the divine right concept had eroded. It also made social integration possible despite the problems created by modernization and urbanization, as it gave the population a collective consciousness that transcended the attachment to village, family, or clan. However, this structure is under attack by multiculturalism which renders nation-states pluralistic. In order to address this challenge, Habermas believes that there has to be a diffusion between citizenship and ethnic, cultural, or linguistic membership which will lead to constitutional patriotism.

As our societies become increasingly differentiated, the integration of citizens should not be considered to be rooted in prepolitical fact of people instead of political opinion and will-formation of citizens. It is not even possible to return to a prenational patriotism based on love of country and citizens because the modern world has a disenchantened nature and is divided into different spheres of value. For Habermas, conflict is a fact. The democratic existence itself is a form of contained conflict. His vision of an open-ended process of identity formation and opinion and will-formation takes conflict as a premise and contain them in the public sphere which is grounded by a common liberal political culture. In light of these considerations, Habermas argues that solidarity can be best generated by a democratic process because it allows different cultural, religious, and ethnic groups to coexist on equal terms as well as be a part of the same political community. Subcultures as well as the majority culture and all prepolitical identities must be uncoupled from the general political culture. Socialization into a common political culture is sufficient to generate solidarity between citizens, and attachment to the republic. More concrete forms of solidarity and political identity are not possible in a constitutional democracy due to the way the modern world took shape. Solidarity and the feeling of compassion are, first and foremost, reserved for the victims in the past. This will provide a perspective to see social and political developments through, and shape the interpretation of constitutional essentials such as human rights and political sovereignty.

These thinkers are the main focus of my analysis in this thesis because their political philosophies offer different forms of patriotism and foresee different levels of concreteness with regard to identification with the republic and co-citizens. Rousseau expects all citizens to be virtuous and patriotic as he interprets it but he understands patriotic feelings as religious feelings which means that he expects too much. Those who cannot feel them will be deemed unsociable and be banished from the state which makes it an illiberal patriotism. Rousseau has the idea of the need for the preservation of distinctive national customs as he believes that they are also required for patriotic virtue. My analysis tries to show that the radical and illiberal nature of his civil religion makes it an unsuitable candidate as a form of political attachment and commitment; and as a defender of liberty Rousseau seems to contradict himself.

Viroli, on the other hand, is concerned with the dangers of nationalism and asks for a relatively moderate patriotic feeling by taking it under the scrutiny of reason. He also does not take illiberal measures like Rousseau does. As a contemporary thinker, he sees social rights as important components of republican patriotism. He regards patriotism as an alternative to nationalism but still tries not to ignore the cultural dimension of identification. Yet, my analysis aims to show the ambiguity in the role of culture in Viroli's patriotism and the lack of interest in the question of how immigrants will relate to their receiving society and republic.

Habermas is tempted by the prospect of finding a purely political community, as it will be the only way to keep people together in sight of the increasing differentiation and disenchantment of modern societies. However, being a purely political community requires an overlap in political culture. I will argue that Habermas is not very clear on the extent of required overlap. Also, in contrast with Habermas, I will try to show that Switzerland does not constitute an example of a community based on a common political culture instead of prepolitical values. It will be discussed that in the Swiss case, citizens perceive themselves not only in political terms but also in cultural terms as well. Thus, it offers no backing for the possibility of a purely political form of attachment.



CHAPTER 2

ROUSSEAU: PATRIOTISM AS CIVIL RELIGION

2.1 Introduction

In this chapter on Jean-Jacques Rousseau, we will try to understand his concept of civil religion. Studying civil religion is necessary in order to understand his conception of patriotism. First, I will examine the scholarly literature on Rousseau's civil religion. Second, we will see how civil religion and other Rousseauian concepts are related. Those concepts are the general will, the Legislator, virtue, *amour de soi*, *amour propre* and *pitié*. Finally, I will focus on the final chapter of the *Social Contract* in order to discuss the meaning and political significance of Rousseau's emphasis on civil religion. Civil religion is a sanctified form of patriotism which is theologically liberal, but politically illiberal.

2.2 Liberal or Illiberal?

Civil religion is a civic profession of faith which has few dogmas entailed by social sentiments. There are two basic interpretations of Rousseau's civil religion; one that of liberal and other that of illiberal. Liberal interpretations claim that Rousseau's civil religion project is a liberal one. Illiberal interpretations basically say that Rousseau gives up on liberalism for the sake of his civil religion project. Beiner (2011), Ball (1995), Bertram (2004) are in favor of a liberal interpretation whereas Fourny (1987), Crocker (1968), Cobban (1964), Noone (1980) and Foucault (1980) favors an illiberal interpretation of Rousseau's civil religion. Of course, these interpretations have their differences as well. Let's take a look at what they say exactly and define where my own interpretation stands in scholarly disputes.

With respect to Rousseau's civil religion, Beiner (2011) thinks that it is not an other-worldly religion, it is a religion of tolerance:

When Rousseau says that "a State has never been founded without religion serving as its base," I assume that he has in mind a "real" religion – a religion that could actually shape the motivations of citizens, thus fostering good citizenship and helping to consolidate the foundations of the state. What he offers in the last five paragraphs, however, is a highly attenuated "phantom" religion, an Enlightenment-style "religion of tolerance," one might say, in which liberal or negative tenets prevail over tenets that might positively build republican citizenship. (Beiner, 2011, p. 15)

According to Beiner, Rousseau abandoned a true civil religion project that can constitute a republican citizenship for the sake of achieving religious toleration. Beiner contrasts Rousseau to Machiavelli, and says that they both agree on the superiority of paganism to Christianity. However, unlike Machiavelli, Rousseau isn't for the restoration of paganism. As Beiner remarks, "it is Rousseau's Christian morality that prompts him to back away from the full-blooded civil religion offered by Machiavelli" (Beiner, 2011, p. 80). Although Rousseau's insistence on the acceptance of a powerful, wise, beneficent, prescient, and bountiful Deity implies a divine nature of his civil religion, the fact that he finds exclusive national religion is not possible anymore, shows that he does not advocate a full-blooded religion. Beiner is against the notion that Rousseau's idea of civil religion is totalitarian. He

thinks that Rousseau, for the sake of liberalism, hindered a true civil religion project (Beiner, 2011, p. 83). Beiner equates full-blooded civil religion with what Rousseau names religion of the citizen, and since Rousseau condemns religion of the citizen for being intolerant, he thinks that Rousseau gave up on a true civil religion project. Beiner equates civil religion with pagan religions but Rousseau does not. If we think of civil religion as “an acknowledged set of beliefs, drawing on familiar religious symbols and language, that sustains and reinforces a society’s moral-political beliefs” (Heyking and Weed, 2012, p. 2) Rousseau fails on a part of this definition. Rousseau acknowledges a set of beliefs and wants it to reinforce the society’s moral and political beliefs, but he does not foresee familiar religious symbols and language. He does not care about religious symbols and language if beliefs reinforce society’s moral and political priorities.

Bertram (2004) thinks that Rousseau realizes that modern life renders a national exclusive religion impossible. Bertram also does not think that Rousseau assumes death penalty for atheists. Rousseau’s aim is to create a social bond with full strength, that is why dogmas of the faith are simple so that people from different religious backgrounds can embrace them. Nevertheless, Bertram thinks that Rousseau’s approach to civil religion is not just a pragmatic one, for he also wants the articles of faith to be rationally defensible (Bertram, 2004, pp. 182-186). That is why Rousseau, despite all its advantages of social cohesion, is against the religion of the citizen, because this religion is basically false and superstitious hence rationally indefensible.

Ball (1995) goes even further, and to free Rousseau from illiberalism charges he claims that Rousseau’s civil religion only serves educatory purposes. Similar to its companion work *Emile*, its point is pedagogical. The chapter on civil religion simply wants to educate the reader and aims to create “a self-examination by means of which the reader may determine whether he or she is able to legislate for him or herself and is therefore capable of supporting the full weight of self-government” (Ball, 1995, pp. 126). Ball supports his claim by pointing out that Rousseau, in his writings on Poland and Corsica, didn’t mention civil religion, hence it should not be read literally. Rousseau’s civil religion is more about learning the language of the

legislator, without it men can't make, understand, and obey the laws (Ball, 1995, p. 127-128).

However, there are authors who take Rousseau's words more seriously. One critic, Crocker (1968), complained about the punishment of those who do not share the sentiments of sociability. "The State has a right to conclude from a person's action-or, implicitly, from his non-action- what his *real* beliefs or opinions are, to accuse him of perjury, and to put him to death" (cited in Ball, 1995, p.111). Suspicion of wrong thinking is enough for the State to take these actions. Crocker rightly questions the State's ability to decide if an individual seems to accept social sentiments but actually doesn't act accordingly. Executing him on this assumption seems outrageous to modern readers.

According to Cobban (1964), Rousseau's intentions failed to produce a positive outcome and it is understandable why Rousseau considered to be the apostle of tyranny and an enemy of liberty. For him, Rousseau wanted to free the individual from the sovereignty of priests and make them obey to a religion shaped by the necessities of the state. However, he ended up becoming an enemy to liberty and that is why the chapter on civil religion is unfortunate (Ball, 1995, pp.112-113). Cobban's criticism is that Rousseau envisages freedom from the tyranny of priests but advocates the tyranny of the state. Similarly, when asked about the Panopticon, Foucault said that it was Rousseau's dream (Foucault, 1980, p. 152). This criticism is understandable because Rousseau sees the state in a position to judge people's real intentions and inflict severe punishments on the basis of that judgement. Of course, labeling Rousseau as an enemy to liberty is an exaggeration. However, attributing the state the right to judge people's intentions and punish them accordingly is illiberal.

Noone (1980) thinks that civil religion is a total surrender on Rousseau's part because it is God not men sanctifies the social contract. In that way, Rousseau admits that a secular republic cannot be both virtuous and free (Ball, 1995, pp. 114-115). But God only sanctifies the social contract and laws, he does not make laws. Laws and the social contract are the result of earthly necessities; they are to be a response to the needs of *saeculum*. Ball responds to Foucault that his interpretation is inaccurate, yet, useful. His

main objection lies in the idea that Rousseau is concerned “with educating his readers in ways that will enable them to cultivate their civic selves. His much-maligned scheme for a civil religion may be understood as a means to that end” (Ball, 1995, p. 130). Ball repeats his idea that Rousseau’s civil religion only serves educatory purposes, but Rousseau himself does not state that purpose. There is no textual evidence except for a contextual evidence that Rousseau does not mention civil religion in his writings on Corsica and Poland.

Fourny (1987) says that Rousseau’s religion of tolerance does not tolerate deviance and hence becomes a religion of intolerance. She claims that Christianity is excluded from the social pact because of its anti-social tendencies (Fourny, 1987, p. 488). Wokler (2001) states that Rousseau favors Protestantism over Catholicism because the latter is incompatible with the rule of law. In terms of political effects of religion, Rousseau is under the influence of Machiavelli, but in the way he perceives the Church he is a child of the Reformation as well. Unlike Machiavelli, Rousseau was inspired by Jesus Christ, the Gospels, and some of the Apostles (Wokler, 2001, pp. 103-104). Rousseau is critical of the clergy, and in addition to his anti-clericalism Rousseau also thinks that Christianity is socially harmful. Christianity makes people prone to exploitations of oppressors and detaches them from this world. However, Rousseau agrees with the clergy that ordinary people need religion and they should be instructed in that way. Superstition can be attacked but not the faith that sustains society (Shklar, 1967, pp. 118-123).

Having said all these, even though we take Rousseau’s words literally and rule out the idea that Rousseau’s whole purpose is education when he talks about civil religion, it seems to me that Rousseau indeed does not follow an exclusive national religion project. Rousseau’s civil religion is theologically a liberal one. What Rousseau looks for is, to put it in Rawlsian terms, an overlapping consensus of different beliefs. That is why Rousseau keeps the articles of faith quite simple and the only negative article is intolerance. Rousseau wishes to tolerate every kind of belief unless they are threatening tolerance and sentiments of sociability. Indeed, those who do not accept these dogmas will be banished from the state, not for being impious but for being unsociable. Rousseau is not against atheism because atheists

are blasphemous but because, he thinks, they are unsociable. It is a religion of tolerance. The only thing Rousseau expects is tolerance and social sentiments, otherwise he doesn't care about what people believe. However, it does not mean that Rousseau's civil religion is politically liberal. Rousseau takes for granted that atheists are not sociable. Modern life proved it wrong in the sense that atheists also have social sentiments. Banishing people from the state on the assumption that they are not sociable beings invites the accusation of illiberalism. What seems to have illiberal tendencies is not his articles of faith but his assumptions on patriotism. He does not think atheists are blasphemous or impious, but he thinks that without a sacred basis they lack republican virtue. We should also remember that the State will banish people from the country whom the State doesn't deem as proper citizens. Foucault's accusation of Panopticon does not seem outrageous. Therefore, we can conclude that Rousseau's civil religion is theologically liberal in virtue of its openness to other faiths. However, as a form of republican patriotism, it is highly illiberal or even authoritarian especially given that people will be banished from the State because they are deemed unfit to love the country and obey the laws, meaning they are not virtuous enough to be a good citizen.

We need to be clear about what Rousseau understands from virtue. Virtue, as Rousseau expects from citizens, is the love of country. Republican institutions will cultivate patriotism and thereby create virtue. Rousseau wants to use public institutions as a means for transforming citizens because what concerns Rousseau is the quality of the citizens. Rousseau appeals to classical republicanism in order to strengthen the republican ideals and counter the influence of the Church. Classical republics used to create such citizens that thanks to their love of country they freed themselves from the constraints of the inclinations of self love (Yack, 1992, pp. 38-68).

In short, the primary concern of Rousseau, in terms of civil religion, is that he seeks to create and enhance solidarity among citizens with the help of civil religion. Religious feelings will be managed in accordance with the requirements of the society and the law. If obeying the requirements of the law and of the interests of the rest becomes a religious necessity, people will think that respect for the law will bring a divine happiness (Dent, 2002, pp.

117-118). Atheism is indeed considered very dangerous, even more than religious fanaticism. That is because atheism makes people self-oriented and overly-attached to life, weakens the souls thus hinders the society. Without religion, humans cannot prosper, and the passions of religious fanaticism should be instructed towards virtues (Dent, 2005, p. 116).

Rousseau's understanding of social spirit is a strong sense of mutual interest and identification with others in the community. It is a love of country and compatriots. A good society consists of "equals, bearing one another in mutual regard, governing their own affairs according to laws directed to promoting the common good, is the vision of a good society that Rousseau tries to spell out" (Dent, 2005, p. 158). Rousseau is not in favor of the idea that love of country is the only passion. There will be private ties and interests, but the interests of the state will have a priority over others (Dent, 2005, p. 165). This is where Rousseau sees a need for a civil religion. Obeying the common good and making the interests of the state primary concern is a virtue, and civil religion provides a solid, sacred basis to that.

Let's evaluate other Rousseauian concepts in line with his understanding of civil religion.

2.3 Central Concepts of Rousseau's Republicanism

One of Rousseau's central arguments in the *Social Contract* is that republics need the support of what he calls a civil religion both in their founding and for their survival. We need to study his concerns and concepts if we want to understand why he theorizes his patriotism as the way it is.

Rousseau's concerns and goals are similar to those of Viroli's. Rousseau, too, concerns himself with how to achieve liberty and equality since they are the greatest good of all. Rousseau aims to create among people a common will which will pursue common interests, and when people obey that common will, they will be obeying themselves and hence have liberty. People will author the laws and the laws by definition are the declaration of the common good, and by obeying the common good people

will be free. Rousseau is a republican, so much that he thinks that only in a republic the common good prevails. Civil religion as a form of patriotism is needed to protect the republic against the dangers which we will see in the next paragraphs. Civil religion is the sanctified form of social sentiments. Rousseau thinks that we need these sentiments to be proper citizens. We will see his preliminary reasonings that show us how he has come to that conclusion.

First of all, Rousseau points to the difference between family and the state. Being the ruler of the family, as a father, requires us to trust natural inclinations. By contrary, in state matters, natural inclinations are the problem thus cannot be trusted. According to Rousseau, a state officer “should even suspect his own reason, and the only rule he should follow is public reason, which is the law” (Rousseau, 1999, p. 5). However, the Rousseauian thesis is that a republic cannot solely rely on legal and institutional arrangements, it also needs bonds of solidarity among citizens dedicated to the common good. Republic, for Rousseau, cannot live without citizens as a single, common body. In order for citizens to be a single body, a civic profession of faith is needed. By this civic virtue, the common good will prevail over particular wills and interests (Sezer, 2012, pp.8-9). In a well-constituted state, public affairs have priority over private interests, after all, individual happiness can be best guaranteed in such a polity. This is why he sets two codes for the government which is “to follow the general will in everything” and to “ensure that every particular will is in accordance with it; and since virtue is nothing other than this conformity of particular wills to the general, make virtue reign, to put the same thing in one word” (Rousseau, 1999, p. 14).

Civic virtue in the sense of conformity of the particular will with the general will is of grave importance in his thinking. At this point, Rousseau explicitly refers to patriotism and argues that its political significance has not been acknowledged adequately. Patriotism is a marvellous form of virtues and creates the most heroic passions. However, it is despised in modern society (Rousseau, 1999, p. 17).

In order to make people a single whole, make their will general, and bound them by common interest, the state must rely on people’s hearts

instead of their minds. At this point, Rousseau engages in the world of passions. There has to be a long educatory process in which patriotism and communitarianism will be internalised by the people. In line of these tasks the law-giver or founder should rely on national rituals and traditions. This common spirit will be further strengthened by civil religion. The sanctity provided by civil religion will protect the republic and the social pact against religious challenges as well (Sezer, 2012, pp. 17-19). Rousseau wants people to care about their country and be respectful to the common good. It is a sort of sanctified patriotism which will sanctify the love of country and respect to laws. It will also provide civil and religious tolerance because Rousseau's patriotic civil religion will not tolerate intolerance.

Rousseau stresses the importance of laws and equality before the law, and engaging in the world of passions is the proper way to reach that. Cruel punishment, on the other hand, is not the correct way to ensure that. According to him, cruel punishments are invented by small minds, and countries have cruel punishments are the countries have to use them most frequently. Laws are to be respected, not to be feared. People's wills should also be influenced as well as their actions. The government can make people as it wants them to be and make them have a love of the laws and civic duties (Rousseau, 1999, pp. 11-14). It is up to the government to cultivate politically useful passions in people's hearts. Respect for the law, love of the laws and civic duties need to be cultivated in order to prevent the chief problem facing a republic. A republic needs to be careful of "opulence and poverty, of the substitution of private interest for public, of mutual hatred between citizens, of the indifference they feel for the common cause, of the corruption of the people, and the weakening of all the resources of government" (Rousseau, 1999, p. 21).

Rousseau thinks that preventing problems is a better way to deal with them than addressing them after they have come along because they are "hard to cure once they have appeared, but which a wise administration should prevent, so as to maintain proper standards of behaviour, together with respect for law, love of country, and a strong general will" (Rousseau, 1999, p. 21). Respect for law, love of country, conformity of private will to general will, and proper standards of behaviour are all related to his

understanding of virtue. Just like his approach to problems, that is to prevent problems before they appear, Rousseau does not expect people to be virtuous instantly but he proposes training them. For him, training citizens is a fundamental requirement because virtue cannot endure without citizens. He tries to make use of the passion of self-love in a way that is politically useful. Self-love is a dangerous inclination which is the source of all our vices, but it can be transformed into a virtue. People, if trained early enough, will see themselves as part of a greater whole and consider their own selves only in relation to the state (Rousseau, 1999, p. 22).

This public education will teach people to be a part of the community and turn the *self* into a broader understanding of *self*, a communitarian self. Of course, those who govern are not only responsible for the education but also bind by the lesson that public education teaches. According to Rousseau, “the whole enterprise would be useless and education produce no results; for whenever a lesson is not supported by authority” because “virtue itself loses its credit in the mouth of a man who does not practise it” (Rousseau, 1999, p. 24). Habits of morality and love of country are the constituting elements of virtue. It is obviously a business of government to preserve or restore them. The government is supposed to teach virtue and also act in accordance with it.

Rousseau criticizes the philosophers for degrading what is sacred among men; that is, homeland and religion. According to him, they hate virtue and they are the enemies of public opinion. Likewise, politicians do not anymore talk about virtue and mores, but only trade and commerce. A man’s worth is decided on the basis of what he consumes. (Rousseau, 1987, pp. 12-13). The modern preoccupation with commercial issues and money-making pursuits is the main challenge confronting republicans, because because citizens prefer to serve only with their money. “In a truly free state the citizens do everything with their own hands and nothing with money. Far from paying to be exempted from their duties, they would pay to fulfill them themselves” (Rousseau, 1987, p. 198). Commerce characterized as the interest in profits and personal gains prevents citizens from paying adequate

attention to their civic duties. By the help of civil religion, his patriotic citizen is a candidate to overcome these vices.

We have seen that, for Rousseau, self-love is the source of all vices but it has the potential to be transformed into a sublime virtue. Now let's take a look at Rousseau's vision of human nature and the role played by sentiments in his political philosophy. Bertram (2004, pp. 19-23) estimates the understanding of human nature in Rousseau's philosophy to be quite positive, in the sense that human beings are endowed with necessary equipments to live the life with complete satisfaction, if they are not misguided. Human-beings are both rational and moral beings that have the impulse of preservation for the self and a healthy conscience for the others. Human beings have two basic instincts; *amour de soi*(self love) and *pitié*. While *amour de soi* is a basic survival instinct that takes care of our basic wants and desires, *pitié* makes us capable of identifying with the suffering of the others. *Amour propre*, as a deformed of *amour de soi*, is concerned with our standing among other fellow human beings, and needs to be satisfied. The author points out that Rousseau, in his early works, had thought of *amour de soi* and *pitié* as separate instincts. However, in his later works, *pitié* was considered to be a form that *amour de soi* takes. So there are two forms that *amour de soi* takes; one is *pitié* and the other is *amour propre*.

Human beings depend on one another in terms of social cooperation and sense of self worth. *Amour propre* "leads us to seek confirmation of our standing in a world of other beings" (Bertram, 2004, p. 25). Still, our relationship with others is not dictated only by *amour propre*. *Pitié* also plays a role "through our identification with the suffering of another person we acquire both a sense of our own human vulnerability and a recognition of our common humanity with them" (Bertram, 2004, p. 29). However much Rousseau thinks highly of human nature, Bertram (2004, p. 33) acknowledges that the *Social Contract* is not written on the assumption that human nature is perfect, but instead it recognizes the delicate situation that *amour propre* creates. Rousseau's aim is to channel passions appropriately not to suppress them (Bertram, 2004, p. 42). Cohen (2010, p. 99) agrees that Rousseau is looking for "an alternative way to express our nature, not the suppression of some elements of our nature".

So, pity helps us identify with the suffering of others and that way we feel a bond with them. But there are paradoxes attached to pity in Rousseau's philosophy. Because in order to feel pity, there must be people who suffer. Only by our exposure to real suffering, we develop the faculty of pity. Human suffering, in Rousseau's philosophy, is not to be relieved but to be instrumentalized in the interest of developing human faculties (Boyd, 2004, pp. 524-525). To be fair, Rousseau does advocate inhibiting unnecessary harm, which is in line with contemporary liberalism:

Like contemporary liberalism, Rousseauian pity is negatively oriented (concerned with the prevention of harm, understood narrowly as unnecessary cruelty), non-perfectionist (concerned only with the means with which individuals pursue their ends, rather than the substantive content of those ends themselves), and seemingly indifferent if not directly hostile to the higher aspirations of community and shared purposes. (Boyd, 2004, p. 537)

Generalizing pity into the realm of whole country may result in the diminishing of pity's original force, because it is ultimately a private virtue. Also, pity seems to contradict with Rousseau's Spartan model citizenship. After all, one has to die and kill for his country which requires the suppression of pity (Boyd, 2004, p. 538).

In addition to his desire to instrumentalize passions for political goals Rousseau is also concerned with legitimacy. For him, might is not right which implies that people should only have to obey legitimate powers. Even if somebody enslaves half of the world, he is just an individual and he only has his private will, it is not an association but an aggregation (Rousseau, 1987, pp. 144-147). Rousseau's goal is to find an "association which defends and protects with all common forces the person and goods of each associate, and by means of which each one, while uniting with all, nevertheless obeys only himself and remains as free as before" (Rousseau, 1987, p. 148). At this point, Rousseau aims to create a common will which will pursue common interests and when people obey that common will, they will be obeying themselves and hence be free. Rousseau calls it the general will. People will be forced to obey general will, they will be forced to be free. By the social contract, humans lose their natural liberty and gain civil liberty which is moderated by the general will. The general will is instituted for the common

good. Society should be governed on the basis of common interest. Sovereignty is just the exercise of the general will, and it can neither be alienated nor divided nor represented, though power can be transmitted. The general will is inalienable and indivisible by definition; a will is either general or not. Not the number of votes but the common interests unite people and make the will general (Rousseau, 1987, p. 150-158). We should remember, here, how strictly Rousseau criticizes the religion of the priest for dividing sovereignty into two. Similarly, Rousseau, once again, insists that the sovereign is inalienable and indivisible.

Rousseau clearly states that those who are subject to laws will be their authors. The populace always wants the good, but it doesn't always see what is good for them, so they need guidance. Individuals ought to accord their wills to their reason, and the populace must learn to know what it wants. This is the point where the legislator enters the picture. The legislator is an extraordinary man who should be able to transform individuals into a part of a larger whole. By this transformation, individuals must lose their own forces and acquire new forces that they can't use without the help of others. The legislator who has authority over laws shouldn't have authority over men. Since some ideas are not accessible to the populace, and using force is also excluded, the legislator must refer to a different sort of authority which will persuade without convincing, that is civil religion (Rousseau, 1987, p. 162-164). The legislator has authority over laws. Civil religion sanctifies the laws; if the laws are sacred people will be persuaded to act accordance with them even though they aren't convinced. This way they will submit their particular wills to the general will.

The purpose of legislation is the greatest good, and it can be reached by two principles; liberty and equality. The lack of these two is detrimental to the republican state. Rousseau has a moderate understanding of equality. He does not ask for absolute equality in terms of wealth and power. Only, power should not be "exercised except by virtue of rank and laws; and, with regard to wealth, no citizen should be so rich as to be capable of buying another citizen, and none so poor that he is forced to sell himself" (Rousseau, 1987, p. 170).

Legislative power belongs to the populace, but executive power does not. Executive power is the minister of the sovereign and provides communication between the state and the sovereign, it is also an intermediate between the people and the sovereign. The government will contain the people, and the sovereign will contain the government. The sovereign can limit, moderate, or even take back the power of the government. If these concepts misconceive their roles, the country will fall into chaos or despotism. The sovereign ought to give laws, the government ought to govern, and the people ought to obey. The government exists only through the sovereign, and its will should be nothing but the general will (Rousseau, 1987, pp. 173-175). Legislative power is more important than executive power. Legislative power is like the heart of the state, whereas executive power is the brain. The sovereign solely has the legislative power and it acts only through the laws and acts when the populace is assembled. Laws are the authentic acts of the general will, and if the government does not govern in accordance with laws, then the state dissolves because it is a usurpation of the sovereign power. The separation of executive and legislative will help to discern what is law and what is not (Rousseau, 1987, pp. 193-200).

In terms of forms of government, Rousseau thinks that democracy is so perfect that it is not suitable to human beings, but he favors electoral aristocracy. It seems that even with the help of civil religion, people will never be as virtuous as they need to be in a democracy. For him, there is no need to multiply numbers where fewer people in the government can do even better. Though aristocracy requires fewer virtues than democracy, it still requires some. The rich should have moderation and the poor should have contentment. This moderation and contentment might be achieved with the help of civil religion by making people see themselves as part of a larger whole.

Rousseau strictly criticizes using representatives in state affairs. Public service has to be and remain the chief business of the citizens. When they use their money to leave public service to others, the republic is in ruins. "They name deputies and stay at home. By dint of laziness and money, they finally have soldiers to enslave the country and representatives to sell it"

(Rousseau, 1987, p. 197). Rousseau thinks that a republic cannot live without good citizens, and that good citizenship requires participation in public affairs. In this context, we should once again remember Rousseau's opposition to what he calls the "religion of the man" which implies detachment or withdrawal from politics. Using representatives is a form of detachment from politics. This indifference to public affairs is unacceptable and shows that the social sentiments are weakened. Since civil religion is the sum of social sentiments, then using representatives shows a clear sign of the erosion of these sentiments. Rousseau wants to prevent the erosion of citizenship and patriotism beforehand, with the help of civil religion.

In a well-constituted state, public affairs override private concerns because social sentiments are not weakened. Rousseau's main idea is to transform "I" into "we" while making "I" subjected to "we" and that way making people obeying themselves and be as free as before. People see themselves as part of a larger whole and they identify with the common good instead of their narrow concerns. However, under a bad government everybody is concerned with their private interests because it is known that the general will does not predominate. The erosion of patriotism, the concern for private interest, the largeness of states, conquests, and the misbehaviour of government are the reasons for people to use representatives. Rousseau does not accept representation in the legislative power because the law is the declaration of the general will, but he does in the executive power. The reason why sovereignty cannot be represented is because the general will is either itself or something else (Rousseau, 1987, pp. 198-199).

The governments, even hereditary monarchies, are not the product of the social contract and the populace may organize administration differently, if they will so. All laws and even the social contract can be revoked if the populace assemble to do so. There is only one law that requires unanimous consent which is the social compact. In the course of the constitution of the state, opposition to the social contract does not make it invalid but only the opponents of it will be excluded from it. They will either leave or accept it; if they stay, it will imply consent. When the populace consider themselves a single body, they also have a single will. They have but one will because they have but one interest. The general will is concerned with their general well-

being, and it is obtained by the counting of the votes. Of course, if the social sentiments weaken, the general will can no longer be the will of all (Rousseau, 1987, pp. 202-206).

Therefore, social sentiments are unified by way of civil religion, the counting of the votes automatically conforms with the general will. If social sentiments are not strong enough, then a Legislator is needed. The Legislator is supposed to enlighten the people and thereby prevent them from being deceived. Furthermore, the Legislator will keep the particular wills in control and prevent inequality from being institutionalized. The mores and opinions that the Legislator teaches people will guard against *amour propre* and the tyranny of opinion. Moreover, mores and opinions should not be against the interests of the people, because people always follow their interests. Similarly, the general will should also reflect people's interests. The general will is not a motive for action, but a state of mind that sets the standards for action (Shklar, 1967, pp. 185-188).

In the same vein, Bertram (2004) also thinks that the general will is not to be distinguished from public deliberations of the citizens. When people are well informed and there are no factions, popular deliberations express the general will. Of course, the Lawgiver is an extraordinary genius and Rousseau doesn't know how to find him. A genius is needed to judge institutions, he doesn't have to be a god, but a Hamilton or a Madison would be enough. Cultural transformation as the real foundation of political success will be led by this genius. Similarly, group feeling will be created by the genius, at this point Bertram gives an example of a sports coach who creates a well functioning team from individual talents. A sense of commonality and patriotism should be accompanied by individual autonomy and partial privacy. Individualism without communitarianism would lead to private interests and to inflamed *amour propre*; communitarianism without individualism would lead to the loss of moral responsibility (Bertram, 2004, pp. 124-145).

Then, the central problem in Rousseau's political thought is to find an educative authority that is not authoritarian. Educative authority will go away after teaching civic knowledge to citizens. People will become what they ought to be and that way they will be free. Power of willing distinguishes

humans from animals and Rousseau's aim is to generalize will through education. Nations, for Rousseau, are ignorant in their time of youth. At the end of their education, the people would will only the common good and they will not be forced to be free, they will simply be free. Silencing passions and letting the reason dictate what is right may have worked for Diderot or Kant, but for Rousseau reason alone even in the silence of the passions cannot dictate what is right. If that were the case, there would not be any need for an educative authority (Riley, 2001, pp. 126-142).

So, willing the common good and obeying to it means freedom in Rousseau's thinking. That's why he wants to prevent the corruption of society, meaning the erosion of patriotism and republican values. In a similar fashion, while Locke contends that state power is the most probable threat to human freedom, for Rousseau the threat comes from the corruption in society which leads to the triumph of particular interests. The state power is the guarantor of human freedom. Humans leave their natural freedom and embrace civil freedom that is restricted by the general will (Bertram, 2004, pp. 76-85).

Prior to Rousseau, sovereignty was identified with force, power, and the dominion of kings, but for Rousseau it "is essentially a principle of equality, identified with the ruled element, or the subjects themselves, as the supreme authority; and it is connected with the concepts of will or right, as he defines them, rather than force or power" (Wokler, 2001, p. 82). Rousseau shows a strong devotion to popular self rule and considers popular sovereignty as a safeguard against despotism (Wokler, 2001, p. 84). However, in some of his political writings, Rousseau also puts a strong emphasis on national bonds. For instance, he complains that there are no longer Germans, Poles, Italians etc. Tastes, passions, and morals are all identical in all societies, because they lack national forms. He praises Moses for keeping his people from dissolving despite all the hatred and persecution. Moses gave his people morals and practices that were different from others and by doing so he made his people preserve its rites, morals and laws. All the ancient Legislators acted in the same way. "All looked for bonds which attached the Citizens to the fatherland and each to each other, and they found them in distinctive practices, in religious ceremonies which were

always exclusive and national by their nature” (Rousseau, 2005, p. 173). Rousseau seems to associate lack of national identity with lack of virtue and patriotism. Where there is no national identity, everybody will be the same and act the same. People will talk about public good but only care about themselves. They will solely be looking for money and sell themselves for it. As long as they can fulfill their personal desires, they will be indifferent to the laws and the country. This is why he stresses the importance of national physiognomy in his discussion of the government of Poland:

Give another inclination to the Poles’ passions, you will give their souls a national physiognomy which will distinguish them from other peoples, which will keep them from dissolving, taking pleasure, uniting with them, a vigor which will replace the abusive operation of vain precepts, which will make them do out of taste and passion what is never done well enough when it is done only out of duty or interest. (Rousseau, 2005, p. 175)

He is interested in national identity so much that he praises Poland for having specific Polish practices and even a distinctive form of dress. A particular national identity will keep people together and provide them with the passions and sentiments that can generate civic virtue. “It is upon such souls that an appropriate legislation will take hold. They will obey the laws and will not evade them, because the laws will suit them, and they will have the internal assent of their will” (Rousseau, 2005, p. 175).

In *Considerations on the Government of Poland and on its Proposed Reformation*, Rousseau associates civic virtue and patriotism with national identity. Although, it is disputed that if he is more of a nationalist than a republican patriot, he seems to believe that lack of national identity leads to cosmopolitanism which means the erosion of civic virtue.

2.4 Civil Religion

Now that we have examined the scholarly literature on Rousseau’s concept of civil religion as well as the central themes in his political thought, we should pay closer attention to the final chapter of the *Social Contract* where Rousseau introduces his controversial concept.

The central concern of Rousseau's political thought is the question of how to make people love their country and their republican duties while at the same time remaining as free as before. Rousseau's solution to that is a sacred one; namely a civil religion. This is why Rousseau's *Social Contract* ends with a chapter on civil religion. In this chapter, he reminds us that people used to have only their gods and theocratic governments rather than kings and secular governments. It was a new phenomenon that people accepted their fellow men as their masters. Rousseau's suggestion of civil religion aims to be a response to this phenomenon. Since there were no theocratic governments anymore, he was afraid that attachment to religious authority could be at the expense of attachment to political authority. Civil religion would ensure the unity of the state, as it also exempts intolerance. "Civil religion becomes an attractive option for the state under this Rousseauian analysis because it increases the crucial unity of the state, while still precisely enabling the state power to minimize the intolerance that will inevitably ensue" (Heyking and Weed, 2012, p. 146).

Rousseau provides us three sorts of religion; the religion of the man, religion of the citizen, and religion of the priest. The religion of the man is "without temples, altars or rites, and limited to the purely internal cult of the supreme God and to the eternal duties of morality, is the pure and simple religion of the Gospel" and the religion of the citizen "has its dogmas, its rites, its exterior cult prescribed by laws. Outside the nation that practices it, everything is infidel, alien and barbarous to it" (Rousseau, 1987, p. 223). Freed from unnecessary rituals, religion of the man is the pure religion of the Gospel. It makes everyone brothers and sisters thereby creates a strong social bond. However, followers of this religion abstain from politics and other earthly matters. That's why Rousseau says that "a society of true Christians would no longer be a society of men" and "since this religion has no particular relation to the body politic, it leaves laws with only the force the laws derive from themselves, without adding any other force to them" (Rousseau, 1987, p. 224). Religion of the man is strongly detrimental to Rousseau's aim which is to attach a sacred basis to laws and patriotism. Since religion of the man has no relation to body politic, it absolutely detaches people from earthly

matters and of course from politics. Therefore, this religion is useless and even harmful for Rousseau's purposes. Another problem of true Christianity is that it is prone to weaknesses when a usurper comes around because being free or serf does not matter to Christians, after all "the essential thing is getting to heaven, and resignation is but another means to that end" (Rousseau, 1987, p. 225). The resignation from earthly matters would create problems in war time as well. A passionate enemy would destroy disinterested Christians.

Rousseau claims that true Christians are slaves and that a Christian republic is impossible. He also denies that Christian troops are fine. Just in case somebody mentions the crusades, he beforehand responds that they were "quite far from being Christians, they were soldiers of the priest; they were citizens of the church; they were fighting for its spiritual country which the church, God knows how, had made temporal" (Rousseau, 1987, p. 225).

The religion of the priest is a religion like Roman Christianity; leaders, homelands, and duties of the citizens are separated. Religion of the priest is the worst of all because of its disunified nature. It divides power as the power of the prince and civil laws. People cannot know which one they have to obey and it renders good polity impossible. It will put the republic at grave risk because the duties of religion and citizenship will intermingle and corrupt one another. It will also make sovereignty impossible because if sovereignty is divided, then, there is no sovereignty.

Religion of the citizen is partially good; it is good when obeying god means obeying laws, and love of country is love of god. It is no surprise that Rousseau partially approves this pagan religion because it provides a sacred basis to citizenship and patriotism. Service to god is service to republic and vice versa. At first glance, this religion seems like the civil religion for which Rousseau argues. However, it does not mean that, for Rousseau, there is no downside to the religion of the citizen. For Rousseau, it is also bad because it is based on lies and makes people superstitious, ignorant and intolerant, which leads to a state of war. Here, Rousseau's liberal concerns, his love of truth and even love of god comes into play. Rousseau is troubled by the possibility of religious and civil intolerance because they are inseparable. We understand that Rousseau does not give up his liberal concerns because he

is troubled by the possibility of intolerance. There is, of course, a danger that intolerance may lead to a state of war. Rousseau also cares about what he deems as truth because he points out the fact that the religion of the citizen is basically based on lies. Additionally, it is not too speculative to claim that Rousseau is driven by his love of god especially because he criticizes the religion of the citizen that it reduces the true cult of divinity into an empty ceremony. Rousseau does care about God but his civil religion is an instrument for politics.

Religion of the man leads to detachment; religion of the priest creates disunity, and religion of the citizen ends up with ignorance and intolerance. This is exactly where Rousseau sees a need for a particular kind of religion, dogmas of which “are of no interest either to the state or its members, except to the extent that these dogmas relate to morality and to the duties which the one who professes them is bound to fulfill toward others” (Rousseau, 1987, p. 226). The sovereign will establish the articles of a faith as sentiments of sociability not as dogmas of a religion. Since they are sentiments of sociability, those who do not accept them are deemed unsociable and unable to love the country and the duties it requires, hence can be banished from the country. Rousseau envisages death penalty for those who publicly accepted sentiments of sociability but acted as if they did not accept them. His staunch opposition towards lying before the laws shows how much he cares about laws. And a virtuous citizen who shares the correct sentiments would not lie before the laws.

Rousseau provides the dogmas of civil religion which he wants to keep quite simple. “The existence of a powerful, intelligent, beneficent divinity that foresees and provides; the life to come; the happiness of the just; the punishment of the wicked; the sanctity of the social contract and of the laws” are the positive dogmas. Rousseau names only one negative dogma which is intolerance. Rousseau’s republic will not tolerate the intolerant (Rousseau, 1987, p. 226). Rousseau’s insistence on limiting theological intolerance is because he thinks that civil and theological intolerance are inseparable. Theological intolerance necessarily have civil outcomes:

It is impossible to live in peace with those one believes to be damned. To love them would be to hate God who punishes them. It is absolutely necessary either to reclaim them or torment them. Whenever theological intolerance is allowed, it is impossible for it not to have some civil effect; and once it does, the sovereign no longer is sovereign, not even over temporal affairs. Thenceforward, priests are the true masters; kings are simply their officers. (Rousseau, 1987, pp. 226-227)

It might be contended that Rousseau's civil religion is theologically liberal but politically illiberal. It is theologically liberal because all faiths will be tolerated as long as they do not contradict with the duties of citizenship and with patriotism in the form of civil religion. Individuals are free to set the dogmas which are not related to civic duties. It is highly understandable because Rousseau is not in favor of a theocracy. However, it is ironic that Rousseau's civil religion is politically illiberal since his main political goal is setting people free. Rousseau is wise to think that theological intolerance leads to civil intolerance. Still, limiting theological intolerance is not enough to prevent civil intolerance altogether because theological intolerance is not the only source of civil intolerance. By giving the sovereign the power to banish people from their countries, civil religion takes a highly illiberal measure. The State will be able to judge its citizens' intentions which is not compatible with our current republican understanding of liberty. Civil religion would prevent theological intolerance and a particular form of civil intolerance. Yet, when the sovereign has the privilege to define civic duties as religious dogmas and demands religious attachment to them, Rousseau fails to see that we will end up with another form of intolerance.

Violi's patriotism, on the other hand, cannot be subjected to this line of criticism and will be the center of focus in the next chapter.

CHAPTER 3

VIOLI: PATRIOTISM AS LOVE OF COUNTRY

3.1 Introduction

In this chapter, we will see what motivates Viroli in his attempt to theorize patriotism, then how he situates himself in the republican tradition, and finally what he has to say on Habermas and Rousseau as theorists of distinct patriotisms. Also, we will see that Viroli rightly stresses the importance of passions. Nevertheless, the distinction he makes between patriotism and nationalism is far from being obvious and invites further reflection. He is also not very clear on the question of culture. But his idea of utilizing the passions while moderating them with reason needs to be taken seriously. Let's begin with what concerns Viroli with regard to the discussions of patriotism and nationalism.

3.2 The Significance of Viroli's Republican Project

"Working class people are English to the core. . . They are for maintaining the greatness of the kingdom and the empire, and they are proud of being subjects of our Sovereign and members of such an Empire" (Cunningham, 1981, p. 22). These remarks made by Benjamin Disraeli demonstrate how the language of patriotism surrendered to the language of nationalism and national pride. Republican patriotism dates back to antiquity, but some contemporary thinkers argue that the republican tradition is neglected. Echoing this line of thinking, Viroli complains that the voice of the republican tradition is unheard in current debates on patriotism and nationalism. According to Viroli, "the language of nationalism has relegated the language of patriotism to the margins of contemporary political thought" (Viroli, 1995, p. 161). Viroli volunteers himself to tell the story of the language of patriotism and what it can offer us in contemporary debates. His

fundamental argument is that patriotism is different than nationalism and making use of it can help us reach left-wing goals.

To him, the loss of republican patriotism is a huge one because the republican tradition has much to say on the topic of love of country. He thinks that republican patriotism is the best way to achieve equal liberty by which he means “the possibility for all the members of the republic to live their lives as citizens without being oppressed through the denial of political, civil, or social rights” (Viroli, 1995, p. 13). Viroli is longing for equal liberty and equal liberty has to include not only political and civil rights but also social rights. He argues that love of country and other sentiments it generates is the way toward that goal.

Viroli locates himself in the democratic left and is convinced that nationalism must be confronted. That’s because nationalism itself benefits from the social forces that democratic left normally could have benefited. For instance, poor people find consolation in nationalist rhetoric and find themselves in the right wing as it is shown in Disraeli’s remarks. Viroli argues that the left allowed right wing political movements to monopolize the language of patriotism by fleeing the field altogether. He thinks that the leftist politics should also have an answer to the need for national identity and that answer is patriotism (Viroli, 1995, pp. 15-16).

Patriotism is an alternative to theories that presume disinterested, culturally neutral individuals and to theories that limit political action within the boundaries of culture, ethnicity, and religion. Patriotism frees individuals from the burden of a forced transformation into becoming culturally neutral and disinterested. They can remain culturally oriented and interested as patriotism aims to give them a culture of liberty, an interest in the republic, a love of the common good. Also in contrast with nationalism, Viroli presumes that the people in question may be culturally similar but the object of attachment will not be the nation but the republic. Furthermore, Viroli is extremely reluctant to ignore the political significance of passions by embracing an exceedingly rationalistic approach to politics. On the contrary, the field of passions is a battlefield in itself. Patriots should engage in the

world of passions and try to translate lower passions into benign passions using rethoric and political action, thereby creating a bond of solidarity with the oppressed. Viroli's patriotism stresses on compassion as a sentiment and republic as an idea. The only form of patriotism that is worth defending is the patriotism of liberty (Viroli, 1995, pp. 16-17).

Since patriotism, according to Viroli, is an alternative or even an antidote to nationalism, we should look at their perceived differences. Viroli strictly states that, even though he understands the attempts to define nationalism in a way that is compatible with universal principles, nationalism will inevitably corrupt civism and that he is not a nationalist (Viroli, 1998, p. 188). Love of country is different than loyalty to the nation, as patriotism is different than nationalism. The differences between patriotism and nationalism can be traced back to their different priorities. Patriotism is concerned with love of the political institutions and the culture that sustains common liberty while nationalism concerns itself with maintaining ethnic, linguistic, and cultural homogeneity. Patriotism does not neglect the particular background, particular culture of the people in question but its emphasis is different. For patriotism, basic value is the republic and liberty that it provides; for nationalists, on the other hand, republic is of secondary importance ranking below the unity of the people. Not only does the object of love differ. More significantly, the type of love is also different. In the case of patriotism there is a charitable love, and in the case of nationalism Viroli observes an unconditional loyalty (Viroli, 1995, pp. 1-2). Viroli does not want to pay this price because we do not need nationalism to hold people together. What we need is "politics genuinely inspired by the ideals of republican liberty and republican equality, and a culture based upon these ideals. Citizenship does not grow out of the bonds of nationhood" (Viroli, 1998, p. 102). Cultural, religious, or ethnic homogeneity does not necessitate civism; it is rather prone to intolerance.

According to Viroli, nationalism is already so strong and influential in the contemporary world that there is no need to seek further nationalism and ethnocultural oneness. Instead, we need civism, that is good citizenship, because democracies "do not need ethnocultural unity; they need citizens

committed to the way of life of the republic". The education of democratic citizens is necessary and it can be reached by political means such as "good government and well-ordered participation in the many instances of civil society and in the political decision-making process" (Viroli, 1995, p. 176).

Viroli presumes an immanent desire for ethnocultural oneness in nationalism and argues that without a political culture of liberty, nationalism will generate harmful sentiments such as a longing for cultural unity, uniqueness, and purity and ultimately create a nation without citizens (Viroli, 1995, pp. 175-176). They pose a direct danger to Viroli's concern for civism.

Even though it is a powerful antidote to nationalism, the language of patriotism is similar to that of nationalism in the sense that it is particularistic and communitarian. It aims to influence the passions of a particular group of people with a specific historical and geographical identity. Love of country is a passion because it is not the result of rational consent, but it is a rational love because it is bound by the principles of justice and reason. Our love is for a particular republic and particular citizens because there are important things that we share with them; such as "the laws, liberty, the forum, the senate, the public squares, friends, enemies, memories of victories and memories of defeats, hopes, fears" (Viroli, 1998, p. 189).

As Primoratz points out, the difference between patriotism and nationalism is not the intensity of passions and attitudes but rather the object of attachment. They both require identification with a certain entity. "In the case of patriotism, that entity is one's *patria*, one's country; in the case of nationalism, that entity is one's *natio*, one's nation (in the ethnic/cultural sense of the term)" (Primoratz, 2007, p. 18).

To be clear, Viroli does not want people to give up on their national identity, but he wants them to be citizens. In that sense, he does not expect people to have post-national identities. He does not ask people to be citizens of the world or be attached to an abstract conception of liberty and justice; he suggests them to become German or Italian *citizens*. The emphasis on citizenship implies that they may preserve their national identities, but they are expected to defend and improve the republic and common liberty. In

order to make them do it, Viroli refers to “shared memories” and “meaningful stories that give colour and warmth to the ideal of the republic” (Viroli, 1995, pp. 8-9). Because of Viroli’s reference to shared memories and reluctance to denounce national identities, his patriotism is accused of being virtually indistinguishable from “civic nationalism”. Viroli’s patriots are natives, so the argument goes, and they are attached to the community they are born into. References to particular histories and memories potentially excludes people who cannot identify themselves with the historical processes that created political institutions. This makes Viroli’s patriotism indistinguishable from civic nationalism (Kostakopoulou, 2006, p. 79).

Viroli seeks to create or enhance a love of common liberty among citizens, but he is not a cosmopolitan, he is a particularist. He wants us to be committed to the common liberty of *our* people because liberty in our own country has a better taste and enables us to live according to our culture which some other country may not provide. It should be clear that Viroli’s particularism is not merely based on rational convictions but also on passions like compassion and solidarity rooted in our culture and history. The goal is to instrumentalize these passions toward common liberty. This is a daunting task because these passions may lead to an intolerance for cultural, religious, or even political diversity. So, where do we draw the line? We will see that Viroli’s model foresees the guidance of reason on these passions. While the sentiments are not neglected, they are moderated by reason. Republican patriotism, Viroli thinks, is effective because it presupposes an existing ethnic or cultural bond. But the passions that are rooted in these bonds will not be directed at the goal of creating or preserving the unity but of achieving a love of common liberty of a particular people. Because it is particularistic, it is within the reach of ordinary citizens and because it is a love of liberty, it is not exclusive. Viroli does not think that attachment to a particular group is necessarily an act of exclusion (Viroli, 1995, pp. 10-14). There have been critics who argue that “Viroli overlooks that political values can be as effective markers of group identity and as exclusionary as ethnic allegiances” (Kostakopoulou, 2006, p. 79). I think that this is practically unavoidable and normatively acceptable. Enemies of common liberty can be

excluded from the group and accepted as a political foe, just like nationalism is itself a political foe. Viroli should have conceded that some people might have been excluded as we align with particular political values.

3.3 The Legacy of Republican Patriotism

Viroli traces the language of modern patriotism back to the ancients. We cannot isolate Viroli from this republican tradition. In order to understand him, we need to take a closer look at this tradition. Viroli identifies two components of its content; the religious aspect and the political aspect. The religious aspect of ancient patriotism is a religious sentiment and it resembles what Rousseau calls the *religion of the citizen*. In the case of religious patriotism, there is a sacred bond between man and his country. Love of country is equal to love of religion and obeying God is equal to obeying the country. “It is a demanding love that admits no distinctions, no conditions. He must love his country, whether it is glorious or little-known, prosperous or unfortunate. He must love it for its generosity, and also for its severity” (Viroli, 1995, p. 19).

In addition to this religious patriotism, there is a political patriotism which identifies *patria* with *respublica*, common liberty, and common good. Though it is hard to say that Rousseau entirely isolates himself from the religious part of the ancient patriotism, Viroli does so and makes himself a part of the political patriotism tradition of the ancients. Political patriotism expects citizens to feel respect and compassion towards the republic and fellow citizens; a similar feeling they feel towards their relatives. We must note that the object of love, Viroli advocates, is the republic and the citizens. This is why Viroli does not align himself with medieval patriotism. Medieval patriotism did refer to *patria* as a source of obligation, but *patria* meant the monarch’s *public persona*, not the republic. Indeed, there were strong sentiments, but people were sacrificing themselves “to honour a bond of fidelity or faith (*fidelifitas* or *fides*), not to discharge a civic duty” (Viroli, 1995, p. 21).

Similarly, even though Viroli thinks that a distinctive language of republican patriotism was formed in the intellectual context of Italian city-states, and there was a commitment to the republic and common liberty, the fifteenth-century Florentine patriotism was still problematic because it celebrated military and cultural superiority, the nobility of the ancestors, and the purity of the language. It was a combination of republican values and civic pride. The ideals of political and civil liberty were upheld against tyranny and foreign invasion, but there was also exclusive and aggressive language abroad. Pride was a virtue and republic was characterized by social and political privileges which contradict the egalitarian emphasis of modern emphasis (Viroli, 1995, p. 29).

A different kind of republican patriotism is needed and this is where Machiavelli comes to help. Viroli wants to inherit Machiavellian understanding of patriotism. Machiavelli was a devout patriot, but it did not stop him from pointing out the wrong-doings of the Florentine Republic. He served the republic as best as he could, but in the sight of injustice and any kind of wrong-doing, he was the first one to speak out. He was not an apologist of the republic, he was a critic of his country. His love for the country was not unconditional, and that's why it "shows no signs of parochialism and civic pride. It did not make him blind" (Viroli, 1995, p. 30).

Patriotism was Machiavelli's deepest love and he understood patriotism as the love of common liberty and the capability to see particular interests as part of the common good. This type of patriotism is in accordance with Viroli's concerns. It foresees an attachment to a particular group, but it is not an act of exclusion. It is not pride or love of domination, but just a care for the republic coming out of love for the country. It involves a strong sentiment of love but excludes pride, parochialism, and blind loyalty. It is not an unconditional love, there has to be common liberty and common good which satisfy both Machiavelli's and Viroli's expectations. If the *patria* falls into the hands of an arrogant tyranny, love turns into hatred, which is also a strong sentiment. It is also in line with the Roman tradition. This type of patriotism made the Romans remain free for centuries. Plebians did not accept the oppression of the patricians and as a result laws in favor of liberty

were passed (Viroli, 1995, pp. 32-33). Viroli also appreciates Machiavelli for his emphasis on *patria* instead of nation. When Machiavelli uses the term *nation*, he means customs and forms of life. Customs are of political importance, but they are to be studied not to be loved. This attitude points to Viroli's distinction of love of country and nation. Sentiments go to the *patria*, while national customs and language are a matter of neutral reflection. But culture, in the sense of a republican way of life is not neglected in Machiavelli's thought as it is not in Viroli's. They both see *patria* as a way of life of the republic, though it is not clear how to distinguish the national customs which deserve only neutral reflection and way of life which is the object of love. Viroli does not clearly define the boundaries of culture. But one thing is clear; both Machiavelli and Viroli think that love of country is a potent sentiment and a citizen takes care of his country because he has a compassionate love for her (Viroli, 1995, p. 40).

Love of country gives birth to other sentiments such as hatred and indignation against all kinds of oppression. These sentiments make us feel indignation when our compatriots' liberty is violated even if we have personal liberty. Indignation gives us the motivation to act against oppression, and oppression refers to not only violations of civil and political rights but also to exploitations in workplaces and social life as well (Viroli, 1995, p. 143).

It might be said that Viroli's insight that liberty needs patriotism as love of common liberty and sentiments in order to prevent oppression and corruption is convincing. If citizens' care for country were just to be rational, led by reason, people might sense that someone's liberty is violated, but they could remain indifferent or inactive, to say the least. Charles Taylor makes a similar argument with reference to the Watergate incident. The outrage of citizens, namely the sentiments, ousted Richard Nixon from office. This kind of outrage, reacting with strong passions to the abuses is, as Taylor writes, "an important bulwark of freedom in modern society" (Taylor, 1995, p. 195). People are not purely rational creatures at all:

Most people don't respond this way because they calculate that it is in their long-term interest. Nor do most people respond just because of their general commitment to the principles of liberal democracy. .

.people would barely respond at all if they thought of their society purely instrumentally, as the dispenser of security and prosperity. (Taylor, 1995, p. 196)

Taylor, too, thinks that patriotic identification is exactly what generates the outrage against the violations of liberty and will remain as an important bulwark of freedom in the future as well.

However, strong emotions such as love, indignation and outrage might lead to unintended consequences. Viroli tries to prevent it by assigning a strict republican content to the love of country. Love of country is a means to achieve republican goals; he does not advocate a love of country for the sake of love of country. This is where he draws a line between himself and anti-republican patriots. Anti-republican patriots disassociates *patria*, from republic and liberty. For them, loyalty to the *patria* is identical to loyalty to the king, and *patria* is not necessarily a republic. They argue that the virtue of the ancients that they applaud does not come from love of liberty but from love of country. Therefore, *patria* “means more than republican institutions and common liberty. There are in fact many examples of virtuous deeds accomplished, for love of their country, by subjects of princes” (Viroli, 1995, p. 43).

Viroli draws our attention to the transformation of the meaning of love of country in the seventeenth century and complains that love of country meant, at that time, not love of the republic and liberty, but loyalty to the state or to the prince (Viroli, 1995, p.44). A prominent example of this is Robert Filmer’s *Patriarca*, published in 1680. For Filmer, a true patriot is a royalist because *patria* does not mean republic and common liberty but *res patrum*, a thing of the fathers, by which monarchs can ask child-like obedience from their subjects. This kind of patriotism is, according to Viroli, a deformed version of the ancient ideal. Shaftesbury’s republican patriotism, on the other hand, is closer to what Viroli has in his mind, even though he expresses reservations about Shaftesbury’s position too. Shaftesbury’s patriotism sees *patria* as a native soil. It foresees an affection for the country which is understood as a community of free men living together for the common good.

For Shaftesbury, love of country is love of the constitution and polity, because these two are what make people free. It is a generous passion because it concerns the common good. Viroli claims that, though love is necessarily particular, Shaftesbury's patriotism is not an act of exclusion. Instead, it was an inclusive love which does not stress on the differences or uniqueness of peoples but wishes "to unite them in the defence of common liberty, which is a shared good whose value does not depend on its being an exclusive good that only one particular people enjoys" (Viroli, 1995, p. 58).

So, why does Viroli express reservations about Shaftesbury's patriotism? Viroli does accept that Shaftesbury restates the core of republican political patriotism, but he also draws an unnecessarily thick line between the patriotism of the soil and political patriotism, as "he offers no indication as to how to incorporate natural attachment to a place into a moral and general political patriotism" (Viroli, 1995, pp. 59-60). Viroli thinks that drawing a wide distinction between patriotism of the soil and political patriotism is unnecessary because attachment to the native soil may help the cause of common liberty. It does not have to be censored, but instead it must be instrumentalized for the commitment of liberty. Of course, this is only "if we speak not of liberty in general, but of the common liberty of a people living generation after generation over the same territory" (Viroli, 1995, p. 60).

Viroli is not an opponent of attachment to the soil. He just contends that attachment to the native soil must be assisted by the understanding of the common liberty. Of course, Viroli does not tell us how attachment to the soil could address the immigrant question that we see in contemporary world. How do new-comer immigrants attach themselves to the soil since they have not lived on that soil generation after generation? Or why should native people embrace the new-comers since they are attached to the soil as "a people living generation after generation over the same territory"? Canovan calls it a contradiction "between universalist humanitarianism on the one hand, and commitment on the other to the persistence of a polity (national or patriotic) belonging to a privileged subsection of humankind" (Canovan, 2000, p. 431). In full agreement with Canovan, it might well be said that Viroli's patriotism cannot solve this dilemma.

We have seen that, for Viroli, the field of passions should not be abandoned. A similar position is endorsed by Paolo Mattia Dora, an Italian philosopher, who Viroli approvingly mentions. Dora claims that the selfish inclinations of people should be transformed into more benign passions that are useful to the country. He accepts that there are malevolent passions, but these passions cannot be confronted by rational argument but by benign passions themselves. These ideas characterized the eighteenth-century political thought and are shared by Viroli himself (Viroli, 1995, pp. 64-67).

However, there also exists a cosmopolitan political ideas about which Viroli mentions in a neutral manner, but such a cosmopolitan perspective definitely conflicts with Viroli's republican patriotism. Voltaire is a notable example of it. For Voltaire and other cosmopolitan philosophers of the Enlightenment, only political and legal structure matters, the place and history does not matter. It means that our *patria* is where our civil and political liberties are guaranteed. This cosmopolitan thinking reflects the understanding of *ubi bene ibi patria*, where one is well-off there is one's country. It contradicts with Viroli's position because Viroli does not rule out attachment to a particular soil and he is advocating a *common* liberty not personal liberty based on self-centered calculations. In that sense Viroli is not cosmopolitan, he is particularist. In the same vein, Viroli notes that Voltaire's patriotism is a calculated love, there is no compassion, no charity due to country (Viroli, 1995, p. 78).

After the French Revolution, republican patriotism was considered to be a major intellectual tradition. Viroli does criticise the calculated love of the cosmopolitans. However, by incorporating republican patriotism with modern theory of natural law, republican theorists enriched, for Viroli, the moral value of patriotism. Love of country must respect the principles of justice set by right reason (Viroli, 1995, p. 95).

Viroli states that reason should set principles of justice and passions should respect the boundaries set by reason, which shows us that Viroli does not claim that passions must be obeyed blindly. Rather, he maintains that they should be guided by reason. Thus, Viroli's conception of patriotism can be viewed as a *passion moderated by reason*. Republican patriotism is a rational love. Reason moderates it, but also imposes on us a duty to cultivate

it. Citizens must learn to think in terms of public reason and impose the rule of reason. Reason also imposes on us the duty to love liberty because it regards it as the greatest good. In order to reach civism, we need a moral training led by reason (Viroli, 1995, p. 124).

One important theorist of the integration of love of country within the limits of natural law is Richard Price. He says that patriotism is a noble passion but it can be misled as well. He warns that patriotism “must remain immune not only to false beliefs, but also to the passions of ambition and 'spirit of rivalry' that are responsible for the degeneration of love of country into love of domination” (Viroli, 1995, p. 97). Price’s warning against pernicious forms of patriotism may remind us that Viroli does not draw such a distinction. Viroli warns against the negative outcomes of nationalism, but ignores that some sorts of patriotism may also pose a similar danger. This is why Margaret Canovan rightly says that Viroli’s “propensity to blacken the name of nationalism goes along with an inclination to play down the more illiberal aspects of patriotism (Canovan, 2000, p. 429).

Despite patriotism being a major intellectual tradition, some people found it too cold and abstract. They looked for a different project of country, a different kind of passion. This is the time and place when a transformation that changed the course of history occurs. The language of patriotism starts to fade away and the language of nationalism gains strength.

At this point, we have to turn to Vincenzo Cuoco as his criticism of republican patriotism reflects the tension between patriotism and nationalism. Cuoco praises patriots for their sincere commitment to liberty. However, they are politically unwise because they do not understand the customs, history, and traditions of the people. Their distance from all these makes their references to republic and *patria* insincere. The people cannot understand them when they refer to liberty because they are culturally different from the people and have overly abstract conception of liberty. Cuoco also asks for cultural unity because he thinks that liberty demands cultural unity. Foreign cultures divide people and prevent them from having a civil and political education. Love of liberty must be accompanied by respect for culture and history. Without cultural unity and national pride provided by public education,

love of liberty will get weakened in the hearts of the people (Viroli, 1995, pp. 107-109).

So Cuoco, a nationalist critic, finds republican patriots insincere because they overlook the importance of the customs, history, and tradition, basically the culture of the people. However, this line of criticism does not apply to Viroli because Viroli is not turning a blind eye to culture. He simply puts the emphasis on common liberty of a given people instead of on cultural unity. Putting emphasis on something else is different than ignoring it altogether. For Viroli, love of the republic is a way of life which necessarily includes the cultural aspect of life as well. Cuoco goes on criticising the patriots by saying that their rhetoric and policy are only dear to a minority. The people do not know what liberty means because it is not an idea, it is a sentiment. Liberty is something to be experienced, not just expressed in words.

Liberty may be an idea for Viroli, but the devotion to that idea is sentimental. Therefore, it would not be fair to criticise Viroli for ignoring the sentimental aspect of liberty. Neglecting sentiments is exactly what Viroli complains about all along. But Cuoco's criticism may still apply to Viroli because Cuoco makes a distinction between sentiments. According to him, country and nation command different kinds of sentiments; "to the *patria* goes our love, while to the nation goes, or ought to go, our esteem and respect" (Viroli, 1995, p. 110). Cuoco seems to say that we have to esteem our nation in order to love the republic that provides liberty to that nation.

This is why, for Cuoco, love of country must be complemented by respect and esteem for culture and history. To be fair, we should point out that Viroli does address the question of culture and nation. He claims that for patriots love of common liberty encompasses the attachment to the best aspects of culture,

love of common liberty preached by republican patriots encompasses attachment to our own culture, that fondness for our own national culture encompassed within love of common liberty becomes an affection for the highest and best aspects of our culture and our tradition. Connected to love of liberty, attachment to national culture acquires nobility and dignity; disconnected from it, it corrodes into an ignoble and exclusive affection. (Viroli, 1995, p. 124)

Therefore, Viroli does not oppose attachment to national culture. He just thinks that it must be complemented by love of liberty because without love of liberty it will be exclusive. The highest and best aspects of culture and tradition seem to be the ones that are compatible with love of liberty. But of course, it might be said that there will be neutral aspects of culture and tradition which do not imply anything about love of liberty. Is our affection supposed to go to them? If it is so, then, isn't it going to be exclusive? Viroli is not very clear on these questions. In his response to the remarks of a Neapolitan patriot, Francesco Lomonaco, he concedes that strengthening of the national spirit might be a necessary first step, but it is not enough to have a free country. A patriot, Viroli argues, must be attached to the culture of the people but attachment to the culture does not necessarily result in political liberty (Viroli, 1995, pp. 110-111).

In this way Viroli responds not only to Lomonaco but also to Cuoco as well, by saying that esteeming the nation is not enough for political liberty. However, Viroli is indeed ambiguous on the question of where to draw the line between patriotism, nationalism and culture. But his ambiguity is a result of his judgment that there is no ideal prescription. "The evolution has to be made to happen through political action and rhetoric, and the right political action and the right rhetoric have to be found for each individual case. No recipe is valid for all times and places" (Viroli, 1995, p. 111). There are critics point out that Viroli is not clear with these notions (Poole, 2007, p. 130).

Still, we can say that republican patriotism, at least in Guiseppe Mazzini's words, presupposes a nation as a necessary first step. "We need a medium between us and humanity; and the correct mediums are nations and the free countries built upon them (Viroli 1995, p. 151). Free countries will be built upon nations. Viroli does not argue for or against Mazzini's words in particular, but he would argue that building the country on the nation is a necessary first step. Afterwards, the emphasis ought to shift to common liberty instead of preservation of unity.

Mazzini's democratic conception of liberty includes social rights as well as political and civil rights which is in line with Viroli's leftist inclinations. He has a democratic concept of *patria*. If citizens do not share equal political

rights, then it no true patria. In addition to civil and political rights, he stresses the right to education and labour (Viroli, 1995, p. 148).

In this way, patriotism is a means to reach out to the people in need, such as racial minorities or the poor. The solidarity that love of country (i.e patriotism) generates will make citizens sensitive to social and political injustice.

3.4 Viroli on Habermas and Rousseau

By way of conclusion to this chapter, I will briefly examine Viroli's critical commentary on Rousseau's and Habermas' conception of patriotism. This might sharpen our understanding of Viroli's perspective. More significantly, it might also enable us to see the differences between Viroli's conception of patriotism on one hand, and those of Rousseau's and Habermas's on the other.

Viroli thinks that Habermas's analysis of national identity and citizenship shows the distinction between patriotism and nationalism because his patriotism "separates the political ideal of the nation of citizens from the conception of the people as a pre-political community of language and culture". Habermas, Viroli points out, not only separates patriotism and nationalism but also patriotism and the republican tradition "that considers citizenship primarily as membership in a self-governing ethical and cultural community" as well. For Habermas, Viroli writes, republicanism "regards citizens as fully integrated parts of the community, to the point that each of them can develop his or her personal and social identity only within common political institutions and traditions". And Habermas concludes that republicanism does not communicate well with the fact of pluralism which is distinguished characteristic of modern society (Viroli, 1995, p. 170).

However, Viroli claims that Habermas grossly misinterprets the republican tradition and republican theorists. Republican citizenship does not mean being a part of an ethical and cultural community, but it means being a member of a republic "which is primarily a political community established to

allow the individuals to live together in justice and liberty under the protection of the law". In republican tradition love of country is love of the republic; "that is, common liberty and the laws, and the civil and political equality that makes it possible" (Viroli, 1995, p. 171).

Viroli stresses that, in republican tradition, republic is a political community rather than an ethical or cultural community, and it will provide individuals justice and liberty as the law protects those ideals. Interpreted in this way Habermas's patriotism does not differ from but instead is a new version of republicanism. In the case of Habermas's patriotism, too, love of country means love of the republic. The republic which is the object of love is a particular republic; "not just democratic institutions, but institutions that have been built in a particular historical context and are linked to a way of life—that is, a culture—of citizens of that particular republic" (Viroli, 1995, p. 171-172).

Here, Viroli claims that Habermas too is a particularist like himself. He argues that Habermas also links democratic institutions to the culture of citizens of the republic. Doesn't it then become a cultural community just as Habermas understands it? After all, the institutions are linked to the culture of the citizens, maybe Habermas is right when he argues that republicanism presupposes self-governing in an ethical or cultural community. Of course, we should note that for Viroli, too, said that *respublica* is *primarily* a political community. However, it also implies the existence of a cultural community:

Republican patriotism surely has a cultural dimension, but it is *primarily* a political passion based on the experience of citizenship, not on common prepolitical elements derived from being born in the same territory, belonging to the same race, speaking the same language, worshipping the same gods, having the same customs. This means that the antirepublican argument that "a purely political creed is insufficient" misses the point because republican patriotism does not rely on a purely political creed. (Viroli, 1998, p. 190)

Still, so far, Viroli does not seem to be very clear concerning this cultural dimension. Although Viroli does not use the term *political culture*, he does seem to make a "distinction between the political and cultural values of the republic and the nonpolitical values of nationhood" (Viroli, 1998, p. 190). Why does he equally stress the political *and* cultural values of the republic?

As if there is a value of the republic that is not political but just cultural. He doesn't name one. Nonetheless, Viroli considers himself to be a republican theorist. More significantly, he also argues that Habermas's perspective does not depart from the republican tradition either.

Interestingly, Viroli mentions Italian historian, Gian Enrico Rusconi who is critical of Habermas's patriotism. Let's take a look at what he says and how Viroli responds to him. Rusconi thinks that constitutional citizenship doesn't endure against ethnic and cultural elements. On the contrary, it endures within them. Only national tradition and identity can be the reliable roots of a political culture aimed at the common good. The identification with nation alone which is a cultural and political community can provide civic loyalty and solidarity that democracy requires. "A democratic nation is therefore based on bonds of citizenship 'motivated by shared loyalties and memories' made up of ethnocultural roots, and good political reasons to live together" (Viroli, 1995, p. 173).

In Rusconi's view, without attachment to a national tradition and identity, we will not have a political culture that generates civic loyalty and solidarity. Viroli accepts that a democracy needs civic virtues, and that these virtues are based on *ethnos* as well as *demos*. However, for Viroli, it is once again a matter of emphasis. We just need patriotism, that is love of common liberty, and we need to reduce identification with ethnocultural values. In other words, we need to emphasize *demos* rather than *ethnos* since there is no need to emphasize *ethnos* more and more. Being a good Italian, German, or Turk does not imply good citizenship which necessitates a care for common liberty and social duties. So far, Viroli is quite clear. However, despite his scepticism of ethnocultural values, he argues that we need to "focus on the political values of democratic citizenship and present and defend them as values that are part of the culture of the people" (Viroli, 1995, p. 174). But what if those purely political values that Viroli tells us to present and defend as values that are part of the culture of the people are already a part of ethnocultural values? If so, then why shift the emphasis from ethnocultural values? What if someone has a conception of a *democratic-Italian* identity? Being Italian may, then, imply being a good citizen, why should we rule out that option? Viroli himself says that ethnocultural identity

and political identity are intertwined. Ethnocultural identity and political identity have both political and cultural significance. “The historical memory of the people, which is a fundamental component of its common culture, is multiple, controversial, and open to continuous interpretations and reinterpretations which are always politically oriented”. Moreover, the citizens perceive political values as cultural values not as “universalistic constructions of an impersonal reason” (Viroli, 1995, pp. 174-175).

Viroli believes that ethnocultural and political identity are mixed. He also accepts that “cultural identity and political values do in fact overlap and many combinations are possible. There are many ways of being culturally Italians, one of which is to be an Italian *citizen* in a political and cultural sense” (Viroli, 1995, p.175). If there is no clear line between ethnocultural and political values then shifting the focus, as Viroli advocates, will not be possible. Despite this ambiguity, Viroli continually makes references to culture and criticizes Habermas for neglecting it. Habermas, he claims, “wants to make citizenship as universal and as political as possible” and “risks not answering the concerns of his fellow—Germans for national identity; the very story of the unification seems to indicate that to be German meant something else beyond allegiance to political ideals” (Viroli, 1995, p.175). This accusation is interesting and seems to contradict what Viroli said about Habermas before. Viroli had situated Habermas in the republican tradition and had praised that Habermas too recognized the importance of the culture of the citizens. However, he also complains that Habermas neglects the cultural dimension. Then, Viroli compares Habermas’s and Alasdair MacIntyre’s view of patriotism. Viroli claims that Habermas’s understanding of patriotism is based on reason, and that MacIntyre’s version is a passion. But MacIntyre (1984)’s loyalty is to the nation even though it does not provide basic civil and political rights. Viroli rightly finds that unacceptable and says that our love and loyalty should be selective. Even though they are selective and demanding, they will remain particular. “We are still committed to our own country, even though we are committed to what constitutes the best of it” (Viroli, 1995, p. 178).

The choices we make between what we love and what we don’t will be determined by reason. This is why Viroli’s patriotism is a passion moderated

by reason. Reason and passion will be means to achieve love of common liberty. We will have love as a passion, but we will also have ideals like common liberty upheld by our reason.

This why Viroli, unlike Rousseau, contends that civic virtue is compatible with civility. Viroli thinks that his ideas converge with Rousseau's on the topic of the need for civic virtue, passions, and republicanism. But they do differ on the tension between civic virtue and civility. Viroli points out that Rousseau is an enemy of civility because he "began his career as the zealous champion of the virtue of the ancients and the enemy of the corrupt civility of the moderns" (Viroli, 1995, p. 79). However, Viroli is of the opinion that, properly understood, civic virtue cannot pose a threat to civility. Viroli understands civic virtue as love of common liberty. As such, it does not become a danger to civility. "In fact, civic virtue is a weapon against the powerful or the licentious who do not want to accept the self-restraint and moderation that civil life requires" (Viroli, 1995, pp. 183-184).

Viroli's interpretation of Rousseau is quite moderate. He thinks that Rousseau finds a middle way between fanaticism and indifference. Patriotism is not a fanatical devotion, but a passion that motivates citizens to act against corruption and oppression. To be sure, citizens do not have to be full-time legislators. They should just keep an eye on the enemies of common liberty and stand up against them. If someone's liberty is violated, it should be a common problem for all citizens because common liberty is violated (Viroli, 1995, pp. 88-90).

Viroli thinks that despite the so-called corrupt civility of the moderns patriotism as a civic virtue is possible in modern times. Understood as love of common liberty, patriotic virtue is present in our own times and it is sustainable. "In our own societies there are citizens defending other citizens who have been victims of injustice; citizens mobilizing against corruption and crime; citizens of different tribes invoking justice for all" (Viroli, 1995, pp. 186-187).

Viroli points out that Rousseau also opposes cosmopolitanism and means republic when he speaks of *patria*. Viroli uses quotation marks on the term nationalist when he mentions Rousseau which shows that Viroli does not consider Rousseau to be nationalist. Instead, Viroli believes that

Rousseau is a figure within the republican tradition. For Rousseau, Viroli believes, love of country is love of common liberty and it sustains civic virtue. The more Viroli talks about Rousseau, the clearer we see that he interprets Rousseau's political thought closer to his ideas. Therefore, a closer look at his interpretation of Rousseau will help us have a further understanding of his ideas:

Rousseau means civic virtue; that is, the moral strength of the citizen who is capable of fighting against corruption and oppression. It is a strength that comes from a moral indignation that sets his soul afire and encourages his will to resist and fight. Civic virtue is not a rational evaluation, but a passion; it is an alteration of the soul and the body rather than a state of mind. The opposite of a virtuous citizen is the citizen who remains cold and inactive before corruption, even if he condemns it. (Viroli, 1995, p. 80)

Thus, Rousseau's view of virtue does not only require a rational condemnation of corruption and oppression. In addition, it requires a strong political response to these vices. That's why Rousseau's virtue "is not the voice of conscience speaking in the silence of passions, but a passion itself, a strength and a vigour of the soul, inspired by the love of one's country" (Viroli, 1995, p. 81). Rousseau's and Viroli's ideas converge in the topic of passions given that Viroli also stresses the importance of sentiments. But of course the objects of love as a passion have a hierarchical standing. The way Viroli sees it, Rousseau's patriotism is first and foremost a political love which is the result of good government and what good government provides; such as welfare and liberty. However, it is not simply a political love whose object is only the laws and the constitution. It is also a love of culture, of language, of territory; "but it remains above all a political love: language, culture, religion cannot keep alive the *amour de la patrie* if there is no political and civil liberty, if there is no republic". Love of country requires good government and good constitution; if they do not exist, people will neglect their civic duties. This is why Rousseau says that people "gladly go to public meetings if they believe that there is a good chance that the common interest, and therefore their individual interest, will be carried out" (Viroli, 1995, p. 85).

Viroli contends that, for Rousseau, homogeneity is a supporting factor, but not a necessary condition for civic virtue, for love of common liberty. Unity and homogeneity especially gain importance if the political institutions are weak or if they are surrounded by aggressive, despotic states as it was the case with Poland. The more a country shares these conditions, “the more political liberty must rely upon the cultural, religious, or social unity of a people” (Viroli, 1995, p. 91).

If there is an existential threat to a people, they must primarily love their own national culture. Viroli acknowledges that, for Rousseau, the hierarchy of the objects of love changes due to the dangers involved and cultural preservation becomes the main priority under some circumstances. Viroli says that, for Rousseau, national preservation is just a step toward liberty. It is a necessary condition not a sufficient condition towards that goal. Although I agree that Rousseau is primarily a republican patriot, I am of the opinion that the nationalist element in his thinking cannot be neglected and is slightly downplayed by Viroli.

As it is shown in this chapter, Viroli contends that culture ought to be an important component of republican patriotism. Despite his recognition of the importance of cultural dimension, he also regards republican patriotism as an antidote to nationalism. In the next chapter, we will see that Habermas goes even further than Viroli and argues that culture, too, cannot be the basis of collective identification.

CHAPTER 4

HABERMAS: CONSTITUTIONAL PATRIOTISM

4.1 Introduction

Habermas is convinced that patriotism is necessary for the survival of a democratic republic. Yet, patriotism should not be based on prepolitical values such as culture, ethnicity, or religion. The pluralistic nature of the contemporary world necessitates a more abstract form of solidarity. An overlap in political culture would be sufficient to keep people together in a democratic republic. Since the Constitution is the crystallization of political culture and the formal expression of a consensus in pluralistic societies, it has a central place in Habermas's view of patriotism. However, Habermas is not in favor of the veneration of the Constitution, but rather focuses on its distinctive national contexts and interpretations. His version of constitutional patriotism is based on these distinctive interpretations.

These interpretations are expected to be shaped by the "care" for the victims in the past and coming to terms with the past. Through this "lens", citizens are expected to evaluate recent and possible future developments. Since opinion and will-formation is an open-ended process, Habermas

recognizes the fact of conflict in a democratic republic. These are the distinctive features of his view of patriotism.

In the second part of this chapter, we will see why Habermas argues that a constitutional democracy needs constitutional patriotism. In search of this goal, his reading of the historical background of the nation-state is provided. In the third part, we will learn the context of the development of constitutional patriotism and its contemporary significance. And in the final part, David Miller's defense of liberal nationalism is briefly introduced in order to draw a comparison between their responses to issues such as the basis of collective identity, the role of emotions in politics, the nature of multi-national states and so on.

4.2 From *Nation-States* to *Constitutional Democracies*

Nation is a political community, but it implies common descent, or at least common language, culture and history. A state assures law and order within the borders, and protects the borders against external threats. "The idea of the nation was more or less concocted from the invented traditions and the fictional history of a single community with a common ancestry, language, and culture" (Finlayson, 2005, p.123). The term nation implied political existence, but initially it was abscribed to the aristocracy; the political existence of the people was denied. Since the late eighteenth century, the nation of the nobility underwent a democratic transformation into the nation of the people which required a transformation in the consciousness of the educated, middle class before it spread over wider population and created a political mobilization of the masses (Habermas, 1998, pp. 107-110). "The positive self-understanding of one's own nation now became an efficient mechanism for repudiating everything regarded as foreign, for devaluing other nations, and for excluding national, ethnic, and religious minorities, especially the Jews" (Habermas, 1998, p. 111). The exclusion mechanism, in the age of nationalism, is based on identities. However, in Rousseau's patriotism, for instance, it is based on capabilities of sociability.

How and why did the nation-state come to existence? In Europe, early modern forms of community were characterized by locality, feudal hierarchy, and common religious tradition. By the end of the 18th century, these traditional structures and shared cultural values started to lose ground due to urbanization, the movement of goods and populations, and the waning of religion. These developments left a mass society of strangers in urban areas. In this context, nation appeared as a new and more abstract basis for social integration. National consciousness managed to create affective bonds among strangers (Finlayson, 2005, p. 123). In short, economic and social modernization had disrupted the social hierarchy and had mobilized and isolated people as individuals. The political consciousness of national membership arose from this dynamic. It was originated in educated bourgeois public and spread to the population via mass communication (Habermas, 1996, p. 493).

The long-standing empires collapsed and territorial states with a centralized authority took their place. Moreover, ethnic and cultural homogeneity increased along with the democratization of government. Gradual emergence of democratic participation in decision-making bodies gave a legal character to solidarity among citizens. Attachment to a political community went hand in hand with attachment to a collective identity. (Finlayson, 2005, p. 123). French Revolution made it clear that the nation is the source of state sovereignty. Two meanings of the nation; common descent and common citizenship became intertwined. "With the French Revolution, then, the meaning of "nation" was transformed from a prepolitical quantity into a constitutive feature of the political identity of the citizens of a democratic polity" (Habermas, 1996, p. 494). Therefore, nation-state and democracy developed under the shadow of nationalism.

Overall, nation-states achieved to solve two problems at once; the problem of legitimation and social integration. When the divine right concept eroded, the states needed a new source of legitimacy. Plus, there were the problems of social integration created by urbanization and economic modernization. An abstract form of social integration and new structures of political decision-making were combined by the help of the emergence of

national identity. As royal sovereignty evolved into popular sovereignty, the rights of subjects turned into basic liberal and political rights of the citizens. The idea of nation was the driving force behind this change because it appealed to the minds and hearts of people better than dry ideas of popular sovereignty and human rights. Constitutional state owed its cultural basis to the nation. National consciousness based on common ancestry, language, and history turned subjects into community in which people started to feel responsible for one another. Thusly, citizenship were defined by a legal status in terms of civil rights, but also meant membership in a cultural community. One counter-example to this, mentioned by Habermas, is the United States. The United States might be seen as an example which shows that a culturally homogeneous population is not necessary for a republican form of government. At this point, Habermas claims that a civil religion shaping the majority culture played the role of nationalism in the case of the United States (Habermas, 1998, pp. 111-113).

For Habermas, the idea of nation is Janus-faced. Democratic legitimation is rooted in the voluntary nation of citizens, but what assures social integration is the nation founded on ethnic membership. "The tension between the universalism of an egalitarian legal community and the particularism of a community united by historical destiny is built in to the very concept of the national state". The nation-state, indeed, has been successful because it achieved to replace the disintegrating ties of early modern society with a new form of solidarity between citizens. However, this achievement is in danger when the integration of citizens considered to be rooted in prepolitical fact of people instead of political opinion and will-formation of citizens. Habermas claims that a cosmopolitan understanding of the nation of citizens ought to have priority over ethnocentric interpretation of the nation. "Only a nonnaturalistic concept of the nation can be combined seamlessly with the universalistic self-understanding of the democratic constitutional state". Only then, the republican idea can shape the socially integrative forms of society with reference to universalistic patterns (Habermas, 1998, p. 115).

Habermas argues that prepolitical community based on descent, tradition, and language parts company with the republican strand of

citizenship. The identity of the nation of citizens is based on the active participation and communication, not on ethnicity and culture. For Habermas, this is not unexpected because there were no conceptual connection between national consciousness and republican conviction, rather a social-psychological one. Of course, national independence as a form of collective self-assertion is a form of freedom. Yet, national freedom does not necessitate a genuine political freedom for the citizens within the country. Nonetheless, *demos* and *ethnos* were connected only for a relatively short amount of time; they did not share a conceptual connection (Habermas, 1996, p. 495).

Habermas contends that nationalism needs to be overcome, also, due to its attempt “to replace modern forms of social integration – communication, discourse, and legitimate law – with affective ties of kinship” (Finlayson, 2005, p. 125). Yet, the reasons for holding on to nationalism still persist. One of the reasons is the arbitrariness of the boundaries. Appealing to the idea of organic nation conceals the contingency of the borders and provides substance and legitimacy to them. The other reason is that political elites misuse nationalism to mobilize the masses for political goals that are not necessarily in conformity with republican principles. But today, the nation-state is under pressure from within by multi-culturalism. At this point, Habermas wants to explore if there is an alternative for the fusion of nation of citizens and nation of ethnic membership (Habermas, 1998, pp. 116-117).

Indeed, the nation-state assumes a culturally homogeneous population. However, today we are moving away from it as our societies become pluralistic and different forms of life in terms of ethnicity, religion, and worldview keep growing. This development can only be prevented by ethnic cleansing which is normatively a very high price to pay. In an increasingly differentiated society, social integration can be best guaranteed by a democratic process. The diffusion of the majority culture and general political culture is required. This way different cultural, religious, and ethnic groups will coexist on equal terms as well as be a part of the same political community. Habermas concludes that political culture must be uncoupled from subcultures and prepolitical identities. “Of course, the claim to coexist

with equal rights is subject to the proviso that the protected faiths and practices must not contradict the reigning constitutional principles (as they are interpreted by the political culture)” (Habermas, 1998, p. 118).

There is a historical identification of the majority culture with the general political culture in order to render it possible that citizens can identify on equal terms within the shared political culture. This decoupling will transform the solidarity of citizens into a more abstract form which is constitutional patriotism. “If it fails, then the collective collapses into subcultures that seal themselves off from one another. But in either case it has the effect of undermining the substantial commonalities of the nation understood as a community of shared descent” (Habermas, 2001, p. 74). The isolation of subcultures from one another and along with with the differentiation of new collective forms of life “will sap the resources of civil solidarity unless the historical symbiosis of republicanism and nationalism can be broken, and the republican sensibilities of populations can be shifted onto the foundation of constitutional patriotism”. A democratic order does not require a pre-political community of shared descent as the nation. “Once embedded within a liberal political culture, the democratic process itself can then guarantee a sort of emergency backup system for maintaining the integrity of a functionally differentiated society” (Habermas, 2001, p. 76). Deliberative opinion and will formation is the medium of an abstract and legally constructed solidarity of citizens. Political participation is the force that reproduces the solidarity. Solidarity of citizens can only be maintained if social, ecological, and cultural rights are recognized as well.

Habermas is sensitive about the preservation of the identity of the political community. He says that the identity of the political community must not be violated by immigration. However, this identity must depend on political culture instead of on an ethical-cultural form of life. In this case, immigrants are only supposed to engage in the political culture of the receiving society and at the same can also preserve their culture originated from their home country. “Certainly the democratic right to self-determination includes the right to preserve one's own *political culture*, which forms a concrete context for rights of citizenship, but it does not include the right to

selfassertion of a privileged *cultural* form of life". Different forms of life can live side by side, but there has to be an overlap in political culture of the country. Of course, the political culture of the country must be open to the contributions made by different forms of life. "Only a democratic citizenship that does not close itself off in a particularistic fashion can pave the way for a *world citizenship*, which is already taking shape today in worldwide political communications" (Habermas, 1996, p. 514).

In order for a democratic self-determination takes place, the population of the country has to be transformed into a nation of citizens who take initiative in their political destiny. This need is met by the idea of the nation which gives the population a collective consciousness that goes beyond its loyalty to village, family, or clan. The modern state is dependent on national consciousness in order to enjoy civil solidarity. This solidarity is based on a new and more abstract form of bond among people. Even though they remain strangers, given that they have the sense of belonging to a collectivity which is the nation, they feel the need to make contributions or sacrifices such as serving in military or paying taxes. Still, the project of the association of free and equal persons can only be completed with a democratic form of legitimation of political authority. In a democratic constitutional state, it is the people who creates the political order and the legitimacy of the order is derived by citizens' opinion and will formation which makes it possible for citizens to consider themselves as the authors of the laws (Habermas, 2001, pp. 64-65).

Constitution has a central place in the political culture of a country. "Each national culture develops a distinctive interpretation of those constitutional principles that are equally embodied in other republican constitutions—such as popular sovereignty and human rights—in light of its own national history" (Habermas, 1998, p. 118). Constitutional patriotism based on these distinctive interpretations must be alternated with nationalism. Political culture can hold multicultural societies together, but citizens should not only enjoy liberal individual rights but also social and cultural rights. In Northern and Western European countries, as the status of citizens improved in terms of legal and material possessions, the citizens

became “more keenly aware of the *priority* of the issue of the implementation of basic rights—of the priority that the real nation of citizens must maintain over the imagined ethnic-cultural nation” (Habermas, 1998, p. 120).

The constitution is a formal consensus in pluralistic societies. The citizens decide how to live together in accordance with the principles which benefit and have the consent of all. This consensus requires all citizens mutually recognize that they are all free and equal. It is a three-fold recognition. Citizens “should receive equal protection and equal respect in their integrity as irreplaceable individuals, as members of ethnic or cultural groups, and as citizens, that is, as members of the political community”. In legal terms, citizenship meant nationality or membership in a state. Recently, though, citizenship is being interpreted in a way to cover the status of citizens with respect to civil rights (Habermas, 1996, p. 496). Liberal and republican traditions differ on their understanding of the role of the citizen. In liberal understanding starting with John Locke, the role of the citizen is individualist and instrumentalist. Whereas, in republican tradition which dates back to Aristotle, the role is understood in terms of communitarianism and ethics. According to the liberal interpretation, the individuals are outside of the state. They have duties like paying taxes and in turn enjoy organizational services and benefits. In republican understanding, “citizens are integrated into the political community like the parts of a whole, in such a way that they can develop their personal and social identity only within the horizon of shared traditions and recognized political institutions” (Habermas, 1996, p. 498).

Habermas recognizes the advantages of the republican model over the liberal model. Republican model “makes it clear that political autonomy is an end in itself that can be realized not by the single individual privately pursuing his own interests but only by all together in an intersubjectively shared practice” (Habermas, 1996, p. 498). Citizens are able to see themselves in first-person plural not just as atomistic actors following personal success. However, we cannot make active exercise of democratic rights a legal duty because it sounds totalitarian. This is why, “status of citizen depends on the *supportive spirit* of a consonant background of legally noncoercible motives and attitudes of a citizenry oriented toward the common

good”. The role of the citizen and universalist principles of constitutional democracy need to be embedded in the political culture. Social practices cannot create constitutional principles and these principles cannot create “an association of free and equal persons until they are situated in the historical context of a nation of citizens in such a way that they link up with those citizens' motives and attitudes” (Habermas, 1996, p. 499). For Habermas, the examples of Switzerland and the United States show that if a political culture embraces constitutional principles, it does not have to depend on culture, ethnicity, and language. In short, “democratic citizenship need not be rooted in the national identity of a people. However, regardless of the diversity of different cultural forms of life, it does require that every citizen be socialized into a common political culture” (Habermas, 1996, p. 500).

Habermas identifies two basic spheres of politics. One of them is formal and the other is informal. The informal political sphere includes voluntary organizations, political associations, and the media. It is not institutionalized and has no decision-making authority. It consists of a pursuit of communication and discourse. On the other hand, communication and discourse are institutionalized in the formal political sphere. Parliaments, cabinets, and political parties are designed to take decisions as they are important constituents the formal political sphere. In the informal political sphere, citizens engage in a process of individual opinion and will-formation as they “participate in discourse, reach understanding, make compromises and form opinions on matters of particular and general concern”. The formal is the place where laws are passed, decisions are taken, and policies are formulated and implemented. According to Habermas, a political system functions well when decision-making bodies are open to the input of the informal political sphere. In other words, public opinion has to be able to influence laws and policies (Finlayson, 2005, p. 108). Only by this interaction “between institutionalized opinion- and will-formation and informal public communications could citizenship mean more today than the aggregation of prepolitical individual interests and the passive enjoyment of rights bestowed by a paternalistic authority” (Habermas, 1996, p. 506).

Today, the informal political sphere are divided into national zones. Nevertheless, Habermas question the possibility of a European citizenship by which he means not collective political action, but collective consciousness of a European common good. Being conscious of common good and acting in accordance with it requires Habermas to look at the rights of participation. A paternalistic authority might just grace citizens with negative liberties and social rights. Without democracy, we can still have the constitutional state and the welfare state. Surely, "individual freedom and welfare guarantees can also be viewed as the legal basis for the social independence that first makes it possible to put political rights into effect. But these are empirical, and not conceptually necessary, relationships" (Habermas, 1996, p. 504). Acquisitions of individual freedom and social rights may lead to a retreat in citizenship as well. When this happens, there exists only a trade of services and benefits between citizens and administrations. Habermas criticizes the fundamental republican idea of self-conscious integration of a political community of free and equal persons because it is too concrete for modern circumstances. The only way for the masses to exercise their rights of participation is interacting in the informal political sphere which cannot be organized as a whole, but rather grounded by a liberal and egalitarian political culture (Habermas, 1996, p. 505).

Bloody wars that have taken place in Europe underscore the need for a European integration. The prospect of wars and the dangers of national competition fall under Habermasian themes of "learning from catastrophe" and "caring for the victims in the past". As these themes can assist the necessity of a European integration, there is also a contemporary rationale for this project. Economic growth comes with a price; unemployment, poverty, and income disparities. They pose a grave danger to social integration and political stability (Finlayson, 2005, p. 132). Welfare systems, labour market regulation, and redistributive policies have somewhat been able to contain these problems. However, now, large corporations can move their businesses "to countries where markets are unregulated and labour is cheap. The threat of 'capital flight' forces governments of whatever stripe to keep taxes (particularly business and corporation taxes) low" (Finlayson,

2005, p. 133). Consequently, welfare systems are not easy to fund, as labour market regulation and redistributive policies become more and more difficult to implement. Habermas concludes that politics has to expand beyond the nation state, and it is already happening. Gradual emergence of a European political culture and Europe-wide public communication are visible to him.

Habermas regards a prospect of a common political culture in Europe highly probable. The common market will create “a greater horizontal mobility and multiply the contacts among members of different nationalities. In addition to this, immigration from Eastern Europe and the poverty-stricken regions of the Third World will heighten the multicultural diversity of society” (Habermas, 1996, p. 506). Social tensions are, thus, unavoidable. However, these tensions embody the potential to empower the peace, environmental, and women’s movements emergent within nation-states. In Europe, there are also growing number of problems that can only be solved at a continental level. These circumstances may lead to the emergence of a communication in Europe-wide public spheres. “By and large, national public spheres are still culturally isolated from one another. That is, they are rooted in contexts in which political questions become significant only against the background of each nation's own history”. Still, Habermas is optimistic that a common political culture could outgrow national cultures in the future. “Switzerland provides an example for how a common politicocultural self-understanding can emerge by differentiation from the cultural orientations of different nationalities”. Under these conditions, Habermas argues, the Europeans better stop emphasizing their common origins in the European Middle Ages, but instead a political self-consciousness has to be developed in accordance with the role of Europe in twenty-first century (Habermas, 1996, p. 507).

In summary, ethnic, cultural and ideological diversity forces the sovereign state to open itself up to other forms of collective identities. What we need today is “a renewal of a more abstract form of civil solidarity in the sense of a universalism sensitive to difference” (Habermas, 2001, p. 84). “This thin conception of democratic citizenship as an abstract, legally mediated relation between strangers can be stretched to include inhabitants of foreign countries” as well (Finlayson, 2005, p. 135).

4.3 Why Does Constitutional Patriotism Matter?

We need to go into detail about what exactly Habermas means by constitutional patriotism. The best way to comprehend its political significance is to look at the historical origins of the concept.

The most famous proponent of constitutional patriotism is Habermas, however its emergence dates back to the liberal philosopher Karl Jaspers in the early post-war era. Jaspers advocated a concept of collective responsibility while he opposed a notion of collective guilt that some expected from Germans. Collective responsibility is required for Germans if they want to have a democratic political identity and social integration. A negative past is a possible source of social cohesion. In fact, in the German case facing up to the negative past is almost necessary. Free public communication and solidarity of charitable struggle are the ways to deal with the German guilt. This idea of free communication between equals is also utilized by other intellectuals who spotted a connection between remembrance and a democratic political culture, such as Jaspers's pupil Dolf Sternberger and later Jurgen Habermas (Müller, 2006, pp. 280-281).

In post-war Germany, as one would expect, the protection of the liberal democratic constitution became the centre of attention. Although the Weimar Republic of the 1920s had had probably the most progressive constitution of the time, it was unable to defend itself against the enemies of democracy. In post-war Germany, the Constitutional Court showed up as the most suitable candidate to defend democracy against its enemies. Rudolf Smend, an expert on constitutional law, justified it by stating that the Constitution does locate in the centre of the political order and it contains the values derived from the political culture and traditions of the country. The Constitutional Court must refer to these values in its decisions and thereby contribute to social integration. This would educate citizens about their political system without alienating them through government by judges. To a

large extent, it worked and the Constitutional Court became one of the most respected institutions in West Germany (Müller, 2006, pp. 281-283).

In this context, the notion of constitutional patriotism was introduced by the political scientist Dolf Sternberger. Sternberger argued that, before nationalism came along, all forms of patriotism were in fact constitutional patriotism referring to the love of the laws and common liberties. He wanted to return to pre-national form of patriotism. However, the fundamental project is that Sternberger seems to have neglected civil liberties and social rights, but emphasized mainly loyalty to the state and the rule of law. Constitutional patriotism was connected to the idea of militant democracy which is vigilant in defending itself against its enemies. The purpose of this was to make sure that citizens identify with democratic institutions and display a genuine care for them. Citizens were supposed to have a strong will to protect those institutions and take pride in maintaining them. Patriotism was a matter of political achievement, meaning that it was not taken for granted at all. It also required vigilance against the internal and external enemies of democracy (Müller, 2006, pp. 283-286).

It was precisely in this historical and intellectual context that Habermas developed his own interpretation of constitutional patriotism and presented it in the *Historians' Dispute* in Germany in the 1980s. The dispute was mainly about the uniqueness of Nazism and the Holocaust. Was it a unique experience or something that can be compared to Stalinism and the Gulag? But it was not simply a matter of historiography; German collective identity was in scrutiny. Habermas perceived that conservative participants were trying to revive the conventional form of national pride. In return, Habermas suggested constitutional patriotism as the only acceptable form of political identification for West Germany (Müller, 2006, p. 286).

According to Habermas, as it was to Sternberger, constitutional patriotism is a conscious approval of political principles. Habermas thinks that it is not possible to return to pre-national patriotism based on civic solidarity. The disenchantened nature of the world and its division into different domains of value rendered the impossibility of returning to an Aristotelian

polity. Reference to sacred or quasi-sacred objects, such as religion, nation, or even *patria*, is not possible anymore due to the fact that individuals develop *post-conventional identities*:

They learn to adopt as impartial a point of view as possible and to step back from their own desires and from the conventional social expectations with which society and its institutions confront them. Identity becomes 'de-centred', as individuals relativize what they want and what others expect from them in the light of moral concerns. (Müller, 2006, pp. 286-287)

This development exerts a significant impact on the constitution of both individual and collective identities. All transcendent sources of authority seem to have lost their power. Only popular sovereignty has remained as the source of political legitimacy. Democracy entails rights and liberties and that is why it is, in core, universal. However, there needs to be a polity that guarantees and protects these rights and liberties. "De facto, they require the nation-state, the only political framework, in which democracy has appeared in the modern world. Yet, their universalist normative content always exceeds any necessarily particular realization in time" (Müller, 2006, p. 287). Thus, *post-traditional society* comes into existence. This term does not suggest that conventional sources of morality including religion and tradition are set aside all together. Rather, it implies that basic rights and constitutional norms influence, at least to some extent, the interpretation of these conventional values. "Citizens are asked critically to reflect upon particular traditions and group identities in the name of shared universal principles. This also means that they have reflectively to endorse or reject the national traditions with which they find themselves confronted" (Müller, 2006, p. 287). Dynamic processes of identity formation (i.e, open-ended political and legal learning processes) have superseded unconditional or unreflective identification. The object of identification can no longer be fixed even if it is the nation or a historical constitution. There is a post-conventional stance that reflects or even revises identification; and that stance is more important than the object of identification (Müller, 2006, p. 287).

This is a process of *rationalization of collective identities* which requires open-ended communication in a porous public sphere. Attachment is tied “to the general character of the society that emerges from collective learning processes — and to the very procedures and situated practices that make collective reflection and contestation possible as an ongoing project” (Müller, 2006, p. 287). Thus, post-conventional, reflexive identities emerge when national traditions and historical continuities are put into question. Habermas thinks that the Federal Republic is a primary example because the West Germans have been able to develop an abstract patriotism based on rights and procedures which point to a universalist form of political attachment rather than national identities. Habermas’s constitutional patriotism is more universal than the original form. It is also less statist and republican than Sternberger’s conception. Sternberger’s theory was centred on defending democratic institutions, but Habermas focuses on the public sphere in which “citizens could recognize each other as free and equal, engage in democratic learning processes and subject each other’s claims to the very universal principles that they endorsed patriotically”. Therefore, there must be public interpretations on identity in light of universalist norms. This is not to say that national identity is about to be replaced with something else. Rather, it means that identity itself is going to become de-centred (Müller, 2006, p. 288).

Thus, constitutional patriotism means that political allegiance is centred on the norms, values, and procedures of a liberal democratic constitution. It is not based on national culture, as liberal nationalism demands, or on the worldwide community of human-beings, as cosmopolitanism claims. It is expected to emerge in public sphere and the purpose of it is the purification of public argument. It is primarily concerned about the democratic quality of political culture rather than defending democratic institutions from anti-democrats or those who have no care for the common good. Müller thinks that constitutional patriotism is not post-national but post-nationalist. Nationality is not suppressed but de-centred. Constitutional patriotism does not supersede nationality all together, instead nationality is relegated into a secondary role (Müller, 2007, pp. 27-32, 41-42).

Müller concedes that constitutional patriotism presupposes already existing political units and cannot alone produce large degrees of social solidarity. This form of patriotism expects from citizens to be loyal to the idea of citizens recognizing each other as free and equal persons and they should look for fair terms of cooperation that can be justified for all. Reasonable disagreements are inevitable, but minorities will still be interested in maintaining the constitutional regime because it entails the idea of mutual justification. This is what social scientists call the *losers' consent*. Moreover, when minorities feel that they are facing injustice, constitutional patriotism will provide them a language with which they can contest majority decisions. Majority cannot disregard their concerns because of the principle of fairness. Citizens are provided a shared normative framework in which they use a common language. What characterizes a constitutional culture are particular ways of political claim-making and contestation (Müller, 2007, pp. 48, 53-57).

Constitutional patriotism seeks to facilitate and maintain a just constitutional regime. "The object of attachment is not the (written or unwritten) constitution in all its concrete, historical specificity", but the "idea of citizens mutually justifying political rule to each other- and thus, in the end, the moral intuition that things should not just be done *to* people" (Müller, 2007, p. 58). There has to be a consensus on the legitimacy of the enactment of laws and the exercise of power in order to sustain a modern complex society. But why should people be attached to a particular regime? They could be attached to any constitutional regime which provides the constitutional essentials that they value, couldn't they? This criticism is called the specificity requirement and Müller responds to it by enlarging the object of attachment so as to include a constitutional culture which is characterized by deliberations and disagreements related to a particular national and historical context. Constitutional culture is the mediating factor between universal norms and particular contexts. What forms the constitutional culture is a complex process in which constitution, constitutional culture, and cultural and national expressions interact, shape, and if it is possible reinforce one another. Thus, constitutional patriotism is context-dependent and people are expected to engage in conversations, negotiations, and contestations.

Principles embedded in the constitutional regime themselves are up to development and refinement, thereby leading to the revision of constitutional essentials. As Habermas remarks, it is a collective learning process; and in this process constitutional culture is perceived by citizens as always open and incomplete (Müller, 2007, p. 59-61).

Feeling loyalty to a particular constitutional culture and at the same time being attached to universal norms is possible. After all, these norms will be embodied in particular institutions and we have a shared history of endorsing, criticising, and reforming these institutions and practices which constitute the constitutional culture. Once again, constitutional patriotism does not bring irrelevant people together and helps them create a polity based on universal norms. In fact, it does not create anything, it just transforms. The attachment does not have to be solely rational and voluntary. It is not pure politics of will; however, constitutional patriotism expects us to reshape our emotions and dispositions. It is not the national culture that generates political belonging; rather it is the maintenance of the constitutional culture which basically means practices and shared activities. Of course, people are not expected to abandon national traditions altogether. What is needed is a process of attachment, revision, and re-attachment. "In short, political agency, as envisaged by the proponents of constitutional patriotism, has been conceived as animated by a set of universalist norms, but enriched and strengthened by particular experiences and concerns" (Müller, 2006, p. 280). This form of self-critical belonging does not weaken the polity. On the contrary, critical reflection (along with complex emotional attachment) strengthens it (Müller, 2007, pp. 65-73, 141-147). Constitutional patriotism does not simply alter the object of attachment and emotions from a pre-political entity to a political constitution. It offers a complex set of emotions which includes guilt, shame, and also pride in democratic achievements. Anger and indignations towards the wrongdoings in the past and failure to live up to constitutional norms today. Yet, Müller thinks that the sustainability of a polity cannot be achieved solely through emotions. What it needs is first and foremost reflective attachment (Müller, 2012, p. 1932). Solidarity is generated "rather indirectly through the common contestation of the past, as

well as the common goal of promoting universal norms — yet perhaps its most explicit form of solidarity (and caring) was reserved for the victims, rather than present fellow citizens” (Müller, 2006. p. 293). This is a significant break from Rousseau’s and Viroli’s conceptions of patriotism. They regard solidarity, first and foremost, as a bond among present citizens. Habermas, however, formulates his patriotism in a way that solidarity and caring reserved for the victims in the past becomes the basis for the establishment of a more indirect and implicit solidarity among present citizens.

In German case, the emergence of new identity had to be a post-fascist one which means that the Nazi experience was not just superseded, but actually transcended and negatively preserved. Such an identity had to be post-traditional as well. After all, the basis of trust in tradition had been destroyed by gas chambers. Collective identity could still be based on traditions, but it had to be filtered by the Nazi experience. There had to be free public communication and public contestation of the past in a porous public sphere. This would lead to the discovery of a core political morality. Memory would help the enhancement of universal norms at the centre of this form of patriotism. Identity, then, was not static or statist, but generated by contestation of the past and ongoing civic self-interrogation. Memories will not be used as instruments of nationalism, but they will be contested and conflicted. Within liberal legality, no narrative of the past will be privileged and there will be an economy of moral disagreement which is expected to strengthen cohesion and solidarity among citizens. Constitutional patriotism is not only compatible with nations that have a problematic past. Political identity does not have to be formed through contrasts with negatives. The formation of political identity can rely on positive goals as well (Müller, 2006. p. 289-295).

It is important to realize that constitutional patriotism is quite different than traditional patriotism:

constitutional patriotism is not simply traditional patriotism—understood as “fervent devotion to the *patria*—redirected to some new object, whether constitutions or human rights. It ideally involves a much more reflective attachment and, crucially, a critical—and, above all, a self-critical—stance, which never takes it for granted that

universal liberal-democratic norms and values have been successfully instantiated in any given constitution. (Müller, 2012, p. 1926)

Constitutional patriots, in some occasions, may find themselves in a position to defend the constitutional order against threats from within and outside. However, it is not just about this duty. What matters most is the constant contestation of the constitutional order in light of the universal norms. This reflective loyalty suits better to democratic existence which is a form of contained conflict (Müller, 2012, p. 1926). Rousseau sees conflict as something to be removed because it is deemed to be a threat to the republic. Despite his allergy for homogeneity, conflict does not have positive connotations in Viroli's perception of patriotism too. Yet, Habermas regards conflict as an important component of a democratic existence. Habermas's view of patriotism, in fact, requires conflict because constant contestation and an open-ended process of opinion and will-formation cannot be possible without it.

It is known that we live now in multicultural societies in which there are diverse forms of life. Constitutional patriotism is the best way to respond to this predicament:

Constitutional patriotism provides the most plausible response to this state of affairs. It suggests that citizens subscribe to a shared set of liberal-democratic norms and values—but it does not require that citizens become part of the same “culture” in the way that accounts of liberal nationalism tend to do. To the extent that the latter only wants immigrants to accept political norms and values, it is actually just a version of constitutional patriotism; if it asks them to assimilate to the “majority culture” (whatever that may be taken to be), it is, in my view, asking too much. (Müller, 2012, p. 1927)

It might be argued that expecting new-comers to embrace liberal democratic values is illiberal. Müller concedes that states cannot expect immigrants to accept a particular interpretation of political values. However, they can be expected to understand the historical and cultural reasons for that interpretation in a particular national context. Also, they are supposed to challenge the existing interpretations with a liberal democratic language. This form of patriotism seeks political integration but not illiberal outcomes like

cultural wholeness as liberal nationalism seems to ask for. Consequently, there is also a room for contestation, dissent, and even civil disobedience. However, constitutional patriotism cannot be implemented legally, primarily because, it is more like a normative suggestion for the self-understanding of a political collectivity (Müller, 2012, p. 1927-1928).

4.4 Liberal Nationalism versus Patriotisms

I would like to conclude this chapter with a critical commentary which might shed new light on the responses of these three versions of patriotism to some contemporary issues such as the role played by emotions in politics, social justice, and the nature of multi-national states. To this end, I will briefly examine the questions raised by David Miller, one of the leading proponents of “liberal nationalism”.

Miller starts from the assumption that far from being the aggregates of people, nations are communities based on mutual recognition. Nationality contains historical continuity and it is a dynamic identity. Nations do things together. Nationality connects people to a particular geographical place and requires people to have a common set of characteristics which used to be called national character but what Miller calls *common public culture* (Miller, 1997, pp. 23-25). Some of these elements can be seen in Greek and Roman periods as well. The ideas that people have distinct characteristics which divide them as foreigners and compatriots, and that the nation is the object of attachment are not new. But the idea that nations are active political agents, and that they bear the ultimate powers of sovereignty is a modern phenomenon. It leads to the conclusion that policies ought to express popular/national will (Miller, 1997, p. 30).

The ethical implications of nationality are different than other communities. Nationality as a source of identity is more potent than others and its obligations are stronger in the sense that people are ready to sacrifice themselves like in no other communities. Second, political obligations are a matter of public debate: “They will flow from a shared public culture which

results from rational deliberation over time about what it means to belong to the nation in question” (Miller, 1997, p. 70). Similarly, national identities and common public culture are not all-embracing, they leave space for private cultures to flourish (Miller, 1997, p. 26).

National identities are not cast in stone, as Miller puts it, they are quite fluid. Nations are imagined beings and their content changes with time. There are deeper questions such as: “Who we are?”, “What do we believe?”, “What do we want to do in future?” And the responses given to these questions may resort to established institutions as a point of reference, but they do not hold more authority than that. This is why the only thing that nationality “needs to ask of immigrants is a willingness to accept current political structures and to engage in dialogue with the host community so that a new common identity can be forged” (Miller, 1997, pp. 129-130). Interpreted in this way, Miller claims, nationalism does not conflict liberalism. But conservative nationalism, he argues, does conflict with liberalism. In conservative nationalism, the nation is compared to the family in which there exists a hierarchy between parent and children. Beliefs and practices that compose the nation will be free from criticism. The State’s primary concern will be the protection of national myths and this way liberal commitments to freedom of thought and expression shall be of secondary importance and even be infringed. This will also have consequences for the treatment of would-be immigrants,

the conservative conception of nationality is bound to entail a discouraging if not prohibitive attitude towards would-be immigrants who do not already share the national culture. . .

If you regard a common national identity as essential to political stability, and also think that national identity involves an allegiance to customary institutions and practices, you cannot help but regard an influx of people not imbued with a suitable reverence for these institutions and practices as destabilizing. (Miller, 1997, p. 126)

Miller argues that, even though there will be something in our hands that we call our national identity and particular customs and institutions will be tied to it, critical assessment of them will not be excluded. Furthermore, the meaning of membership in a nation changes with time. There will be a collective discussion which will be open to many voices and no voice will be privileged over others. Thus, all voices in this ongoing public debate will be

on an equal footing. These disputes may revolve around the official status of language, different interpretations of history, changes in constitutional arrangements and so on. In these debates, established institutions might occupy a central place, but they will not be sanctified (Miller, 1997, p. 126).

Miller also contrasts his position with what he calls “radical multiculturalism”. He claims that radical multiculturalists too see the imagined nature of nationality. Nevertheless, they fail to realize that sexual, ethnic, and other identities are no more genuine than national identity. Also, radical multiculturalists do not acknowledge the importance of national identities for minority groups. When ethnically distinct immigrant groups are not yet integrated into the receiving society, embracing the new national identity strongly helps them to be treated on an equal footing and accepted by the majority. Moreover, achieving social justice and gathering popular support for such policies require trust not only within groups, but also across groups. Trust, in turn, springs from common identification that nationality can provide. If people were attached one another by mere citizenship, meaning that there were no bonds of nationality, they would look for strict reciprocity in terms of rights and obligations. They would insist on gaining benefits in extent of their contribution. Looking for strict reciprocity would be the case in almost every political decision such as redistributive taxation. People would agree to it only when it serves their rational interests. And with the possibility of private insurance, without communitarian background such as nationality, states would be minimal states concerned only with the basic security needs. The logic of reciprocity can not explain helping people with permanent handicaps. It can only be explained, Miller claims, by the obligations of nationality (Miller, 1997, pp. 71-72 , 135-140). Loobuyck states that the liberal nationalist position locates in between traditional liberalism and communitarianism. The liberal perspective holds that a consensus on universal principles of justice is sufficient for the creation and maintenance of social justice. By contrast, the communitarian perspective insists that a common conception of the good is necessary. “Liberal-nationalism is something in between: distributive justice requires that citizens share more than simply political principles, but less than a shared conception of the good life” (Loobuyck, 2012, 562).

Of course, according to Miller, the strength of national identity is not the sole factor to explain social justice policies. The character of national identity is also important. National identity embodies a shared public culture. The content of that public culture matters, especially whether it is solidaristic or individualistic. Countries like Belgium, Switzerland, and Canada are not considered by Miller as good counter-examples because the common sentiment of nationality does not exclude co-existence of different languages and cultures. Hence, they are not multi-national in the sense that they have developed a common national identity. For Miller, passions like trust and solidarity based on national identity are needed for social justice (Miller, 1997, pp. 96-98). We will see later that proponents of constitutional patriotism have a different take on welfare state and social justice. But one thing is clear; liberal nationalists like Miller do not regard nationalism as a goal in itself. Rather, they aim to instrumentalize it for a greater good, namely social justice.

To describe the necessity of national identity and obligation, Miller focuses on orthodox Jewish groups that does not recognize the authority of the state. They can either withdraw from citizenship or they must accept the obligations. If they withdraw from citizenship, then, they will be exiles within the state. However, if they choose to demand their rights of citizenship and assert their cultural identity as a group; they will have to realize that there will be obligations of citizenship in return. Those obligations will include giving their children a national identity in order to make sure that they are loyal citizens of the country. Under these conditions, “fundamentalists can legitimately argue about the content of public education-they can complain if their children are taught in ways that unnecessarily bias them against their parents’ faith-but they cannot claim the right to withdraw from it altogether” (Miller, 1997, p. 145).

Miller thinks that his conception of nationality is not oppressive because the national identity is fluid and changes over time with the influence of cultural groups. “For this to happen in a democratic way, each cultural group must be in a position to make its voice heard, and that requires representation in legislatures and other such bodies”. Plus, the purpose should be “to use the resources of the common culture to find principles that

place the claims of the group in a wider context—for instance, principles of equal treatment in the supply of public goods” (Miller, 1997, pp. 150-151).

Miller is of the opinion that group and national identities can and should co-exist. However, they must have forms that are coherent with one another. His conception of nationality is liberal because it makes it possible that “individuals can develop and express their ethnic and other group identities, while at the same time taking part in an ongoing collective debate about what it means to be a member of this nation” (Miller, 1997, p. 153). However, Miller does not think that nationality should be replaced by citizenship subscribed to political principles like tolerance, respect for law and the procedures of democracy. These principles indeed should have a place in national identity and having them formally inscribed in constitutional documents can be helpful, but still they cannot take the place of national identity. Because “a national identity helps to locate us in the world; it must tell us who we are, where we have come from, what we have done” (Miller, 1997, p. 175). A fundamental commitment to these principles shapes a political identity. This being said, it cannot replace the political contribution of nationality:

Subscribing to them marks you out as a liberal rather than a fascist or an anarchist, but it does not provide the kind of political identity that nationality provides. In particular, it does not explain why the boundaries of the political community should fall here rather than there; nor does it give you any sense of the historical identity of the community, the links that bind present-day politics to decisions made and actions performed in the past. (Miller, 1997, p. 163)

Constitutional patriotism, Miller argues, does not answer questions about shared history and common culture and claims that citizens can associate purely based on political grounds. He claims that constitutional patriotism is too thin to support common citizenship. “If we are attempting to reform national identity so that it becomes accessible to all citizens, we do this not by discarding everything except constitutional principles, but by adapting the inherited culture to make room for minority communities” (Miller, 1997, p. 189).

According to Rawls, a sense of belonging together is not necessary for common citizenship. An overlapping consensus on political and social justice alone can be the basis of civic friendship and bonds of association (Rawls, 1985, p. 245). Communitarians disagree with this liberal position, as they claim that shared beliefs about justice among atomistic individuals are not good enough for sustainable social justice policies. Communitarians believe that “the practice of egalitarian distributive justice is only possible if the welfare state is rooted in a strong community wherein citizens feel pre-political trust and moral obligations of solidarity to each other” (Loobuyck, 2012, p. 561). As we mentioned before liberal nationalist position is in between. Common political principles are insufficient and shared conception of good is unnecessary. What is needed for trust, solidarity, and social justice is a national identity that is fluid and open to collective debate. This national identity should not only be independent of a common conception of the good, but also of race, religion, and ethnicity. It cannot be culturally neutral though. There has to be a particular national culture or what Miller calls a common public culture. It is basically a common set of characteristics of a people. Official status of language and interpretations of history are one of these characteristics and they are expected to be tied to nationality, even though they will still be a matter of public debate. This kind of cultural non-neutrality is not only empirically correct but also a normative necessity because liberal nationalism does not only expect people to be co-citizens, they are supposed to be co-nationals (Loobuyck, 2012, p. 562).

Miller concedes that solidarity with non-national co-citizens is possible provided that the number of non-nationals is quite small. Still, the situation is considered to be potentially unstable. This unstable situation can be resolved by reducing the obligations of citizenship and turning state into a minimal state. If not, then, the bounds of citizenship and the bounds of the state must coincide. Therefore, Miller argues that if state and nation does not coincide, we cannot have a welfare state (Miller, 1997, pp. 72-73). Advocates of constitutional patriotism refute the notion that feelings of communal solidarity create the welfare state. For them, the welfare state have come about after political struggles for justice and participation and only after that feelings of

communal solidarity have flourished and assisted it (Müller, 2007, p.73). It means that, for Müller, such sentiments have followed rational contestation and have only played an assisting role.

Miller's liberal nationalism is not based on ethnicity or religion and the identity it generates is indeed fluid and open to collective debate. Moreover, ethnic identities can still be furthered as they engage in discussion on the meaning of membership to the nation. However, he still insists on the primary role of nationality and individuals are expected to be a part of it. Also, group identities and national identities must have forms that are coherent. Advocates of constitutional patriotism argue that socializing into a common political culture of liberal democratic values is enough. Individuals are expected to be a part of a constitutional culture which is characterized by deliberations and disagreements related to a particular national and historical context. Miller claims that we should just reform the national identity if we want it to be open to all people but we cannot abandon everything except constitutional principles. What Miller misses is that, for constitutional patriotism, we are not supposed to abandon everything other than constitutional principles. We are expected to be a part of a constitutional culture which is related to a historical and national context. Even national identities will not be abandoned, they will be relegated into a supporting role. Constitutional patriotism questions the normative weight of pre-political identities in political association, but it does not deny that ethnicity, religion, and culture are important components of our identity. It demands them to be self-critical in the name of shared universal principles and envisages the process to be open-ended and expects this process to be more important than the objects of attachment. Recognition as an equal member in a community will develop a sense of belonging which will be strong enough to keep people together (Shabani, 2002, pp. 429, 437).

According to Habermas, accepting universal principles and engaging in an open-ended identity-formation process are enough for a political association. After all, we do not need thicker belongings in a disenchanted and plural world. Liberal nationalism, on the other hand, expects citizens at some point to acquire a common national identity. In the same vein, Miller

blames constitutional patriotism for not providing any historical identity that links the past and present political decisions. However, Müller convincingly addresses this concern and says that even though citizens cannot be forced to accept a particular interpretation of political values, they can be expected to have a knowledge on the historical and cultural reasons for that particular interpretation. For that reason, in civics exam there will be history lessons which will teach new citizens about the related history. In this way, present-day politics will be linked to the decisions and wrongs made in the past. Still, we cannot ignore that there is a fundamental disagreement about this issue. Liberal nationalism tries to create a link between the past and present political decisions by teaching the history of a national identity. Constitutional patriotism aims to create that link by teaching the history of political values and constitutional culture. This is in line with their expectations in terms of attachment. The former wants to create a common national identity whereas the latter supports political attachment to a constitutional culture.

With respect to the challenges posed by immigration, liberal nationalism and constitutional patriotism seem to agree that the identity must be open to contestation. Yet, while liberal nationalism stresses on nationality; constitutional patriotism emphasizes the process itself. Viroli ,meanwhile, does not feel the need to emphasize nationality more and neither does he stress the identity-formation process. For Viroli, the object of attachment is country and the country is to be loved. Since that love will be moderated by reason, it will take the form of a love of common liberty because reason dictates us that liberty should be loved. However, Viroli's patriotism does not address the question of new-comers because he clearly talks about the common liberty of a people living generation after generation over the same territory. Viroli's patriotism also has a common conception of a good life which constitutional patriotism and liberal nationalism regard as too thick. For Viroli, citizens are supposed to have a love of liberty, and liberty has to include social rights as well. The common conception of the good is more radical in Rousseau's patriotism. Citizens are supposed to know about their common interest and by obeying that they will be free. If they are not able to

do it, they will be forced to be free by a law-giver who will also educate citizens to recognize and act on their common interest.

Miller, Viroli, and Rousseau all seem to recognize the role of sentiments in social justice. For Viroli, social rights and redistribution require sentiments like love of country, care and compassion for the country and the citizens. Poor people will find false consolation in the right wing rhetoric unless their sentimental needs are satisfied by a leftist project. Addressing sentiments will not only mobilize the poor for such a project, but also make the rich have compassion for their fellow citizens and thereby making them too an ally for social rights. Rousseau, as well, complains about the gap between the rich and the poor. According to him, power should not be “exercised except by virtue of rank and laws; and, with regard to wealth, no citizen should be so rich as to be capable of buying another citizen, and none so poor that he is forced to sell himself” (Rousseau, 1987, p. 170). This is his understanding of equality. This is the purpose of legislation; liberty and equality. However, people do not always know about their common interest. The Law-giver will take care of that, but he can only have an authority over laws not over men. Civil religion will turn obedience to the requirements of the law into a religious duty, thereby people will be persuaded without convinced. Sentiments, in this case, play a role so high that they have the support of a quasi-theological civil religion. Miller clearly states without the bonds of nationality, people would only look for a strict reciprocity guided by their rational interests. Especially given the possibility of private insurance, without communitarian sentiments provided by nationality, states would become minimal states. Only the proponents of constitutional patriotism stand detached from this line of thinking. They contend that social rights are the outcome of political struggles and contestations which have later created communal solidarity as an assisting factor.

With respect to nationality, Rousseau and Miller have a similar position. They both insist on the importance of nationality even though their conception of it differ. Rousseau claims that nationality is based on exclusive practices, conventions, and even distinctive forms of dress. By contrast, Miller’s view of nationalism is more open to outside influences and public

debate which will potentially change the meaning of it. Viroli, on the other hand, acknowledges the need for nationality as a first step in creating the republic. But then, he sees no good reason to emphasize it more and more and instead, focuses on republican patriotism. The need for nationality in a democratic citizenship is a point of divergence especially between liberal nationalists and constitutional patriots. Their interpretations of contemporary examples display the nature of their disagreements. It might be useful to take a look at Swiss experience. For Habermas, a country like Switzerland shows us that “a political culture in which constitutional principles can take root need by no means depend on all citizens' sharing the same language or the same ethnic and cultural origins”. Socializing into common political culture is sufficient and democratic citizenship does not require to be rooted in nationality (Habermas, 1996, p. 500). Miller thinks that Switzerland is not a good counter-example because there is a developed common national identity in this country. According to Miller, in Switzerland people have both national and communal identities. Due to the nation-building process in 19th century, “Swiss today share a common national identity as Swiss over and above their separate linguistic, religious, and cantonal identities”. All nation-building tools like creating a myth of origin and the resurrection of national heroes like William Tell used in this process. Miller reminds Habermas that national identity can co-exist with linguistic and other cultural differences (Miller, 1997, pp. 94-95, 98).

One study shows that the Swiss experience does not support Habermas's position at all. Self-perception of the Swiss is not primarily political. Swiss citizens and politicians perceive themselves in cultural terms as well. They regard themselves as a culturally diverse community which is a case of unity in plurality. Indeed, there is a cultural pluralism in Switzerland, but it is not to be confused with multiculturalism. Swiss cultural pluralism is not open to all cultures. In fact, it “is exclusively limited to native cultures and is characterized by strong delineation of immigrant cultures”. The study concludes that the proponents of constitutional patriotism lost an important backing for their case. Yet, the example of Switzerland demonstrates that cultural pluralism can be established as the most significant component of

cultural identity (Eugster and Stribis, 2011, p. 411). This emphasis on culture, however, does not create troubles for Viroli's patriotism. In contrast with constitutional patriotism, Viroli's patriotism has a softer stance on cultural influence on politics as long as it is a culture of common liberty. The Swiss example shows that culture can undergird cultural pluralism and liberties that citizens enjoy.



CHAPTER 5

CONCLUSION

This work sought to analyze different responses to the question of what kind of attachment and commitment a republic needs from its citizens. Maurizio Viroli's republican patriotism, Jean-Jacques Rousseau's civil religion, and Jurgen Habermas's constitutional patriotism constitute the main structure of this analysis. The comparison is made between them with

respect to the mode of attachment, the role of sentiments in a republic and its relation with social rights, and the nature of multi-national states.

Viroli's patriotism is a passion moderated by reason. The main sentiment it gives way to is compassion and the main source of attachment is the republic. Viroli's republic means common liberty for all. Accordingly, citizens ought to have a compassion towards it. When common liberty is violated, compassion turns into indignation. Enjoying common liberty in our own country has a better taste and it makes us live in accordance with our culture. Compassion and solidarity are already rooted in our culture and history; what we have to do is to translate them into love of common liberty in a shared country. The object of attachment is the republic, not the nation or ethnic community. Although, citizens are not expected to be culturally disinterested, cultural homogeneity is not an aim in this version of patriotism.

In Viroli's thinking, ethnic, linguistic, and cultural homogeneity is associated with nationalism which, he argues, corrupts civism. Viroli does not favor stressing nationality more and more. However, he does not suggest to abandon nationality and the attachment to national culture either. Viroli seems to suggest that citizens should analyze their culture and customs through the lens of common liberty and remain attached to the compatible ones and abandon the conflicting ones. He argues that a republic is also based on a way of life, a culture. Nevertheless, he qualifies this emphasis on culture by saying that customs and forms of life are to be studied, not to be loved. Yet, he fails to define the legitimate boundaries of culture as an object of attachment and customs as a matter of neutral reflection. Maybe, he suggests that customs assisting the common liberty will be loved, incompatible ones will be abandoned, and neutral ones will be just studied. However, if he is indeed suggesting that, then, he will have to drop his claim to free the citizens from the compulsion of being culturally disinterested. If citizens are supposed to curb their sentiments towards even neutral customs, then, Viroli allows them only love their political culture, which is highly interesting because he never mentions that term. Furthermore, Viroli's patriotism best suits a people living in the same territory generation after

generation. By doing so, he does not respond to the challenges posed by immigration at all.

Rousseau's patriotism is similar to Viroli's in the sense that they both seem to depend on love of country. While Viroli's patriotism ascribes reason a moderating role with respect to passions, Rousseau's patriotism is a more religious one and lacks an emphasis on reason. Via public institutions, Rousseau aims to create bonds of mutual care and solidarity, which he deems essential for republic's survival. Self-love will turn into patriotism. Citizens will still love themselves, but they will see their own selves in a collective way. This resembles the importance of common liberty in Viroli's account, but Rousseau has a more communitarian and radical understanding of it given that some people will be banished from the State because they will be considered as unsociable, meaning that they are incapable of putting the common good ahead of their private interests.

Feeling solidarity with other citizens and obeying the requirements of society and law will bring a sort of divine happiness if citizens are attached to society and laws by a civil religion. The articles of this faith are deliberately put quite simple by Rousseau because he wants them to be more inclusive. It is theologically liberal because it is relatively open to other faiths. A citizen can profess civil religion and have other faiths too with the condition that they are not intolerant and do not detach people from worldly affairs. But civil religion is politically illiberal especially because the State is allowed to banish people from the country on the assumption that they are not virtuous, meaning not good citizens. This is the dilemma in Rousseau's political philosophy; he is concerned with liberty and equality, but his civil religion idea is an illiberal measure towards these goals. Last but not least, the term civil religion seems to imply a quasi-theological backing to his republican project.

In contrast with Viroli, Rousseau thinks that patriotism requires national identity. Viroli believes that as a first step nationalism is necessary but no need to emphasize it more. Viroli also does not say that lack of national identity leads to loss of care for the common good and country, but Rousseau does. Rousseau even stresses on distinctiveness of the forms of

dress which Viroli would regard as a matter of neutral reflection. Rousseau, unlike Viroli, holds a nationalist concern and as a republican patriot comes closer to the nationalist tradition.

I have paid particular attention to David Miller's liberal nationalism in this thesis because it shares similar concerns with Rousseau's and Viroli's perspectives. For instance, Miller agrees with Rousseau that national identity is highly potent so much that people are ready to sacrifice themselves like in no other communities. However, unlike Rousseau, Miller claims that the nature of national identity and collective obligations are a matter of public debate. Miller concedes that nations are imagined beings. As such, the content of the imagining changes with time. Unlike Rousseau, he also does not stress particular customs such as the forms of dress. He has a highly fluid understanding of nationality. He thinks that nationality is a response to deeper questions like who we are, what we believe, what we want to do in the future and so on. Here, an abstract and self-evident common good does not exist as it does in Rousseau's political philosophy. Instead, citizens are supposed to decide what is good for them and naturally it also changes with time.

Unlike Rousseau and Viroli, Miller does address the question of immigrants. Immigrants are only expected to accept political structures and engage in a dialogue with the host community. In this way the content of nationality will evolve and they will also become a part of this process. This is the reason why Miller thinks that his understanding of nationalism does not conflict with liberties and infringe the integration of immigrants. He accepts that there will be a national identity and particular customs and institutions will be tied to it, but critical assessment of them will not be excluded. This assessment process will be open to every voice and none will be privileged over others. Everyone, including immigrants, will have their say even on the most crucial topics like the official status of language, different interpretations of history, changes in constitutional arrangements and so on. Moreover, embracing the new national identity strongly helps immigrants to be treated on an equal footing and accepted by the majority. Once again it is interesting

to note that Viroli who does not place any stress on nationality does not address the question of immigrants.

Achieving social justice and gathering popular support for such policies require a national identity because it alone can provide trust not only within groups but also across groups. It is fair to say that for the redistribution of wealth, Miller thinks that sentiments are needed and nationality is the only reliable bond that can generate these sentiments within and across groups. The existence of a national identity is not a sufficient factor because the content of nationality also matters; especially whether or not it is solidaristic. Yet, it is a necessary factor; if it is non-existent, people would see no justification for social justice policies.

The proponents of constitutional patriotism have a more radical view with respect to the attachment, sentiments, and social justice. Habermas acknowledges that nation-states characterized by national identity played an important historical role. Nation-states were able to solve the problem of legitimation and social integration in a world where pre-modern conceptions of legitimacy collapsed and processes such as urbanization and economic modernization pose significant challenges to social and political integration. An abstract form of social integration and new structures of political decision-making were combined with the help of the emergence of national identity. The idea of nation was able to play that role because it appealed to the minds and hearts of people better than dry ideas of popular sovereignty and human rights. Citizenship were defined by a legal status in terms of civil rights, but also meant membership in a cultural community. In political language, nation is a political community, but it is characterized by common descent, or at least common language, culture and history.

However, today, nation-states and agreements between sovereign states cannot provide a framework to solve the problems that globalization poses. The challenges are related to commerce, communication, economic production, finance, technology, weapons, ecological and military risks. These challenges undermine national sovereignty and in turn require the founding and strengthening of supranational political institutions. Nation-

states were historically based on a culturally homogeneous population. But today, our societies become more diverse in terms of ethnicity, religion, and worldview. Habermas's conclusion is that political culture must be uncoupled from subcultures and prepolitical identities.

The notion of constitution occupies a central place in the political culture of a country. Different national cultures have already developed a distinctive interpretation of constitutional principles like popular sovereignty and human rights. Constitutional patriotism based on these distinctive interpretations must be alternated with nationalism. Political culture can hold multicultural societies together. Citizens must not only enjoy liberal individual rights, but also social and cultural rights. In pluralistic societies, constitution is a formal consensus. This consensus requires all citizens mutually recognize that they are all free and equal. It is a three-fold recognition. They are to be accepted as free and equal as individuals, as members of ethnic or cultural groups, and as citizens. The democratic process itself will help maintaining the integrity of a diverse society. Deliberative opinion and will formation is the medium of solidarity among citizens and political participation is the force that reproduces it.

Individuals develop post-national identities as they reflect on what they want and what other individuals should expect from them in light of moral concerns. Basic rights and constitutional norms influence the interpretation of conventional values including religion and tradition. In short, moral concerns evolve as rights and norms influence the understanding of religion and tradition, and individuals relativize or de-center their identities. For Habermas, this is not an ideal; this is simply a fact. This fact makes it possible that the public can interpret their identity in light of universal norms. What generates political belonging is the maintenance of the constitutional culture, which is considered to be an open and incomplete learning process.

Rousseau, Miller, Viroli, and Habermas all emphasize the importance of culture of some sort. As Rousseau, Miller, and Viroli stress on a broader understanding of culture; Habermas is more concerned with political culture. The proponents of constitutional patriotism think that different cultural

orientations of different nationalities can still share a common politicocultural self-understanding and that's why trying to look for a common cultural orientation or common nationality is unnecessary or even counter-productive. They see Switzerland as a proper example supporting their position but, in fact, it does not favor their position. Switzerland is not simply a politicocultural community but it has a national identity and cultural aspect of that identity is significant. Switzerland shows us that cultural pluralism can be the essence of a cultural identity but, of course, non-political culture will still play an important role in people's self-understanding. Moreover, cultural pluralism does not necessitate openness to other cultures and immigrants but instead can apply only to native cultures. Interestingly, the example of Switzerland can still be used in favor of constitutional patriotism. Despite its cultural pluralism, Switzerland is shaped by strong delineation of immigrant cultures which shows us that the de-coupling of majority culture and general political culture is indeed necessary as constitutional patriots argue. So, in the case of Switzerland, constitutional patriotism loses a prospect of empirical evidence, but gains a normative evidence. The Swiss example fails to show that there *can* be a politicocultural self-understanding separated from majority culture, but shows us that there *should* be a separation as such.

But why should we not try to have a more open majority/national culture instead of trying to separate political culture from majority culture and rely only on politicocultural self-understanding? If we are so concerned with multi-culturalism and openness to immigration, then, why not consider Miller's liberal nationalism as an alternative and expect immigrants to embrace national identity of their host country? After all, the national identity is considered to be open and fluid. Accepting the national identity does not imply that immigrants give consent to everything associated with that national identity. The only thing demanded from them is accepting current political structures and engaging dialogue with the receiving society. If they fulfill these modest conditions, they will have an equal say on every matters regarding the nation. Understood in this way, national identity does not bring with itself an imposition of any kind of policies. Why should we drop this idea altogether?

Habermas stresses political culture as a source of collective identity. Habermas clearly states that immigration must not violate the identity of the political community which is based on political culture. One has the right to preserve the *political culture* but no *cultural* form of life can assert itself. Preservation of political culture requires an overlap in political culture of the country. Of course, the political culture of the country must be open to the contributions made by different forms of life including those of immigrants. So, according to Habermas, there has to be an overlap in political culture, but at the same time there must be some room for change. But how are we going to determine the extent of required overlap and the room for contribution? To what extent the political culture can be changed or preserved? The answer is not provided.

Indeed, the content of the national culture, or as Miller names it, the common public culture would, at least in practice, reflect the majority's interpretation of what it is. It means that even though the new-comers challenge the current interpretation; the chances of failure are likely. However, the same applies to constitutional patriotism as well. The proponents of constitutional patriotism concede that there will be instances in which minorities feel their concerns are neglected, but will still be interested in maintaining the constitutional regime because it entails the idea of mutual justification. They will be provided a language with which they can contest majority decisions. Miller's liberal nationalism is also able to provide that to citizens. When minorities feel they are facing injustice, due to shared nationality, the majority will also have the *intuition that things should not just be done to people*, which as constitutional patriots argue is something we can only have in constitutional patriotism. Therefore, it might be argued that liberal nationalism also graces the political system with the losers' consent.

There are political theorists who think that liberal nationalism and constitutional patriotism might complement each other. Due to globalization, there will always be people that have trans-national activities and bonds; meaning little affinity with their host country. Immigrants need some time, and some of them need even more than others, to establish a healthy dialogue with the common public culture/national culture. When there is no possibility

for cultural nation-building policies, constitutional patriotism may still provide a modest sense of belonging together (Loobuyck, 2012, p. 567). The question whether we should ultimately hope for a non-political belonging or not still remains.

There is also a tension between liberal and republican traditions. The liberal interpretation claims that citizenship is the aggregation of pre-political individualistic interests and the result is the exchange of services and benefits. The republican tradition, on the other hand, has a communitarian understanding of citizenship assuming that citizens are parts of a whole and shared traditions and political institutions are the only sources of their identity. Habermas does not align with liberal tradition, but also does not fully embrace republican assumptions. According to him, the citizens get to decide how to live together in accordance with the principles which benefit them. In pluralistic societies, the constitution formally embodies this consensus which requires all citizens mutually recognize that they are all free and equal. The republican idea of self-conscious integration of such political community is not possible anymore, even if it is based on shared traditions. Yet, we do not need to confine ourselves to the liberal tradition. Indeed, political sphere cannot be organized as a whole but there can be an interaction between the informal political sphere and deliberations in decision-making bodies which occurs in the formal political sphere. The informal political sphere is ought to be grounded by a liberal and egalitarian political culture so that citizens will enjoy their rights of participation. This modified republicanism is Habermas's alternative to the liberal idea of individualist and instrumentalist citizenship.

Miller also adopts a republican view of citizenship which deems public life valuable and requires active participation in political debate and decision-making. It is a similar process with the one Habermas envisages. However, in the end, Miller expects citizens to accept the national identity and be a part of the common public culture. Public life, active participation, and considering citizenship as a whole are the centre of Rousseau's philosophy too, but he attaches an illiberal role to the State. Viroli expects citizens to have civic virtues so that they will have a more or less sentimental care for common liberty and social duties. Political authority cannot legally coerce citizens to

have civic virtues but political tools such as good government and well-ordered participation might educate citizens on that score.

Rousseau's patriotism is the most radical of the four theories in his emphasis on sentiments, so much that he regards them as almost religious feelings. Viroli stresses sentiments, but he expects them to be moderated by reason, instead of religiously following them. Miller, too, recognizes the role of sentiments in politics though with the assumption that only national identity will render them strong enough to achieve political and social justice. In constitutional patriotism, sentiments are mainly reserved for the victims in the past.

Constitutional patriotism offers a complex set of emotions such as guilt, shame, anger, indignation etc. Caring is directed at the victims in the past, rather than present citizens. Solidarity is generated through the common contestation of the past in light of the common goal of promoting universal norms. Coming to terms with the past and caring for the victims in the past may create the feeling of pride among citizens. Citizens are expected to engage in a contestation of the past in light of universal norms. This process gives shape to a collective memory, in which caring is reserved for the victims. Caring for the victims in the past is accompanied by emotions such as guilt, shame and anger. Hence, the intuition that things should not just be done to people. These common deliberations and emotions are expected to determine the way citizens perceive present and future developments. When they reach democratic achievements, they are free to feel proud with the condition that they know it is an ongoing process. This is the promise of constitutional patriotism.



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