Anxieties of Membership: American Citizenship
after Democratic Nationalism

By

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Abstract

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This dissertation argues that the democratic goal of collective sovereignty requires a particularistic, imagined sense of association among members of the demos, and that American egalitarians’ rejection of that idea has profoundly shaped the trajectory of American citizenship since the late 1960s. It develops an analytical framework of “holistic democratic citizenship,” which treats citizenship in contemporary democracies as a composite status of five historically-accreted elements (political participation, rights, equality, intersubjective identification, and perpetuation), and reconstructs an American intellectual tradition of “democratic nationalism,” which prominently attempted to promote holistic citizenship through a nationally-scaled narrative of peoplehood between the first and second Reconstructions.

The inclusive ideal of nationhood championed by democratic nationalists promoted, in particular, the holistic components of intersubjective identification and perpetuation, encouraging Americans to imagine themselves in terms of an expansively-defined national demos. The dissertation argues that in the wake of American egalitarians’ broad rejection of nationalism since the 1960s, newer theorizations of citizenship tend to detach its formal elements (participation, rights, and equality) from location within temporally-continuous settings of intersubjective identification, undermining the epistemic and psychological preconditions of collective sovereignty, and depriving egalitarians of the conceptual resources needed to contextualize, motivate, and render legible the work of democratic inclusion in the United States.

The first part of the dissertation provides a historical and theoretical framework for the second part’s discussion of three contemporary anxieties of democratic membership surrounding immigration, race, and inequality. Chapter One traces democratic nationalism’s rise in the Civil War and Reconstruction era and its decline in the civil rights era, explaining the historical process by which American egalitarians’ democratic aspirations became fused to, and then broken from, a nationalist vision of the demos. Chapter Two introduces the framework of holistic democratic citizenship, showing how the components of participation, rights, equality, intersubjective identification, and a sense of shared futurity contribute to a complex whole, and
how monolithically conservative understandings of nationalism motivate a corrosive formalism and disaggregative tendency in citizenship theory.

Part Two analyzes three contemporary anxieties of membership through the historical tradition of democratic nationalism and the analytical framework of holistic democratic citizenship. Chapter Three analyzes debates over the fate of unauthorized denizens residing in the U.S., defending a political (not economic or humanitarian) approach which resists calls for open borders or differentiated citizenship in favor of democratic principles which instead imply that full inclusion on political grounds is owed to a specific class of migrants.

Chapter Four analyzes historical and contemporary debates over the possibility of interracial solidarity on a national scale, which is directly connected to support for a policy of integration. The chapter argues that in the absence of a nationally-scaled form of identification, racial egalitarians can only fall back on formalistic, one-sided views of citizenship that eschew the politics of integration and ironically reinforce the same racialized boundaries that already obscure patterns of mutual responsibility among citizens.

Chapter Five discusses the anti-tax politics of the conservative movement in the context of contemporary economic inequality. It traces the market naturalism of the new right to a view of citizenship which rejects identification, and argues that this rejection of identification is ironically mirrored by the depoliticized view of political economy that prevails among liberal politicians. These intellectual and discursive changes, traceable to the decline of democratic nationalism in the 1960s, help to explain the unrivaled position of economistic visions of citizenship in an era of spiraling inequality.

The conclusion describes possible futures for democratic citizenship in the U.S. in light of past attempts at national “reconstitution” in both a legal and an ethical sense. The conclusion argues that the avoidance of further democratic decay requires citizens to revive particularistic yet inclusive accounts of their shared democratic life.

The dissertation’s historical narrative and analytical framework contribute to ongoing debates over nationalism, American identity, democracy, and citizenship; as well as immigration, race, and economic inequality. It develops a non-cultural defense of bounded solidarity that differs from both liberal nationalism and constitutional patriotism, while merging the intellectual-historical literature on postwar American “fracture” with political-theoretical analysis of the changing nature of democratic citizenship under globalization.
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Introduction

In the summer of 2016, geologists and seismologists discovered with dismay that the city of Hayward, California had unknowingly destroyed a beloved local attraction: the curb at the intersection of Rose and Prospect streets. The intersection, which rests atop Northern California’s Hayward fault, had for decades provided scientists and curious residents with a surface-level view of the incremental movement of the Earth’s tectonic plates. Right at the corner, two sections of concrete curb that had initially aligned were, over the course of many years, slowly pulling apart with the movement of the fault. These years of movement, otherwise imperceptible to people walking on the sidewalk above, had separated these two sections of once-flush curb, leaving their edges clearly misaligned.¹

The carrying-on of everyday politics ultimately rests on meanings, mindsets, practices, and understandings that have been formed, and are constantly reformed, by human action over time. Living on the surface of these historical accretions, many of us are as dimly aware of their deep foundations as we are of their subtle, constant movement. We may rarely perceive activity at the tectonic level of our politics, but as misalignments grow on the surface, it becomes clear that something beneath us has moved.

Today, American politics is facing an increasingly glaring disjuncture around the meaning of democratic membership. This book examines that disjuncture by tracing it to movement in two underlying concepts: citizenship and nationhood. Over the last half-century, citizenship and nationhood have, in the minds of American democrats, moved apart. Inherited ideals of democratic citizenship no longer match up with once-powerful beliefs about the existence, possibility, or desirability of a national political community. A growing break on the surface exposes fracture in the understanding of democratic membership which once rested atop their former alignment.

The decline of the national idea—either as an accurate description of Americans’ political association or as an ideal worth aspiring to—is perhaps the most important part of the intellectual and political odyssey of American citizenship since the 1960s. From a historical perspective, this is unsurprising, since each of American democracy’s key moments of reform and expansion (the Civil War and Reconstruction, the Progressive era and the New Deal, and the civil rights movement and Great Society) have also, and not coincidentally, been moments of political nationalization. At the foundation of this recurring coincidence was an unorthodox but potent form of nationalism whose home was not on the American right, but among the ranks of egalitarian and democratic thinkers I refer to as “democratic nationalists.”

Democratic nationalism was a historicized, interpretive, and aspirational understanding of the United States, intermittently ascendant between the mid-19th and mid-20th centuries, through which many egalitarians advanced democratizing conceptions of the civic whole. Democratic nationalists believed that achieving freedom and equality under the particular conditions of American life required the cultivation of an inclusive, collective national self-understanding coextensive with the boundaries of the national state.

By the late 1960s, this tradition of self-understanding had begun to fall apart. While at certain dramatic moments, the shocks associated with democratic nationalism’s collapse reverberated across the polity, for the most part democratic nationalism left public discourse not with a bang, but a whimper. The subtler part of its fall can be traced to an emerging skepticism among intellectuals that democracies required a bounded narrative of peoplehood. Increasingly, that notion struck observers as futile, oppressive, chauvinistic, exclusionary, or simply ridiculous.

In short, the United States experienced a simultaneous, intertwined dissolution of democratic nationalism in both popular politics and intellectual discourse. The breadth of the anti-nationalist verdict which prevailed among egalitarian thinkers in this era concealed the intellectual costs of this dissolution, for neither the old tradition of localism nor the new possibilities of postnationalism could secure the full range of democratic goals that have long been implicit in idealized visions of American citizenship. As long as Americans are linked to each other through a nationalized democratic state, a direct confrontation with the question of nationhood is inescapable. In the chapters that follow, I argue that a monolithically conservative understanding of nationhood has encouraged American democrats to delay that confrontation. As a result, in our current period of democratic decay, both popular and theoretical debate over democratic membership exhibit a notable absence where the resources of an older conceptual toolkit might once have been found. I focus on three anxieties of democratic membership: the precarious status of unauthorized immigrants, stalled progress against racial inequality, and high levels of economic inequality amidst a tax revolt led by the wealthy. My discussion of these anxieties blends historical reconstruction with normative argument. Its approach is interpretive—contextualizing and historicizing the concepts of citizenship, nationhood, and democracy in terms of the American political experience, attempting to construct from within existing traditions and vocabularies a more coherent account of the ideals latent within our public political culture.

To claim that American political debate has suffered from the decline of democratic nationalism is not to suggest that the route to democratic recovery lies in restoring a mythical lost consensus. The history of democratic nationalism is one of controversy and, at best, limited success: Its adherents only fitfully held power, and their (frequently unpopular) views were never fully instituted in the nation’s laws and political life. Although they sought a usable history, they did not mistake it for a flawless one; and unlike the nationalists most familiar to us, they did not believe in an unsullied, primordial ethnos awaiting resurrection in the present. The structure of their thought implied that American democracy would not be realized unless Americans believed themselves to be part of a demos which stretched across the whole nation. For them, citizenship and nationalism were complementary phenomena that supported a viable ideal of democratic membership. Although political discourse continues to superficially venerate these ideas, a closer look reveals that an undeniable dislocation has emerged. If we study what has been going on beneath the surface these past few decades, the nature of the break becomes clearer.

A Note on “Nationalism”

Before proceeding further, it is important to specify how this book employs controversial terms such as “nation” and “nationalism.” Much of the existing political-theoretical literature on nationalism, democracy, and citizenship is a product of debates about the European Union, debates informed by the horrors of nationalist violence in twentieth-century Europe. Although understandable, this has resulted in a tendency to overlook two important facts to which David
Hollinger has called attention: that the United States, and not any European state, provides the example of “the largest and arguably the most successful nationalist undertaking in modern history,” and that its nationalism was relatively liberal for a relatively long time.²

Still, for political theorists it is the European attempt to realize postnational democracy, and not the American attempt to realize national democracy, that frames questions surrounding national identity; the competing claims of nation-states and transnational institutions; the negative and positive possibilities of nationalism; the supposed tradeoffs between a thick, democratic politics and a thin, managerial politics; and so on. This tendency risks portraying the particular European experience of nationalism as universally applicable to other places, eras, and circumstances. Europe’s experience with aggressive forms of ethnonationalism has produced a legitimate wariness of cultural and organicist definitions of nationhood, but to treat these as the only kinds of nationalism which exist risks producing a reductive analysis, one that obscures nationalism’s malleability and ignores its potential democratic resources.

It would likewise be misleading to portray the United States as the fortunate exception to an otherwise grim history: The U.S. is no stranger to belligerent, exclusionary forms of nationalism. Nonetheless, American politics has at times been influenced by a different nationalism, a vision of political belonging that eschewed homogeneity, organicism, and ethnic or cultural criteria of membership. Because popular usage of the term is so monolithic, it may seem confusing or simply mistaken to describe this other vision of membership as a form of “nationalism.” I do so advisedly, in the belief that it is better to momentarily risk confusion than to perpetuate inaccuracy. Nationalism is a protean phenomenon, and political analysis is poorly served by minimizing that fact.³ As Hollinger writes, arguments which presume that nationalism has an essential nature distract us from an “analysis of what kinds of nationalism have actually existed and what kinds are now defensible in what contexts.”⁴ Although we have been reminded that appeals to “the nation” remain potent in contemporary politics, we risk forgetting the diverse uses to which such appeals can be put. Keeping the terminology while insisting on its complex meanings is both more faithful to the historical record and more likely to galvanize political imagination in the present.

This approach follows interpreters who, emphasizing nationalism’s relationship to democratic sovereignty rather than its relationship to ethnic or cultural homogeneity, indicate the means by which nationalism can perform crucial political functions without inevitably collapsing into familiar dangers (such as belligerence, exclusion, and chauvinism). Writing about the semantic-conceptual transformation of the word nation, Liah Greenfeld has argued that the term’s 13th century conciliar meaning of “a political, cultural, and then social elite”⁵ had, by the 16th century, come to be applied to “the people”—inaugurating a more dignified conception that treated the populace of a country not as a lowly rabble, but as “the bearer of sovereignty, the basis of political solidarity, and the supreme object of loyalty.”⁶ This reading leads Greenfeld to the somewhat unorthodox position that nationalism is therefore a “political ideology” and “not

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³ As I discuss below, neither “civic nationalism” (which in any case relies on the flawed civic/ethnic distinction that scholars of nationalism have rightly criticized) nor “democratic peoplehood” is not quite synonymous with what I mean by democratic nationalism.
⁶ Greenfeld, 7.
necessarily a form of particularism” (even if subsequent semantic-conceptual transformations have made it “the most common and salient form of particularism in the modern world.”7) This reading highlights an important fact about the modern entanglement of democracy and nationhood:

The location of sovereignty within the people and the recognition of the fundamental equality among its various strata, which constitute the essence of the modern national idea, are at the same time the basic tenets of democracy. Democracy was born with the sense of nationality. The two are inherently linked, and neither can be fully understood apart from this connection. Nationalism was the form in which democracy appeared in the world, contained in the idea of the nation as a butterfly in a cocoon.8

This approach to theorizing nationalism presents it less as a contingent cultural vehicle for introducing civic-republican principles into European modernity (as critics like Jürgen Habermas have suggested9), and more as an answer to a basic problem raised by democratic ideals. As David Miller has put it: “If we are going to say that all power stems ultimately from the people, we need to have some conception of who ‘the people’ are.”10 This is the question of democratic membership to which organic nationalists promoted a potent, but dangerous, answer. One of the major challenges facing contemporary democracy is to formulate answers that avoid not only this unacceptable appeal to ethnic or cultural homogeneity, but also a solely institutional approach which treats subjection to, or participation in, common institutions as a sufficient condition for a shared democratic consciousness. Democratic theory must come to terms with the culturally conditioned character of actually existing democracies, and must find ways of strengthening and deploying the democratizing resources afforded by existing cultural traditions, without essentializing or reifying those cultures and turning them into the sources of unjust forms of exclusion.

Against Static Understandings of Democratic Nationalism

Nations are often defined by some quality or set of qualities, such as a common descent, language, history, territory, or culture. If sharing one or more of these qualities makes a collective of people into a nation, then individuals who possess the relevant qualities meet the criteria for membership (and, by extension, the criteria for a share in collective sovereignty).

Nationalism, understood in this way, has attracted a diverse array of critics. Some are localists who espouse a culturally-thick vision of politics and see the standard criteria of national

7 Greenfeld, 7–8. Emphasis in original.
8 Greenfeld, 10.
10 David Miller, On Nationality (Oxford: Oxford University Press, 1995), 30. In what Greenfeld describes as the earliest period of nationalism, the answer to this question was arguably observable from prevailing conditions. The designation of the English people as a nation in the 16th century was possible because the people were, as a matter of fact, beginning to exercise sovereignty, which in turn allowed them to be designated as a nation without particularistic connotation. In contrast, nations where the people had to be identified before a (heretofore nonexistent) sovereignty could be granted to them accordingly adopted more particularistic forms of nationalism centered on ethnicity, culture, language, and other observable forms of distinctiveness. See Greenfeld, Nationalism: Five Roads to Modernity, 10–11.
membership as too vast to bind co-members in the kinds of associational ties they prize. For such critics, national states will inevitably prove too distant from their members to serve as adequate sites of belonging. In the other direction, so to speak, a different set of critics see nations not as too large, but as too small. There is no convincing reason, these thinkers argue, to draw the boundaries of political membership around qualities such as language, territory, or history. Martha Nussbaum has influentially argued that such qualities of national identity are “morally irrelevant,” and other critics have noted that in many cases, they do not actually correspond to the boundaries of political groups, which may be demarcated by other relevant features. There is also reason to doubt whether the familiar forms of national commonality (not only language and territory, but even culture and history) will perform the binding civic work that nationalists often assume they will.

These criticisms provide many reasons to suspect that there is something amiss in the endorsement of a nationalism which rests on a specific, static sort of commonality, or at least those forms of static “having” which feature in many familiar accounts. Yet when approaching the questions of democratic membership to which various forms of nationalism have, at times, provided influential answers, it remains common to frame the issue in static terms and seek static answers. Consider the frequent attempts by American writers to answer the question of “who we are,” a formulation which suggests that the answer lies in some specific commonalities we share. It is small wonder that such an approach tends to generate answers that are either unhelpfully vague or that otherwise appeal to an implausible essentialism contrary to my purposes here. Given the track record of this literature, casual observers of these conversations (which, more than most objects of academic inquiry, tend to freely cross the porous boundary between scholarly and public discourse) could be forgiven for assuming that such a line of questioning is of interest chiefly to sentimentalists and the ethnonationalist right.

In order to ward off ethnonational visions of commonality while still providing some substantive answer to the question of membership, some thinkers have turned to civic nationalism. Generally, this answer blends descriptive and normative explanation (civic nationalism not only does, but should, bind us together and distinguish us from other nations). But as a description of American politics, the suggestion of a nation organized around shared political ideals not only overestimates the dedication of the nation’s members to those ideals (whose limited application betrays their limited appeal); it also has the ironic effect of freezing their meaning. When the application of civic ideals has expanded in American history, it has chiefly been at moments when their meaning was being contested, revised, and reinterpreted. In other words, civic nationalism suggests fixity where it should accommodate flexibility. Moreover, perceptive critics have noted that civic nationalism provides little assistance on the critical question in response to which nationalist arguments generally arise: the question of membership. There is no reason to assume that assent to certain political principles will overlap with membership in a particular political community—especially when those principles are defined as universal, as many Americans understand their own country’s basic principles. Civic nationalism may generate a misleading picture of the polity’s existing membership while also implying criteria of belonging that extend well beyond its boundaries, raising as many questions about membership as it answers.

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The problems generated by these relatively static approaches can be avoided by redirecting attention to the social processes which produce shared political consciousness. Rogers Smith has developed one such approach by offering a general theoretical account of “stories of peoplehood,” which aim to narratively construct imagined communities that are political in the sense of making binding claims on their members’ allegiances.\(^\text{12}\) For Smith, such stories may appeal to economic interests, promise political power, or perform an “ethically constitutive” role. The latter form of stories “present membership in a particular people as somehow intrinsic to who its members really are, because of traits that are imbued with ethical significance.” There are many possible such traits, but whatever trait the story employs, it will be “constitutive” of members’ “identities as persons, in ways that both affirm their worth and delineate their obligations.”\(^\text{13}\)

In “peoplehood,” Smith provides a useful umbrella term for collective political self-understandings in general. He invokes Benedict Anderson’s description of nations as “imagined communities” while emphasizing that nations are not the only kinds of political peoples which fit his definition. I follow Smith in treating nationalism as one form of peoplehood (and American democratic nationalism as one form of nationalism), rather than using “nationalism” and “peoplehood” interchangeably. I do not, however, adopt all of Smith’s terminology: When discussing American democratic nationalism, I do not treat it as an “ethically constitutive story.” Smith argues that ethically constitutive stories can delineate reciprocal political obligations by explaining those obligations in terms of members’ “identities as persons” and their sense of who they “really are.” While democratic nationalists certainly told a story of peoplehood that delineated members’ obligations, they nonetheless generally avoided this kind of essentializing language (another respect in which they differ from organic nationalists who attribute a distinctive, authentic nature to co-nationals). Democratic nationalism can be seen as an intellectual tradition, a historicized understanding of identity and political purposes, a narrative, and as a framework for interpretation and debate, but it did not attempt to provide an account of who Americans “really are.”

Where Smith elsewhere uses the more active language of “people-building,” his theory comes closer to my usage here. Democratic nationalism can be thought of as something Americans do (or, rather, could do), more than as something about them. The major figures in the tradition tended to treat nationhood as something that is enacted (or not) by the people themselves.\(^\text{14}\) This approach poses both opportunities and challenges. It articulates a kind of bounded solidarity that does not rely on homogeneity, but it makes members of the nation directly responsible for the cultivation of their own imagined association. Moreover, its candid historicism deprives the nation of ancient or organic foundations. The nation is not vested with special qualities that elevate it above other nations. It is an artificial, contingent creation of political actors.

Democratic reformers in American history were initially drawn to nationalized visions of peoplehood out of a desire to demolish the doctrine of states’ rights, which had been invoked to


\(^{13}\) Smith, 64–65.

justify slavery, Jim Crow, and other forms of civic exclusion. In rejecting the right of individual states to assert priority over an (aspirationally) equal and uniform national citizenship, American egalitarians not only prioritized national boundaries, but also tended to take them as given, rather than trying to supply a principled justification for where they should lie. In effect, this reversed the standard nationalist method of boundary-drawing: Instead of determining state borders by reference to the boundaries of a prepolitical nation, they treated the American nation as a political aspiration whose scope would be determined by the boundaries of the state.\(^\text{15}\)

Contemporary critics of state borders might be dissatisfied with the suggestion that democratic theory should, in general, accommodate itself to state borders as it finds them. Do not state borders themselves require justification in the first place? Here, it is helpful to be clear about the justifications we can reasonably expect. I am skeptical that normative argument alone can sketch the legitimate boundaries of states onto an unmarked map. However, it does not follow that bounded states lack any justification; merely that the available justifications are necessarily pragmatic and conditional. State boundaries enable the conditions of democracy, but this defense does not imply that they ought to be immune from revision.

### The Functions of Bounded Solidarity

This loosely pragmatic and statist view of democratic association avoids some of the obvious problems with more conventional forms of nationalism, but it still requires defense against more fundamental criticisms of bounded membership. Critiques of political boundaries in general, which increasingly proliferate in political theory, have grown in ambition since the early work of global justice and open-borders proponents in the late 1970s and 1980s. Now, as the postwar Western order faces a series of interlinked problems broadly interpreted as a “crisis of liberal democracy”—including the rise of xenophobic far-right movements—this trend is likely to increase. After all, in many respects the crisis of liberal democracy is a crisis of exclusion: Anti-immigration politicians are often demagogues who candidly endorse racialized conceptions of the demos, and the exclusions they promote (based on race, ethnicity, religion, culture, and so on) imply a negative judgment on the equality of existing citizens who share those relevant similarities.

The dangers of these forms of exclusion are all too familiar, and too obvious to demand extensive rehearsal here. Within political theory, however, a growing number of thinkers argue that other, less controversial forms of exclusion also deserve more normative scrutiny than they have heretofore been subjected to. These theorists have urged a reconsideration of “benign” justifications for exclusion, arguing that even when such justifications avoid overt bigotry, they nonetheless support exclusionary policies whose effects are difficult to defend. These critiques aim to destabilize the common distinction between defensible exclusions (which may be seen as compatible with, or even required by, democracy) and indefensibly antidemocratic ones, and to suggest instead that exclusion in general may be unjust and/or antidemocratic. On this view, the burden of justification falls on those who wish to exclude, for any reason at all. Most obviously, this view subjects state borders to intense scrutiny, but it also questions those conceptions of bounded solidarity that underlie state borders.

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\(^\text{15}\) A defense of this form of boundedness can be found in Sarah Song, “The Boundary Problem in Democratic Theory: Why the Demos Should Be Bounded by the State,” *International Theory* 4, no. 01 (March 2012): 39–68, [https://doi.org/10.1017/S1752971911000248](https://doi.org/10.1017/S1752971911000248).
Jacob Levy has offered perhaps the most ambitious and thorough critique of bounded solidarity. It begins with the observation, which Levy calls a “moral truth,” that “inhabitants of a political community” are almost always linked together by happenstance, and not by their pursuit of a common purpose, or their membership in a prepolitical social whole (such as an organic nation), or their shared devotion to a set of civic ideals. Not only are citizens not connected to each other in any of these ways; they cannot even be categorized by reference to their “common inheritance of advantages and disadvantages, resources, and relationships,” since “those sets of persons are infinitely complicated.”

“Rather,” Levy contends, fellow citizens are in a fundamental sense moral strangers to each other, united only by the shared circumstances of inhabiting a common political jurisdiction, and not by any prior relationship that legitimates, grounds, underlies, or stands outside of those circumstances. Our moral relationship to one another differs in degree, not in kind, from the relationship among the strangers locked in a room, or passengers on a bus, or any other collection of persons thrown together by happenstance. Statehood is a big happenstance, much bigger than a bus; but it is still a happenstance.

This emphasis on happenstance is the foundation of Levy’s case against bounded solidarity, which egalitarians often invoke to defend redistributive goals. (As a Trump-era New York Times op-ed put it: “The perception of a common national identity is essential to democracies and to the modern welfare state, which depends on the willingness of citizens to pay taxes to aid fellow citizens whom they may never have set eyes upon.”) When such arguments appeal to the “willingness of citizens,” they link the perception of a shared national identity to the moral motivation which democracy and the welfare state are thought to require. Levy regards this “motivational” case for nationally-bounded solidarity as far weaker—empirically and normatively—than is usually supposed. Even putatively civic forms of shared peoplehood, he writes, not only tend to mask underlying cultural nationalisms; they threaten intolerance toward political dissenters and share with organic visions of membership a tendency (indeed, an imperative) to exaggerate both insiders’ similarities and outsiders’ differences. This exaggeration often obstructs the achievement of humane relations with outsiders, by rationalizing indifference or even violence against them.

As Levy summarizes:

I don’t at all deny that our social life together requires some degree of moral commitment, some sense of justice, in order to have some chance of being just. My claim is not that just institutions are likely to arise or be stable out of nothing but calculative self-interest. […] But at best, it seems to me that bounded solidarity is a way of describing an unnecessary loop in the path between the beginning sense of justice and the eventual willingness to pursue just policies: I believe in justice, therefore I feel an

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17 Levy, 108.
18 Levy, 108.
21 Levy, 109–11.
affective connection to my co-nationals and co-citizens, because it is through such affective connection that I will be motivated to pursue just policies. And at worst, it can be much worse than that: a moral-psychological perversion of the sense of justice into action that promotes injustice. The strategy of indirection, of trying to cultivate an enhanced sense of justice by cultivating a stronger commitment to national solidarity seems to me both unnecessary and dangerous.22

Levy’s preferred alternative is a quasi-Augustinian politics of lowered expectations. “We are capable,” he writes, “of cooperating under institutions that we don’t feel deep allegiance to, that we view as only provisionally and instrumentally useful: the political procedures of Babylon, as it were.”23 The stark fact of the state’s usefulness generates a clear justification for political obligation without requiring theorists to deny or evade the obvious reality that most individuals in a state are connected to each other only by chance. If citizens’ obligation or motivation to pursue justice rested on fellow-feeling or a shared prepolitical identity, justice would sit on wobbly foundations indeed—since most citizens, due to the happenstance nature of their association, simply lack the requisite fellow-feeling or prepolitical identity. The usefulness of the state, which requires no appeal to these chimerical sources of unity, provides a far more secure justification. Levy describes his argument as “an extension of one part of David Hume’s critique of social contract theory,” endorsing the Humean view that social contract theorists mistakenly attempted to ground political legitimacy and obligation on (tacit) individual consent, instead of similarly justifying their views on the basis of the state’s usefulness. Levy credits Hume with recognizing that individual consent was essentially superfluous to the argument: “we are bound to the state because the state is useful. The detour through consent was a loop that could be snipped out of the path. Much the same is true for arguments for the motivational or normative force of national solidarity.”24

The obligation of citizens to support a just political order may indeed be justified by the usefulness of that order, obviating the need for a supplemental appeal to bounded solidarity. However, Levy’s argument stretches further to encompass not only the general category of just political orders, but also the specific case of democracies. The essay’s subtitle is not “Justice without Solidarity,” or even “Citizenship without Solidarity,” but “Democracy without Solidarity”—and of “bounded solidarity as a foundation for decent liberal democratic politics,” Levy contends “that we can’t have it and shouldn’t want it,” and that “this is not a counsel of despair, because we don’t need it.”25

However, this contention is supported mainly through a discussion of just regimes in general, and it seems to assume that what holds for those regimes must also apply to liberal democracies. In short: If bounded solidarity is unnecessary for just political orders, it is also (perhaps by extension) unnecessary for liberal democracy. But if justice is a more minimal ideal than liberal democracy, there is no reason to adopt this assumption. Liberal democracy may impose more stringent demands that distinguish its preconditions from those of a regime which aspires merely to satisfy core elements of a just political order.

22 Levy, 121.
23 Levy, 116.
24 Levy, 121.
25 Levy, 111.
My aim here is not to answer the larger question of whether undemocratic political orders can be considered just; instead, I want to pursue this distinction only insofar as it is implied in Levy’s discussion. For at various points, Levy suggests that the essential elements of justice are of fairly limited scope, and may not require democracy. Levy identifies justice’s “core” elements as “life and limb, property and contract” and adds that his critique also applies to “distributive justice of various kinds.” Yet although the normative upshot of the discussion is said to apply to “constitutional democracies,” nothing in these elements of justice is specific to democratic regimes. There is nothing distinctively democratic about the protection of life, limb, property, and contract, nor even about (some forms of) distributive justice; a non-democratic or quasi-democratic regime could perform these functions of justice even if citizens were deeply estranged from each other and had no sense of solidarity. What, then, does this demonstrate about the irrelevance of bounded solidarity to liberal democracy? If none of the core functions to which bounded solidarity is irrelevant are distinctively democratic, the critique’s scope is more limited than the phrase “democracy without solidarity” suggests.

If we consider what distinguishes a liberal-democratic regime from one that is merely just (in the sense described above), the supposed irrelevance of bounded solidarity is less obvious. Broadly speaking, what democracy promises beyond these core elements of justice is collective sovereignty, or the de-alienation of political power; that through the collective mechanisms of politics, individuals will come to have greater control over the conditions over their own lives. In order for political power to be exercised in a way that promotes the collective sovereignty of the demos, democracies require a distinctive epistemology: protocols for acquiring forms of political knowledge relevant to collective decisions. As Elizabeth Anderson writes, the epistemology of democracy requires that “diversity and discussion […] be embodied and facilitated in the institutions and customs of civil society.” In addition to this epistemology, democracies also require a distinctive psychological orientation (referring to the way citizens incorporate, value, and act on that knowledge). As I discuss in subsequent chapters, the point of these epistemological protocols and psychological orientations is to equip citizens with the information necessary to self-govern, and to preserve forms of democratic decisionmaking that guard against domination and do not reduce democratic politics to the mere aggregation of individual preferences.

These protocols and orientations are part of bounded solidarity because they are oriented toward fellow citizens, not other humans in general. Otherwise, they could not guarantee an ongoing project of collective sovereignty, which requires practices of imagination, interpretation, deliberation, and mutual justification to be oriented (primarily, though not exclusively) to other members of the group. In this respect, bounded solidarity performs an important democratic function: It guards against purely self-referential civic reasoning. A breakdown in the epistemological and psychological preconditions of democracy would result in decisions which ignore the concerns or aspirations of members of the demos; corrode public processes of

opinion- and will-formation, losing reference to democracy’s normative core; and permit a form of illiberal majoritarianism compatible with domination and mutual alienation.\(^{29}\)

For these reasons, it is unlikely that we can safely dismiss bounded solidarity as irrelevant to the maintenance of a liberal-democratic order, at least insofar as that order is thought to advance the ideal of collective sovereignty. Skepticism of this collective sovereignty-focused view often stems from an objection to the Rousseauian claim that such sovereignty requires rule by the general will—which has been interpreted by critics as intolerably rigid, conformist, or homogeneous. But it is far from obvious that the ideal of collective self-rule, or even the idea that there could exist such as thing as a viewpoint of a citizen *qua* citizen, requires psychic homogeneity. What it requires is a commitment by citizens to orient themselves in a particular way toward their compatriots, adopting a democratic perspective in which fellow citizens’ concerns, needs, and aspirations register as essential elements of political reasoning. Because this allocation of psychic resources and method of political reasoning is shaped by a special concern for compatriots, it merits the label of bounded solidarity, but it does not imply an appeal to homogeneity or prepolitical identity. Rather, it acknowledges, and even draws strength from, differing perspectives, while preserving the psychological dimensions of what Walt Whitman called democracy’s “orbic quality”:

> The great word Solidarity has arisen. Of all dangers to a nation, as things exist in our day, there can be no greater one than having certain portions of the people set off from the rest by a line drawn—they not privileged as others, but degraded, humiliated, made of no account. Much quackery teems, of course, even on democracy’s side, yet does not really affect the orbic quality of the matter.\(^{30}\)

For Whitman, to be denied solidarity is to be “made of no account”; it is to be ignored or disregarded. Democratic decisionmaking cannot be preserved if “certain portions of the people” are placed outside the scope of concern that ought to govern citizens’ reasoning (“set off from the rest by a line drawn”). This understanding of solidarity, which is concerned more with the psychosocial conditions of democracy than with moral motivations *per se*, is less vulnerable to Levy’s “happenstance” objection. The happenstance quality of citizenship might undermine the grounds for thinking that some special moral motivation (whether a thick commonality, shared purpose, or prepolitical unity) is necessary to ground a just political order, but it provides no reason for thinking that democratic citizens can safely disregard a particularistic concern for their compatriots and still preserve their collective sovereignty.

This difference is largely explained by the character of the problems confronted in a democratic polity. The core functions of justice which Levy associates with a useful state—some form of redistribution along with protection of life, limb, property, and contract—are all designed to solve relatively self-evident problems (such as anarchic violence or starvation-level poverty). The self-evident nature of these problems means that even moral strangers perceive a need to solve them; they require no supplemental process of self-interpretation or deliberation in order to arrive at such a conclusion. But how far can we extend this implicit assumption that

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political problems are generally self-evident? Many of the circumstances which citizens confront in modern democracies do not register as problems until they come to be defined as such through a public process of interpretation. In the chapters to follow, I treat such interpretive processes as pervasive in, and even constitutive of, democratic politics. At its origins, democracy is catalyzed by acts of interpretation which are necessary precisely because the problems democracy proposes to solve (in contrast to the problems which feature in functionalist accounts of the state) are not self-evident. This usually involves recasting some naturalized or traditional power structure—the absolute rule of the king, the authority of the aristocracy, the privileged position of a caste—as an injustice in need of repair. Such interpretations precede a corresponding political action.

Interpretations which transform circumstances into problems unfold against a background of beliefs: beliefs about the nature of the association, who belongs to it, and what it is trying to achieve. All of this presumes a set of roughly identifiable coparticipants who interpret their political circumstances (which are unique to them qua members) through inherited vocabularies, concepts, and ideals. A nation like the U.S., which legitimates itself largely by reference to public documents and putatively guiding values, is therefore uncommonly vulnerable to criticisms aimed at the gap between rhetoric and reality. Thus, when Levy rejects the notion that citizens could be demarcated by a “common inheritance of advantages and disadvantages, resources, and relationships,” his dismissal is too broad. Levy writes that “those sets of persons are infinitely complicated, in a way that the common invocation of ‘a society’ […] cannot recognize,” citing technological and economic progress as inherited resources which are “not bound up with the particular polities into which [individuals] are born.”31 This may be true of technological and economic progress in a broad sense, but the particular structure of the political economy, not to mention a wide range of other meaningful relationships, inheritances, and resources, do overlap with (and indeed may be generated by) shared political membership.32

In a democracy, could things be otherwise? Could the demos arrive at understandings of its shared political life except through public, interpretive processes? Perhaps, if we view the electoral mechanisms of modern democracies as doing nothing more than aggregating privately-formed individual wills, we could imagine a reasonably democratic output that emerges without reference to such interpretive processes. As Habermas has argued, “the political process of opinion- and will-formation in the public sphere” can be analogized either to “the acts of choice made by participants in a market” or to “the obstinate structures of a public communication oriented to mutual understanding.” But of these, only the latter “preserves the original meaning of democracy in terms of the institutionalization of a public use of reason jointly exercised by autonomous citizens,” because it alone “accounts for those communicative conditions that confer legitimating force on political opinion- and will-formation.” When citizens of a democracy act only on the basis of individual preferences, “politics loses all reference to the normative core of a public use of reason.”33

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32 Polities are shaped by specific webs of advantage and disadvantage, justice and injustice, that have a history and effect citizens in different ways. If we approach equality as a contextual ideal whose particular contours cannot be fully described in the abstract, then the influence of these temporal perceptions (both past and future) becomes apparent. Citizens cannot achieve, much less interpret the nature of, equality unless they first identify and understand the past’s influence on the present, and they are unlikely to take responsibility for establishing equality unless they see themselves, in some way, as responsible for the past (even if they simply understand themselves to be undeserving inheritors of privileges that they should, for democratic reasons, work to unmake).
Purely individualistic and institutional criteria, then, encourage a superficial understanding of democracy. A society in which citizens exercise power without regard for each other might be able to meet a minimal, institutional definition of democracy, but would nonetheless enable forms of domination that are incompatible with collective sovereignty. Although many political observers today express worry about institutional breakdown in liberal democracies, democracy is not located solely, or finally, in institutions. Breakdown—more difficult to observe, but also more fundamental—can occur as well in the conditions that enable a democratic epistemology and the formation of democratic psychologies in the first place.

One of those conditions is a shared belief among the demos that they are not merely strangers who happen to be subject to the same jurisdiction, but fellow citizens who share special obligations to one another by virtue of their common membership in a democracy. In American history, antidemocratic beliefs are often tied directly to a denial of this common membership. In response, democratic reformers sought to cultivate a shared belief among Americans that they were all members of a common demos that stretched to encompass the whole national polity. This attempt to cultivate a distinctive national consciousness could only perform its democratic functions as long as Americans believed in nationhood and accepted its legitimacy. In what follows, I describe how American democrats acquired and lost their nationalism, and what that means for American citizenship.
Part One:
Interpreting Nationhood and Citizenship
Chapter One: One Century of Democratic Nationalism

For about one century, between the 1860s and the 1960s, the United States intermittently pursued democratization through nationalization. This era began with what Eric Foner identifies as “the emergence during the Civil War and Reconstruction of a national state possessing vastly expanded authority and a new set of purposes, including an unprecedented commitment to the ideal of national citizenship whose equal rights belonged to all Americans regardless of race.”

The decisive institutional fusion of democracy and nationhood resulted from the particular dynamics of Civil War-era politics. But as James Kloppenberg has argued, a “lively American cultural tradition” of “egalitarian, aspirational nationalism” is detectable as far back as the Revolutionary era. In the process of coming to reject English authority, Americans of the period developed what Kloppenberg calls “the most important innovations of American constitutional thought, the idea of popular sovereignty and the institution of the constitutional convention.” During the spring and early summer of 1776, Americans produced at least 90 “declarations of independence”—a range of related documents, adopted by both colonies and localities, which either announced the end of British rule or otherwise took steps toward independence. By the time the most famous of those declarations was adopted in Philadelphia, the colonists had already begun to develop not only a new procedural, but a new conceptual basis for instituting a self-governing political authority. Its legitimacy and coherence relied on a notion of peoplehood: the collective actor which founds the basic set of rules by which it will govern itself.

During the debate over constitutional ratification, proponents of the new constitution marshaled this idea of peoplehood and cast it in distinctly nationalistic terms. In Federalist 2, John Jay posed the question—“one of the most important,” he wrote, “that ever engaged [Americans’] attention”—of “whether it would conduce more to the interest of the people of America, that they should, to all general purposes, be one nation, under one federal Government, than that they should divide themselves into separate confederacies, and give to the head of each, the same kind of powers which they are advised to place in one national Government.” Jay’s vigorous defense of a nationalized system was supplemented by James Madison’s argument for an extended republic in Federalist 14, which concluded on a rhetorically ambitious note: “Hearken not to the unnatural voice which tells you that the people of America, knit together as they are by so many chords of affection, can no longer live together as members of the same family; can no longer continue the mutual guardians of their mutual happiness; can no longer be fellow citizens of one great respectable and flourishing empire [...] Shut your hearts against the poison which it conveys; the kindred blood which flows in the veins of American citizens, the mingled blood which they have shed in defense of their sacred rights.”

Still, it was only in the 1820s and 1830s that increased immigration, urbanization, and industrialization laid the social foundations for a more broadly nationalized understanding of politics and peoplehood. The United States in the first half of the nineteenth century witnessed, as James McPherson writes, “an unparalleled rate of growth” in “three dimensions: population territory, and economy.” The United States in the first half of the nineteenth century witnessed an unparalleled rate of growth in three dimensions: population, territory, and economy. Between 1789 and 1850, the size of the country quadrupled, the GNP increased sevenfold, and per capita income doubled. Between 1810 and 1860, the urban share of the population rose from 6 percent to 20 percent and the non-agricultural share of the labor force more than doubled. In the 1820s, the annual number of immigrants had remained below 13,000. In the next decade, that number quadrupled; in the early 1840s, during an economic downturn, it grew another 40 percent. In the decade after 1845, about three million immigrants came to the U.S. The U.S. had undergone dramatic change between the Revolution and the War of 1812, but as one historian has summarized, the changes after 1815 “were so substantial as to render its contours practically unrecognizable compared with what they had been at the founding […] It had assumed a place as one of the most important economic producers in the world, its citizens had acquired confidence in themselves as individuals and collectively as a nation, and it seemed to demonstrate the brilliant if raucous possibilities for republican government.”

How would Americans make sense of this emergent society? One major answer was offered by Daniel Webster, whose popular oratory promoted a nationalist conception of American union in, as Samuel Beer observed, “doctrine” as well as “imagery and myth.” During a period when it was experiencing rapid and drastic transformation, Webster deployed a historical story in order to interpret the American polity to itself, reflecting his contextualist concern for developing a sense of nationhood that would orient democratic politics. As Beer notes, one of Webster’s most famous pieces of nationalist rhetoric—his oration on the 50th anniversary of the Battle of Bunker Hill—did not directly “make an argument for the union.” Rather, it opted to “tell a story about it—a story about its past with a lesson for its future.”

Webster’s story, with its call to “let our conception be enlarged to the circle of our duties,” promoted a unified idea of American nationhood by celebrating the revolutionary colonists’ solidarity against British pressure. In its promotion of a mythology of national origins, Webster’s oratory is not unusual for the period. But the fusion of this nationalist narrative with a distinctive

(understood as a collective of individuals sharing common political institutions, in a sense subtly different from the suggestion of a distinctive nationality), see Danielle S. Allen, Our Declaration: A Reading of the Declaration of Independence in Defense of Equality (New York: Liveright, 2014), 115–18.
7 See McPherson, 6–11, 31–32.
8 Joshua D. Rothman, “Antebellum Era,” ed. Lynn Dumenil, The Oxford Encyclopedia of American Social History (New York: Oxford University Press, 2012), 41. By the late 1840s, Rothman adds, these changes “had led Americans everywhere to believe in a democratic, prosperous, and nationally triumphant future,” but with radically different understandings among Northerners and Southerners about whether that future would rest on, respectively, free labor or slave labor. See Rothman, 45.
10 For a sympathetic reading of Webster as a contextualist moral and political thinker, see Scott M. Reznick, “On Liberty and Union: Moral Imagination and Its Limits in Daniel Webster’s Seventh of March Speech,” American Political Thought 6, no. 3 (Summer 2017): 371–95, https://doi.org/10.1086/692572.
11 Beer, To Make a Nation, 12.
political program would later prove of decisive importance in the course of American political and intellectual history.

This is partly because one of the figures most influenced by Webster’s rhetoric was Abraham Lincoln, who would employ its themes in a direct challenge to the compact-based understanding of American politics that came to be closely associated with the regional interests of the South. The strain of American nationalism that runs through Lincoln acquired its distinctively democratic character through its encounter with an ideological foil, a political narrative which cast in starkly different terms not only the basis of American union but also, increasingly, the substantive commitments of American democracy. In Foner’s crisp summation: “the crisis of the Union, among other things, was a crisis of the meaning of American nationhood.”

In the antebellum era, a nascent form of democratic nationalism was marshalled first in opposition to nullification and later against secession, both of which claimed legitimacy through an antinationalist narration of American politics. The vision of political community underlying nullification and secession is captured by John Calhoun’s 1831 contention that “the very idea of an American People, as constituting a single community, is a mere chimera. Such a community never for a single moment existed—neither before nor since the Declaration of Independence.” The position espoused by Calhoun does not directly challenge the ideal of popular sovereignty; it simply denies that the American people, taken as a national whole, are the relevant sovereign. Opponents of this states’ rights view, seeking to advance a nationalist interpretation of American popular sovereignty that could vindicate federal authority, were thus prodded into ideological innovation: They wanted to appeal to nationalist arguments, but they could not invoke the narratives of a primordial, organic community which tended to accompany them. A nationalist narrative of that sort was not only incompatible with the actual diversity of the colonists’ backgrounds; it also would have been tasked with the tricky work of justifying a split from England while also asserting the colonists’ shared Englishness. Instead, the logic of this

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13 Garry Wills identifies Webster as the singular contemporary politician “whose style and arguments Lincoln used as models all through his political life.” See Garry Wills, Lincoln at Gettysburg: The Words That Remade America (New York: Simon & Schuster, 1992), 122. See also Craig R. Smith, Daniel Webster and the Oratory of Civil Religion (Columbia, MO: University of Missouri Press, 2005), 267–68.

14 James Kloppenberg’s evaluation of Lincoln in the context of nineteenth-century nationalism notes the romantic character of his thought but also links it to a specifically political ideal with expansive implications: “Lincoln’s deep commitment to the American national project may be read as another aspect of his romanticism. From his earliest speeches to his last, he harbored hopes for his homeland as ambitious as those of any nineteenth-century romantic nationalist. For Lincoln those hopes were rooted not in blood, soil, or other volkish notions but in his commitments to individual autonomy and human equality, principles only democracy could safeguard.” James Kloppenberg, Toward Democracy: The Struggle for Self-Rule in European and American Thought (New York: Oxford University Press, 2016), 636.


16 Quoted in Beer, To Make a Nation, 8. Although Calhoun is commonly invoked as the classic antebellum defender of states’ rights, Sotirios Barber has recently contended that in effect, he was actually more of a “proslavery nationalist than a states’ righter” whose arguments drifted: “Starting from an effort to defend a state’s right to choose slavery, Calhoun ended by denying a state’s right to oppose slavery. He left the states only with rights whose exercise either advanced or did not impede a view of the national interest in which slavery was essential.” Still, as a mature thinker Calhoun “denied the existence of one national community,” and he “denied that one American people ever had existed or ever would exist.” See Sotirios A. Barber, The Fallacies of States’ Rights (Cambridge, Mass: Harvard University Press, 2013), 130, 133.
interpretation pointed toward a portrayal of the American nation as called into existence by a collective political action consciously undertaken at a precise moment in historical time. In this way, what would prove to be a crucial feature of democratic nationalism was born of necessity. As David Armitage has argued, “the United States might be seen as a, perhaps the only, spectacular example” of “a beast we might call the state-nation, which arises when the state is formed before the development of any sense of national consciousness.” From this unusual sequence of events, democratic nationalists developed a narrative which offered powerful rhetorical and intellectual resources.

That narrative found its most developed and influential expression in Lincoln’s interpretation of the Civil War, which has served as a touchstone for all subsequent thinkers in the democratic nationalist tradition. The Gettysburg Address concisely expresses this interpretation from its first sentence: “Fourscore and seven years ago our fathers brought forth on this continent a new nation, conceived in liberty and dedicated to the proposition that all men are created equal.” These words introduce most of the key themes in Lincoln’s argument, which explains the meaning of the nation’s deepest crisis by reaching back to a pregnant interpretation of its origins. The next sentence immediately links the founding event to the present crisis (a theme to which the speech returns at its close): “Now we are engaged in a great civil war, testing whether that nation or any nation so conceived and so dedicated can long endure.” These sentences capture the Lincolnian intertwining of democracy and nationhood: The current war tests whether a nation conceived in liberty and dedicated to the proposition of human equality can survive. This is unmistakably a nationalist reading of the war’s meaning, but it pointedly does not advance an organic conception of the nation. In fact, it does exactly the opposite. Lincoln defines the union as an artificial result of political action, a “new nation” rather than an organic community; created in historical time (“fourscore and seven years ago”), not recovered from the distant past. Lincoln’s speech emphasizes the artificiality of the American founding, suggesting a kind of nationalist vision that understands its legitimacy in terms of a collective and purposive political action.

The purposive element—specifically, the “proposition” of equality—is the most difficult part of Lincoln’s interpretation: Both the gendered language of “all men” and the obvious fact of slavery call attention to the limits of the founders’ egalitarianism and the difficulties of claiming

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17 This distinctive feature has long fascinated students of American nationalism. In 1944, Hans Kohn asserted: “The American constitutional laws of 1789 have lasted because the idea for which they stand was so intimately welded with the existence of the American nation that without the idea there would have been no nation […] With all its vigorous political and economic aspects, American nationalism nevertheless has been primarily an ideological nationalism.” See Hans Kohn, The Idea Of Nationalism: A Study In Its Origins And Background (New Brunswick, N.J.: Transaction Publishers, 2005), 289. See also Susan-Mary Grant, “A Nation before Nationalism: The Civic and Ethnic Construction of America,” in The SAGE Handbook of Nations and Nationalism, ed. Gerard Delanty and Krishan Kumar (London: SAGE, 2006), 527. On the paradoxical speech act which forms the American people, see Jacques Derrida, “Declarations of Independence,” New Political Science 7, no. 1 (Summer 1986): 7–15. For a wider discussion of how invocations of “the people” retrospectively authorize action within American politics, see Jason Frank, Constituent Moments: Enacting the People in Postrevolutionary America (Durham: Duke University Press, 2010).


their legacy in the present. But this was a problem Lincoln had confronted before. Gettysburg was by no means his first attempt to make sense of, and to creatively exploit, the gaping contradiction between the words of the Declaration and the reality of the country it had called into being. As Garry Wills notes, Lincoln had long insisted that Americans’ proslavery views and their reverence for the Declaration were incompatible. In their debates, Stephen Douglas had responded that this was a false dilemma: Jefferson himself had evidently seen no inconsistency in declaring the equality of men while owning slaves, and in any case, it was the Constitution of 1789—which, as Wills writes, “countenanced slavery”—that was the country’s fundamental law, not the Declaration of 1776. “It was at this point in the argument,” observes Wills, “that Lincoln distinguished between the Declaration as the statement of a permanent ideal and the Constitution as an early and provisional embodiment of that ideal, to be tested against it, kept in motion toward it.” Lincoln’s “dialectic of the ideal with the real,” already developed in his 1858 debates, was at “the very heart of his Gettysburg Address” in 1863.

The arrival of war enabled Lincoln to advance this same basic argument while rhetorically augmenting it with natal imagery that would not have registered with audiences before the experience of national breakdown. At the speech’s outset, Lincoln refers to the American nation being “conceived” by “our fathers” in the year 1776, subtly underscoring his view that the Declaration, not the Constitution, properly represents the nation’s founding. The “test” of the war functions as the death, or near-death, of the 87-year old nation. At the end of the speech, when Lincoln refers to “the unfinished work” that the soldiers at Gettysburg advanced, and the “great task remaining” before Americans, he returns to this imagery, defining the task as a “new birth of freedom,” and implying that this second birth will more fully realize the principles latent in the first.

This was, in a significant if limited respect, what Union victory achieved: The centralized state that emerged from the Civil War, especially in the wake of the 13th, 14th, and 15th amendments, was expressly tasked with what Foner calls a “new set of purposes.” At Reconstruction’s outset, Lincoln’s party was home to a faction of radicals who, as Richard White puts it, “were nationalists committed to a homogenous citizenry of rights-bearing individuals, all identical in the eyes of a newly powerful federal government.” Their ideal of “homogeneous citizenship” meant, in practice, “full civil, political, and social equality for freedpeople and confiscation and redistribution of land in the South”—a nationalist vision informed by their bitter struggle against the antebellum system of “localized rights” that were defined within

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20 The exact nature of these limits is the subject of some debate. In her extensive analysis of the Declaration of Independence, Danielle Allen notes that an earlier draft contained a passage, later excised, in which Jefferson condemned British participation in the slave trade in terms markedly similar to the final draft’s famous invocation of rights, nature, life, and liberty. In that excised passage, Jefferson’s reference to slaves (in which he must, Allen notes, have been referring to men, women, and children of African descent, held in bondage), Jefferson simply uses the gendered pronoun “men.” Inferring that Jefferson’s usage in that instance signals a broader meaning than the white male property-holders who were, in practice, the beneficiaries of the Declaration’s language, Allen concludes that the Declaration of Independence’s reference to “all men” “must mean all people—whatever their color, sex, age, or status.” Allen, Our Declaration, 153–54.

21 Wills, Lincoln at Gettysburg, 101.

22 Wills, 103.

23 Foner, Reconstruction, xxvi.


25 White, 56.
complex webs of group memberships. These radicals were sensitive to the fact that “as long as citizenship remained local, as it always had been in the United States, citizens were manifestly unequal.” As Charles Sumner, the radical Republican senator from Massachusetts, explained in 1867: “The partisans of State Rights, plausibly professing to decentralize the government, have done everything possible to denationalize it. In the name of self-government they have organized local lordships hostile to Human Rights. In the name of the States, they have sacrificed the Nation.” Against this decentralizing/denationalizing tendency, Sumner promoted a nationalism in which the people’s civic unity was characterized by a uniform set of basic rights:

The constant Duel between the Nation and the States must cease. The National Unity must be assured,—in the only way which is practical and honest,—through the principles declared by our Fathers and inwoven into the national life. In one word, the Declaration of Independence must be recognized as a fundamental law, and State Rights, in all their denationalizing pretensions, must be trampled out forever, to the end that we may be in reality as in name, a Nation.

This effort was only partly successful. Although they helped secure the passage of constitutional amendments which advanced the codification and nationalization of democratic citizenship, the radical Republicans never represented a broad ideological consensus, and even when they were able to pass legislation (which they often were not), they struggled against poorly-resourced implementation.

The situation worsened with Reconstruction’s end in 1877, when two superficially divergent trends operated in concert to undermine democratic nationalism. First, Calhounian regionalism resurfaced after the federal government’s retreat from Reconstruction, in the form of Jim Crow—which renewed nullification in practice by hollowing out the Reconstruction amendments, the war’s most significant democratizing and nationalizing legacies. Second, the desire for reconciliation after the war produced a racialized discourse of national unity that deliberately downplayed divisive war-era controversies over slavery and emancipation in favor of a unifying narrative emphasizing the heroism demonstrated by (white) soldiers on both sides of the conflict. As David Blight has shown, this “reconciliationist vision” purchased sectional

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26 White, 59.
27 Charles Sumner, “‘Are We A Nation?’ (Address Before the New York Young Men’s Republican Union at the Cooper Institute, November 19, 1867)” (New York Young Men’s Republican Union, 1867), 32, https://ia902302.us.archive.org/16/items/arewenationaddre00sumn/arewenationaddre00sumn.pdf. Emphasis in original.
28 Sumner, 3.
29 As Carrie Hyde has noted, the legal codification of citizenship was a relatively late development in U.S. history. There was no statutory definition until the 1860s, despite the fact that the term appeared in the Constitution and was obviously salient to a number of antebellum debates about the acquisition of, and rights and obligations associated with, political membership. In part because no authoritative legal definition existed, Hyde argues, the term’s meaning became the site of widespread cultural imagining and contestation, carried out in extralegal and extrapolitical settings that more narrowly legal-political analyses sometimes overlook. Because of its “few clearly specified boundaries, ‘citizenship’ was a uniquely powerful terminological cipher for a range of political ideals and agendas”; it was a not-yet “fully articulated ideological concept’ that underwent “cultural development” in “the era of its legal nascence.” See Carrie Hyde, Civic Longing: The Speculative Origins of U.S. Citizenship (Cambridge, MA: Harvard University Press, 2018), 19–24.
30 White, The Republic for Which It Stands: The United States during Reconstruction and the Gilded Age, 1865-1896, 66, 70, 84.
healing for whites at the cost of racial justice for blacks. It overwhelmed the “emancipationist vision” of the war, which had stressed the agency of African Americans, the radicalism of Reconstruction efforts, and above all an understanding of the war as “the reinvention of the republic and the liberation of blacks to citizenship and Constitutional equality.” Such an interpretation was deemed too polarizing, too likely to reopen old wounds and obstruct the necessary work of national reconciliation, conceived of as a process among whites.

Thus, in a dark irony, the resurgence of a Calhounian politics of nullification and regionalism was actually enabled by a discourse of national unity. This nationalist discourse was almost the opposite of what democratic nationalists had envisioned during radical Reconstruction. A narrative designed to promote reunion among Northern and Southern whites could partly restore civic unity among the racial majority, but of course, this should not be confused with the advancement of democracy. The risk of confusion here can be partly attributed to our familiar but misguided invocation of unity as a goal of democracy. The ideal of unity implies that divisions in the body politic are always to be resisted, but as critics like Danielle Allen argue, the proper aspiration of a demos is not to be unified as one, but rather to achieve wholeness, understood as “integrity and solidarity.” As in the case of the reconciliationist narrative, invocations of unity may serve to mask oppression. An understanding of democracy that stressed wholeness over unity would not have left major civic exclusions undisturbed in the name of sectional reconciliation among whites. Therefore, while the push for reconciliation can be understood in one sense as a form of nationalism, it cannot be regarded as part of America’s democratic nationalist tradition, which makes more far-reaching demands on civic inclusion than nationalism simpliciter.

The demandingness of democratic nationalism is reflected in its adherents’ frequent declaration that American nationhood is an unachieved ideal. Enlisting his audience in a continuation of the task for which thousands had already died, Lincoln spoke at Gettysburg of the “unfinished work” that would lead to a “new birth of freedom.” Frederick Douglass, writing in 1862, declared to readers of his Douglass’ Monthly that “great duties and responsibilities are devolved upon us.” Reminding them that “the structure of the American Constitution and Government imply the existence among the whole people of a fraternal good will, an earnest spirit of co-operation for the common good, a mutual dependence of all upon each and of each upon all,” Douglass warned that merely “putting down the rebels in arms” would not achieve the war’s ultimate goal. “The work before us,” he wrote, “is nothing less than a radical revolution in all the modes of thought which have flourished under the blighting slave system.” In the title of his essay, Douglass described this succinctly as “the work of the future.”

The intertwined themes of responsibility, work, and futurity are evident as well in Walt Whitman’s 1871 contention that democracy had “few or no full realizers and believers” and was

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32 Danielle S. Allen, Talking to Strangers: Anxieties of Citizenship since Brown v. Board of Education (Chicago: University of Chicago Press, 2004), 19. In what follows, I will introduce the concept of “holistic” democratic citizenship, but although the language is similar to Allen’s “wholeness,” it is a distinct concept.
34 Douglass, 521–22.
35 Douglass, 522.
“not yet […] the fully-receiv’、“, the fervid, the absolute faith.” Whitman compared the struggle for democracy’s achievement to the demanding regimen of a top athlete. “Political democracy” was “life’s gymnasium,” and Americans were “freedom’s athletes.” His language makes clear that the achievement of democracy requires intentional struggle: “Whatever we do not attain, we at any rate attain the experiences of the fight, the hardening of the strong campaign, and throb with currents of attempt at least.” Concluding that “the fruition of democracy, on ought like a grand scale, resides altogether in the future,” Whitman further maintained that the criteria of its success would have to be entirely original. Whereas organic nationalists hope to restore a lost, homogeneous culture in the present, Whitman hoped to work toward the creation of a new, democratic culture in the future. What he maintained of American poetry he also believed of the nation itself: “Like America, it must extricate itself from even the greatest models of the past, and, while courteous to them, must have entire faith in itself, and the products of its own democratic spirit only.”

A similar consciousness of responsibility can be detected in James Baldwin’s 1962 statement that “everything now […] is in our hands,” which appears just before his call to “achieve our country.” Richard Rorty, who adopted Baldwin’s phrase for the title of his 1997 lectures on the American left, noted the risk involved in adopting responsibility for the “American experiment in self-creation.” As thinkers like Whitman and Baldwin understood it, that experiment placed America’s “existence in the future.” In other words, it rejects the models implied by reigning American mythologies—both the conservative mythology of a lost utopian past and the complacent mythology of a perfected America in the present. The experiment of self-creation, whether called a task, an aspiration, or something to be achieved, implies both responsibility and the possibility of failure. Like any experiment, its outcome cannot be known in advance. As Rorty observed, “The price of temporalization is contingency.”

The Decline of Democratic Nationalism

The expansion of federal power in the mid-19th century was an attempt to fuse a centralized national apparatus to an expansive egalitarian understanding of American citizenship. These institutional and ideational commitments were combined largely in the Civil

38 Whitman, 472.
39 Whitman, 475.
40 Whitman, 491.
43 Rorty, 22.
44 Rorty, 23.
45 Referring to the Progressive nationalists of the early 20th century and their descendants, Michael Sandel has written: “This nationalizing project would be consummated in the New Deal, but for the democratic tradition in America, the embrace of the nation was a decisive departure. From Jefferson to the populists, the party of democracy in American political debate had been, roughly speaking, the party of the provinces, of decentralized power, of small-town and small- scale America.” On my interpretation, Sandel’s account begins the nationalizing timeline at too late a date, which partly explains why it overstates the extent to which nationalization represents a conceptual departure from democratization in American politics. See Michael J. Sandel, “The Procedural Republic and the Unencumbered Self,” Political Theory 12, no. 1 (February 1984): 92–93.
War and Reconstruction era, but their implications remained the subject of intense debate for decades after the war had ended. To social critics in the tradition of democratic nationalism, Americans’ political imaginations exhibited partialities and parochialisms that lagged behind the implicitly broader scope of the democratic ideals they professed. American political thought at the turn of the twentieth century furnishes numerous examples of thinkers fascinated by the gap between the ideal and the reality of America’s national democracy. The Progressive thinker Herbert Croly offered an especially clear diagnosis in his 1909 book *The Promise of American Life*:

> For better or worse the American people have proclaimed themselves to be a democracy, and they have proclaimed that democracy means popular economic, social, and moral emancipation […] The economic and social changes of the past generation have brought out a serious and a glaring contradiction between the demands of a constructive democratic ideal and the machinery of methods and institutions, which have been considered sufficient for its realization. This is the fundamental discrepancy which must be at least partially eradicated before American national integrity can be triumphantly reaffirmed.

Croly perceived that American democracy, reshaped by war, reconstruction, and industrialization, faced problems that the traditional association of democracy with localism was ill-equipped to address. To replace this obsolete tradition, Croly insisted on the need for new self-interpretations, revised historical narratives, and major changes to political institutions and the state-federal balance of power. The United States, he wrote, must become “a democracy devoted to the welfare of the whole people by means of a conscious labor of individual and social improvement; and that is precisely the sort of democracy which demands for its realization the aid of the Hamiltonian nationalistic organization and principle.” But the Progressive movement was an imperfect vehicle for these democratizing goals, in part because many Progressives, Croly included, endorsed views on race, gender, immigration, and empire that betrayed the limits of their democratic commitments. Croly’s example is a reminder that thinkers who understood democratization in terms of nationalization were not always innocent of conspicuous exceptions to the logic of their position.

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46 Jonathan Hansen’s study of the turn-of-the-century American thinkers he calls “cosmopolitan patriots” is focused on this problem. At the outset of the 20th century, Hansen writes, “All sorts of internal distinctions constituted the American people: not Indian, not African American, not female, not Catholic, not Jewish, not Asian, not southern or eastern European—the list goes on and on. Alleged to be inherently, permanently different from the white male Protestant majority, these people were thought to be, ipso facto, fundamentally unequal to it, hence unworthy of democratic citizenship. The foremost aim of the cosmopolitan patriots was to end the invidious conflation of citizenship with cultural homogeneity at the heart of American nationalism. […] As mature adults, Eugene V. Debs, Jane Addams, and W. E. B. Du Bois would work to make the so-called imaginings of the American national community more generous, more encompassing, a task made possible by the protean quality of national identity.” See Jonathan Hansen, *The Lost Promise of Patriotism: Debating American Identity, 1890-1920* (Chicago: University of Chicago Press, 2003), 39.


48 Croly, 263.

While other thinkers associated with the Progressive movement (less prominent than Croly) advanced relatively inclusive conceptions of nationhood, a more significant advance of democratic nationalism was achieved during the New Deal era—“an experiment in state building,” as Gary Gerstle writes, “without precedent in [American] history.” The ambition and energy of the 1930s and 1940s was not limited to the New Dealers in official positions of power; the era also witnessed an explosion of radical activism that took ideological and rhetorical inspiration from left-nationalist sources. The catalyzing power of these ideas would also fuel the civil rights movement, in which David Hollinger has detected an “intangible nationalism” akin to the “decidedly nationalist” orientations of the Progressive Movement, the New Deal, and the Great Society. “The appeal to a common destiny—to a sense that we, as Americans, are all in it together—has been a vital element in the mobilization of state power on behalf of a number of worthy causes,” Hollinger writes, even if the deployment of such appeals “has always been episodic.”

Yet both the democratic nationalist narrative and the institutional means for realizing it began to break down around the late 1960s, when growing skepticism about the competence and benevolence of the federal government was matched by a range of challenges to the association of American nationhood with an expansive ideal of equality. The right had never accepted the progressive implications of that narrative; but now, on the left, the shortcomings and failures of nationalist liberalism seemed to indicate the hollowness of its guiding story. As a result, a diverse set of Americans came to reject democratic nationalism as a self-understanding and as an institutional approach to American politics. As Gerstle observes:

The 1970s crisis in American nationalism did not trigger, of course, a literal fragmentation or unraveling of the American nation […] The nationalist crisis occurred primarily in the realm of ideology, culture, and institutions. Many people who resided in America no longer imagined that they belonged to the same national community or that they shared a common set of ideals. The bonds of nationhood had weakened, and the Rooseveltian program of nation building that had created those bonds in the first place

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50 See, e.g., Hansen, The Lost Promise of Patriotism: Debating American Identity, 1890–1920.
52 See Gerstle, 130.
54 Here I refer not only to the national state, but to the American labor movement, which, as Gerstle puts it, “gave this [Rooseveltian] civic nationalism social democratic meaning.” See Gerstle, American Crucible, 185. Union membership peaked in the last year of Roosevelt’s life at 35.4% of all nonagricultural workers. That number stayed fairly stable for the next 15 years, falling and then rising again in the 1950s before beginning a slight decline in the early 1960s. Between 1960 and 1970, nonagricultural union membership fell from 31.4% to 27.3%. Over the next decade, it fell again to 22.2%, and then (after a decade more) to 15.3%. See Gerald Mayer, “Union Membership Trends in the United States” (Washington, D.C: Congressional Research Service, 2004), 22–23. Today the union membership rate for all wage and salary workers is below 11 percent, and in the private sector the rate is only 6.4 percent. See “Union Members Summary” (Bureau of Labor Statistics, January 26, 2017), https://www.bls.gov/news.release/pdf/union2.pdf.
55 As Kloppenberg summarized in 2002: “During the last four decades, many Americans on the left have tried to demonstrate their radicalism by dismissing this tradition of aspirational nationalism as a form of apology or celebration of America’s profoundly flawed, inegalitarian past.” Kloppenberg, “Aspirational Nationalism in America,” 68.
had been repudiated. A nationalist era that had begun in the early decades of the twentieth century had come to a stunning end. 56

Gerstle’s careful wording in this passage subtly marks the important difference separating his understanding of the “crisis in American nationalism” from the diagnoses offered by many contemporary writers. For Gerstle, the “crisis” occurred when Americans “no longer imagined that they belonged to the same national community or that they shared a common set of ideals.” In other words, it was not difference per se, but rather the ability or willingness to imagine a national whole that included the rest of the demos, which troubled the left-nationalist tradition whose political influence had peaked during the New Deal. I will say more in what follows about the diverse reasons for this crisis, but at this early point, it is worth stressing the distinctiveness of treating it as a set of interrelated changes in collective imaginaries, rather than as a simple transformation from “unity” to “disunity.” The latter interpretation has gained prominence in part because many of the ascendant political claims from the 1960s onward were rooted in the assertion of difference and were often accompanied by calls for separatism—a trend that was not lost on either cultural critics or academic observers, from whose ranks emerged numerous studies attempting to make sense of this pervasive feeling of dislocation. 57 The operation of some centrifugal force did underlie otherwise disparate developments in the culture, politics, and economy of late-20th century America, but it creates historical and normative confusion to suggest that public recognition of longstanding forms of diversity and difference was itself responsible for the sense of mutual alienation that now characterizes American politics. Rather, as Daniel Rodgers cautions, we should look instead to “struggles over the intellectual construction of reality,” to “the ways in which understandings of identity, society, economy, nation, and time were argued out,” and how, in the postwar era, “imagined collectivities shrank.” What we find in such an investigation is not a simple causal explanation rooted in the unfortunate collapse of an enlightened midcentury consensus, but a much more complex tendency in public thought, elegantly captured in Rodgers’s simple phrase: the “age of fracture.”

Democratic Citizenship after Democratic Nationalism

The ideational and institutional changes of the age of fracture have displaced the understanding of citizenship promoted by democratic nationalists. But like the two sections of sidewalk that gradually became misaligned, only after our conceptual resources have drifted far from our received ideas of citizenship has this dislocation become obvious. As historians like

56 Gerstle, *American Crucible*, 345. Emphasis added. It is true that Gerstle periodizes the major period of American nationalism differently (locating its origins later), but this is not so much a disagreement as it is a choice to emphasize other factors. In any case, Gerstle’s timeline is compatible with the short account I give here.


Rodgers and Gerstle have shown, the decline of democratic nationalism made possible a series of centrifugal tendencies that, in combination, have moved American citizenship away from the vision that promoted democratization between the 1860s and 1960s.

An emphasis on the historicized character of democratic nationalism makes it easier to see that this tradition was never simply the commonsense embodiment of citizenship in general, but rather a particular, contested vision that arose only from intellectual and political struggle. Even if democratic nationalism makes possible an expansive form of political equality under the specific conditions of American politics, it is neither the only form of citizenship possible in the U.S. nor intrinsic to the logic of citizenship *per se*. In fact, it proved as easy to lose as it was difficult to achieve.

The timing of democratic nationalism’s decline—just after the “Second Reconstruction” of the 1950s and 1960s, when the American demos was on the verge of a more expansive and nationalized reconstitution than had ever prevailed before—is one of the most intriguing and consequential elements of this story. In the end, the democratic nationalists of the mid-twentieth century largely succeeded in the legal dismantling of America’s racial caste system, but they achieved neither a broader socioeconomic egalitarianism nor a comprehensive reimagination of the scope of the democratic community. The nationalist narrative that had helped to make sense of America’s first Reconstruction was falling from favor at the moment of its second Reconstruction. What emerged from this period of change was a new constitutional order which had partly advanced some of democratic nationalism’s political goals while abandoning its underlying conception of political membership. This unstable combination has endangered the fledgling regime, although the emergent theoretical discourse of citizenship in that era obscured, and continues to obscure, that fact.
Chapter Two: The Many-Sidedness of Democratic Citizenship

The chapters to follow will examine the weakened position of democratic nationalism in American politics after the 1960s through discussions of three anxieties of membership. The intellectual context for those debates was shaped by a contemporaneous development in political theory: the new postnational directions taken in response to John Rawls after the publication in 1971 of *A Theory of Justice*. In *Theory*, Rawls had restricted his approach to the basic structure of society “conceived for the time being as a closed system isolated from other societies,”¹ but the idea that theorists of justice could constrain their concern to single, bordered societies was soon challenged by his major interpreters.² Once mainstream normative political theory was ready to transcend borders, so too was the figure of the citizen. The rise of postnational and cosmopolitan theories of civic membership posed new, distinctive challenges for the American democratic nationalist tradition, which had generally defined itself against a subnational, not supranational, opposition. Many of the democratic arguments which had informed its preference for the nationalization of political life now seemed to point toward the postnationalization of democracy, presenting the special challenge of an internal critique.

Further complicating this critique is the fact that citizenship has proven, in the hands of political theorists, to be a flexible term: It has been variously defined as a formal political-legal status, as entitlement to rights, as participation in self-governance, and as an identity.³ In some cases, these descriptions follow the lead of political actors, who have often found that it suits their immediate purpose to emphasize some of these elements and downplay others. The human rights movement has employed the language of rights and sought protection against harms via the creation of legal statuses outside the framework of membership in any particular state. Black nationalists in the United States have stressed the importance of shared racial identity while criticizing other understandings of civic identity as inauthentic and coercive. Cosmopolitans have attacked the very notion of identity as a justifiable basis for political community, participants in international civil society speak of multiple “citizenships” in voluntary political associations, and radical democrats call for participatory structures that cross borders and even involve the whole population of the Earth in their scope. To call someone a “citizen” may refer to one, some, or all of these senses; in some cases, it may refer to none of them and imply something else entirely.

² As Michael Blake and Patrick Smith write: “Rawls is explicit, in his theory, that his principles should be taken as only describing the nature of justice within the political society represented by a territorial state [...] This difference in treatment between the domestic and the international context was immediately troubling to many philosophers. [...] The net result was, for many commentators, a sort of internal inconsistency in Rawls’s theory; if Rawls was to regard income inequality above that permitted by the difference principle as unjust, he should do so in a thoroughgoing way, and condemn the inequalities between the wealthy and the impoverished internationally (see Pogge 1989, 1992, 1994; Beitz 1973, 1979, 1983; Scanlon 1973). Rawls can, on this account, be taken as the originator of the modern dialogue on global distributive justice—not because he was the first to speak out against international inequality, but because he did not do so.” See Michael Blake and Patrick Taylor Smith, “International Distributive Justice,” in *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta, 2015, http://plato.stanford.edu/archives/spr2015/entries/international-justice/.
³ More pointedly, Andreas Fahrmeir writes that “citizenship has come to mean anything and nothing.” See Andreas Fahrmeir, *Citizenship: The Rise and Fall of a Modern Concept* (New Haven, Connecticut: Yale University Press, 2007), 1.
Holistic Democratic Citizenship

Nonetheless, the many dimensions of citizenship commonly invoked in political discourse provide a good starting point. They amount more to a collection of ideals than a range of alternatives, and indeed, far from being mutually-exclusive, these different readings of citizenship should actually be regarded in holistic terms. Collectively, they express the chief goals embedded in our normal understanding of the concept: That individuals will enjoy

1. the chance to rule and be ruled in turn
2. in a system that protects basic rights and liberties
3. and which recognizes and promotes their equality
4. as well as the intersubjective realization of a civic whole that enables common identification as well as respect for difference
5. and which is capable of perpetuating itself and its preconditions over time.

I call these five components of citizenship (1) participation, (2) rights, (3) equality, (4) intersubjective identification, and (5) perpetuation.

It is tempting to answer the question “What is citizenship?” by isolating one of these constitutive elements as the key feature which alone justifies the use of the term. But in ordinary usage, “citizenship” simply does describe an array of aspirations, identifications, statuses, privileges, and practices. This reflects its diverse historical manifestations, which draw from different intellectual and cultural sources, and which have developed under drastically different political regimes. My aim here is to show how these components of citizenship reinforce each other in contemporary democracies.

I use the term holistic democratic citizenship to capture a view of democratic citizenship that stresses the dynamic, mutually reinforcing relationship among these five components: participation, rights, equality, intersubjective identification, and perpetuation. The holistic framework rests on the basic theoretical claim that citizenship’s various goals are not merely compatible; they can actually be understood as supporting each other in a dynamic balance. This account suggests that the achievement of democratic citizenship is a complex and fragile amalgam. From the holistic perspective, changes to citizenship (whether in citizens’ imaginations, in policy and law, or in normative theory) which omit one or more of these five basic components effectively unbundle, or “disaggregate,” that which functions best as a dynamic whole. The holistic framework regards such forms of disaggregated citizenship as presenting profound challenges.

In what follows, I attempt to intellectually reconstruct the intersection of citizenship and nationhood in American politics by examining how the logic of holistic democratic citizenship, on the scale envisioned by democratic nationalism, applies to contemporary anxieties of membership in the United States.

Although unwieldy, this way of understanding citizenship’s diverse goals shows why it can be subject to such diverse definitions, and why single-axis descriptions cannot do full justice to the term. We should regard our accreted contemporary understanding of democratic citizenship as neither one-sided nor open-ended. Such mistakes characterize many contemporary theorizations of citizenship, which treat various disaggregated forms or experiences of citizenship as equivalent to the holistic ideal. What the holistic framework maintains, in contrast, is that a flourishing experience of democratic citizenship involves all of its components, stably realized in a temporally-continuous association.
Origins of Citizenship as Participation, Rights, Equality, and Intersubjective Identification

By considering (in a necessarily brief sketch) the origins of these basic components, we can come to a better understanding of the diverse goods that democratic citizenship is understood to advance today. The earliest major source of our conception of citizenship comes from Aristotle’s understanding of a citizen as “one who shares in ruling and being ruled,” a participatory definition indicating that citizenship is an active office through which individuals realize the good of self-rule. Moreover, Aristotle’s reference to “ruling and being ruled” suggests an ethic of mutuality; citizenship is something people share and do together, and which they seek to perpetuate over time. For, as Aristotle writes, “although citizens are dissimilar, preservation of the partnership is their task, and the regime is [this] partnership; hence, the virtue of the citizen must necessarily be with a view to the regime.”

To this Aristotelian idea of a regime-specific office of rule, the modern understanding has fused a second ancient conception, associated with the Roman jurist Gaius, which portrays citizenship as a legal status. On the Gaian understanding, writes J.G.A. Pocock, the human individual went “from being kata phusin zoon politikon” to “by nature a proprietor or possessor of things”; it was in this legal sense, and not in an explicitly political one, that a person “became a citizen.”

Correspondingly, the citizen was no longer regarded as someone eligible to hold office and participate in rule, but rather as an individual who lives under a juridical system that regulates property. In diverging from the “Aristotelian significance” of citizenship-as-rule, the Roman jurisprudential tradition refigured the citizen as “someone free to act by law, free to ask and expect the law’s protection, a citizen of such and such a legal community of such and such a legal standing in that community.”

Our contemporary understanding of citizenship reflects the influence of both of these ancient traditions. We moderns would be reluctant to omit either participation or rights from our conceptions of citizenship: Whatever the tensions between the more public-minded, political ideal of Aristotle and the privately-oriented, legal ideal of Gaius, there is a broad consensus on

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4 I shift between discussing ‘citizenship’ and ‘democratic citizenship.’ This is for the simple reason that they are distinct: not all citizens are citizens of democracies, and not all visions of citizenship are compatible with democratic ideals and institutions. Some of the ideals which have been incorporated into contemporary understandings of democratic citizenship originated in non-democratic contexts, but have become important components of democracy as nearly all moderns understand it. I try to be consistent with my use of these broader and narrower terms so that the reader can follow when I am discussing citizenship in general, or citizenship in its distinctively democratic form.


6 Aristotle, secs. 1276b28-31.


8 Pocock, 35–36.

9 Judith Shklar drew a similar contrast between Aristotle and early modern political theorists. “Nothing,” wrote Shklar, “could be more remote from these essentially active forms of [civic republican] citizenship than the notion of the citizen as a loyal subject,” a notion whose development she traces through Hobbes and Bodin. Although the brief discussion of citizen-as-rights-bearer here refers to Gaius rather than these early modern thinkers, I am drawing the same basic contrast. Shklar writes: “Aristotle’s definition was, in Bodin’s view, ‘lame and defective’ because ruling is a function of princes, while citizens are marked by the enjoyment of legally granted rights and privileges [...] Bodin can claim to be the real inventor of the modern state and its limited but essentially equal and inclusive notion of citizenship.” See Judith N. Shklar, American Citizenship: The Quest for Inclusion (Cambridge, MA: Harvard University Press, 1991), 32–33.
the value of both political participation and the security of a predictable legal framework. Each is a standard element of contemporary regimes of democratic citizenship.

The participation and protection offered by ancient citizenship regimes did not necessarily imply an additional element which has become standard in modern conceptions of democratic citizenship: some form of equality among persons designated as citizens. The presumption that democracies guarantee civic equality is now reflected in everyday language. “Second-class citizenship” not only carries a negative connotation; it is almost a contradiction in terms. Yet although modern democracies are nominally allergic to formal differentiation within their citizenries, there is no consensus about what else the ideal of equality requires. At minimum, most citizenship theorists assume that there is some connection between citizenship and distributive justice. T.H. Marshall’s influential division of the history of English citizenship into periods of “civil,” “political,” and “social” citizenship argued that the status of citizen had historically come to be understood not only as offering the protection of jury trials and the promise of political participation, but also as guaranteeing that individuals would meaningfully share in the life of their society—through the welfare state and universal education.10 These contemporary innovations addressed Marshall’s concern that citizenship’s formal equality had historically enabled other economic and social inequalities. (Marshall’s emphasis on the welfare state also helpfully illustrates the mutual reinforcement of citizenship’s different components: For Marshall, an expansive understanding of equality helped prevent participation from becoming an empty formal promise.)

Marshall’s historical interpretation of the development of citizenship was influential for normative theorists as well—including Rawls, who read Marshall and effectively tracks the Marshallian account of civil, political, and social citizenship in his own list of “social primary goods”: rights and liberties, powers and opportunities, income and wealth.11 Although Rawls’s approach marks a step forward in terms of attempting a precise description of the equality which is required among members of a just society (at least on a liberal understanding), it is in the critical reaction to Rawls that we find the genesis of a contemporary formulation of citizenship’s next major component.

From the perspective of this account of citizenship, one of the major consequences of A Theory of Justice was an enhanced appreciation of the significance of something that Rawls had simply assumed in 1971: that his theory applied to society as a “closed system.” As I noted above, much of the global democracy and global justice literature can be traced to the skeptical reaction of otherwise sympathetic readers to Rawls’s assumption of closure. Isn’t an individual’s place of birth, these readers asked, a morally arbitrary characteristic that generates deep and persistent inequalities—the very thing Rawls’s theory is designed to prevent? Ironically, one of the best answers to this challenge, which can be read as an elaboration and defense of Rawls’s assumption, comes from one of his major critics.

That answer arrives in Spheres of Justice, Michael Walzer’s critique of Rawls. Walzer’s pluralist and contextualist defense of “complex equality” criticizes and complicates Rawls’s approach to distributive justice, but it also buttresses one of Rawls’s assumptions by elaborating on the role that closure plays in distributive schemes. For Walzer, distributive justice is dependent on membership. Membership is the first good which societies can distribute: It is only

by virtue of being a member that individuals receive any other goods. The reception of new members—in other words, the incorporation of newcomers into an existing distributive scheme—is possible only if the receiving community is “open.” But the willingness of a smaller community (Walzer uses the case of neighborhoods) to indifferently receive new members is reliant on “the nationalization of welfare (or the nationalization of culture and politics) that opens the neighborhood communities,” by providing them security from either the unsustainable cost or the cultural destruction that might otherwise follow from an indifferent admissions policy. “Only if the state makes a selection among would-be members and guarantees the loyalty, security, and welfare of the individuals it selects, can local communities take shape as ‘indifferent’ associations,” writes Walzer. “The politics and the culture of a modern democracy probably require the kind of largeness, and also the kind of boundedness, that states provide.”

For Walzer, the possibility of preserving particular distributive schemes depends on some level of outside closure; yet on the inside of the civic border, his democratic egalitarianism rejects differentiated statuses for members. Once individuals are accepted into a democratic society, they must be accorded equal status. This requirement means that democracies must, for example, reject the permanent presence of temporary guest workers as incompatible with egalitarian membership (and thus with democratic justice).

Why should this Walzerian supplement to Rawls interest citizenship theorists? Because it indicates that Rawls’s intuition about the boundaries of distributive justice is defensible if we acknowledge, along with Walzer, the contextual and historical character of distributive schemes—which not only allocate social goods, but also “conceive and create” those goods in the first place. Citizenship status, then, rests at this intersection of distributive justice and democratic theory: a comprehensive form of membership which incorporates individuals into the distributive schemes of a given society, and which enables them to participate in the public political deliberation of that society, including the interpretation of its goods and their proper patterns of distribution. The particularism of the contexts in which individuals fulfill these roles indicates why the egalitarian and participatory components of citizenship are tied, in practice, to distinct political communities. If part of the just distribution of goods is a public deliberation over their meaning, then citizens are “ruling” and sharing in a kind of informal office by participating in the interpretive political debates of their given community of meaning. In Aristotelian terms, this informal participatory office not only has certain sociological foundations, but also its own characteristic excellences; citizens can fulfill it with greater or lesser ability.

The whole citizenry cannot, however, effectively fulfill this office of democratic citizenship unless its shared life is marked by intersubjective identification. Intersubjective identification (sometimes shorted simply to “identification”) refers to individuals’ intersubjective understandings that they are connected to some particular polity and so to each other. Such understandings are critical for the functioning of democratic politics: they are a precondition for the development of a democratic epistemology, and they provide a framework for interpreting

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13 Walzer, 6.
14 The notion of a “democratic epistemology” is developed in Anderson, “The Epistemology of Democracy.” Anderson argues that epistemic diversity is important to “discovering the solution to problems of public interest, and even to constructing the very definition of these problems”; but my argument here goes even further in suggesting that even in a relatively homogeneous society, identification would still be necessary in order to construct the
and debating political problems and civic associative duties (the duties which co-members of an
polity share by virtue of their membership). My use of the term “identification” instead of
“identity” is partly informed by Rogers Brubaker and Frederick Cooper’s warning of the reifying
and essentializing errors which the latter term invites. The concept of intersubjective
identification provides a way of explaining the importance of rough and stable boundaries among
co-members of an ongoing political association without implying that a strong form of
commonality is necessary among citizens. In this way, it departs from the static understanding of
identity normally associated with nationalism. Yet identification, for all its importance, is
perhaps the most likely component of citizenship to be overlooked (especially when citizenship
is defined formally).

This is a costly analytical omission. For the simple reason that most political problems
are not self-defining, intersubjective identification is the starting point for a politics of collective
autonomy. This point has, perhaps, been obscured by the tendency of classic social contract
theory to treat the political problems in response to which states are created as more-or-less self-
evident. To take an obvious example, the fact that we do not require extensive deliberation in
order to define anarchic violence as a problem enables us to craft widely persuasive functionalist
defenses of the state. As I argued in an earlier chapter, this account of political problems (and
corresponding state purposes) is powerful, but limited: A state that existed only to solve self-
evident problems would be a minimal state, perhaps even more minimal than many libertarians
imagine, and would not need to be democratic. By contrast, democracy implies the existence of a
sovereign collective which not only pursues a more-than-minimal set of purposes (such as the
achievement of political or social equality among its members), but which also defines for itself
the problems it will address. The ends toward which a democratic state is directed are not
dictated by a monarch, or by tradition, or by divine command, but by members of the demos
themselves.

The legibility of democratic political problems, then, presumes public processes of
interpretation which rest on intersubjective identification. For a situation to be defined as a
problem, it must somehow inhibit the goals of a given actor, but that determination depends on
multiple interpretations: of the identity of the actor, of their existing goals, of the new situation,
and so on. If a democratic polity’s problems are to be defined and interpreted in light of the goals
which the (collectively sovereign) members set for themselves, the members need to know who

\[15\] Note that this way of understanding identification does not imply that citizens fully approve of, or even like, their
identity: Their self-understanding may be shaped by some struggle against it, or their actions may be taken in an
attempt to revise or destabilize it. But it is no less formative, and no less influential on human psychology and
behavior, for that reason.

\[16\] However, while keeping their warnings in mind, I neither adopt their precise meaning of “identification” nor
follow systematically the clusters of related terms which they propose as replacements for the catch-all of “identity.”
Rather, the partial use of Brubaker and Cooper’s terminology is mainly intended to describe a social phenomenon
without suggesting that it either relies on or will “necessarily result in the internal sameness, the distinctiveness, the
bounded groupness that political entrepreneurs may seek to achieve.” See Rogers Brubaker and Frederick Cooper,

\[17\] My contention here is analogous to Michael Walzer’s observation that processes of “conception and creation
precede and control” the distribution of goods, meaning that the goods of distributive justice “come into people’s
minds before they come into their hands,” and so cannot be treated as self-evident. Here, I generalize Walzer’s point
about distributive justice to encompass most political problems in general. See Walzer, Spheres of Justice: A
each other are. As I argued in the introduction, these boundaries cannot be determined solely by normative argument, but it does not follow that they therefore cannot be justified. It simply means that their justification is necessarily pragmatic and conditional. Borders stabilize democratic processes which would otherwise founder on questions of scope that would be nearly impossible to answer.

In this way, the issue of democratic membership’s scope and substance is inextricable from the definition and interpretation of political problems. As I will argue in subsequent chapters, many of the problems facing American politics in the era after democratic nationalism do not forcefully resonate as problems because the public vocabulary which would have defined them as such has declined. The restoration of a sense of shared membership would, in turn, indicate the parties responsible for devising and implementing an acceptable solution to these problems. In a democratic polity, none of these acts of definition are stable or incontestable; nor are they the purview of a theorist who stands outside public debate. Rather, the activity of democratic politics—not only formal political participation, but the myriad acts of self-interpretation which take place in the social and cultural life of a democracy—is itself a process of defining and characterizing the polity’s goals and membership.

Effective democratic citizenship requires this kind of identification in addition to participation, rights, and equality. Identification does not merely result from the protection of formal rights or opportunities to participate, both of which are compatible with disaffection and alienation. Nor is identification satisfied by equality, which is likewise compatible with a disengaged citizenry. Rather, identification captures (at minimum) the psychological standpoint captured in Michael Sandel’s formulation: I act as a citizen of this republic. But the intentional particularism of Sandel’s adjective, as well as his noun (a republic is literally a “shared thing”) indicates that processes of identification must be publicly recognized and roughly stable, in order that they can ground an ongoing practice of democracy in the first place. Of course, there is no guarantee that citizens will engage in these reflective acts about the meaning of their association, nor that (if they do) they will identify each other as members in the relevant sense. Many influential interpretations of American nationhood have been put forth precisely in order to reject the membership claims of certain citizens, subjects, or permanent residents. What Rogers Smith has labeled the “inalterian ascriptive” tradition includes various iterations of the belief “that ‘true’ Americans are ‘chosen’ by God, history, or nature to possess superior moral and intellectual traits associated with their race, ethnicity, religion, gender, and sexual orientation,” with the consequence that “nonwhites, women, and various others should be governed as subjects or second-class citizens, not as equals, denied full individual rights, including many property rights, and sometimes excluded from the nation altogether.” These beliefs have historically found concrete expression, among other places, in American citizenship law: Smith estimates that for most of American history, the “majority of the domestic adult population” was “ineligible for full citizenship” based on their “race, original nationality, or gender.” The history of such exclusions partly explains much of the skepticism which greets attempts to reconcile shared nationhood, which has so often been expressed in inegalitarian ascriptive terms, with democratic inclusion.

19 Smith, Civic Ideals, 508n5.
20 Smith, 15.
This is why, when discussing identification as a component of holistic democratic citizenship, I emphasize a form that is coextensive with the polity’s boundaries. Democratic inclusion sets a demanding minimal standard for members’ imagined projection of their associative ties: In order to maintain the democratic character of their association, members must extend inclusion to all those permanently residing under the state’s authority. The challenge is that such a collective act of democratic identification, through which members come to treat each other as co-participants in an ongoing project of collective self-rule, cannot be simply instituted by law. It is also a cultural practice.21

*Promoting Intersubjective Identification: On Liberal Nationalism and Constitutional Patriotism*

To label intersubjective identification a cultural practice, however, does not directly address the kind of relationship it envisions between culture and democracy. Its account of that relationship can be specified more clearly by contrast with two prominent theorizations of culture and democracy: David Miller’s liberal nationalism, which defines nationalities by reference to their distinctive “public cultures,” and Jürgen Habermas’s constitutional patriotism, which proposes a common “political culture” as the basis for political belonging not only within diverse states, but for emerging transnational political formations. These approaches offer divergent views of culture as the source of fission and fusion: For liberal nationalists, culture marks off the relevant differences which should correspond to political division, and for constitutional patriots, *political* culture furnishes a form of commonality which could ground unification within, and ultimately among, diverse nation-states.

While both liberal nationalism and constitutional patriotism capture elements of culture that might helpfully be enlisted in the service of democracy, each is limited by a tendency to exaggerate the stability, coherence, and transparency of culture. This exaggeration is required by each theory, since each aspires to make culture drive boundaries (rather than the reverse). Liberal nationalism, which faces a more serious version of this problem, necessarily reifies culture, while constitutional patriotism, although closer to my own approach, nonetheless implausibly requires that we isolate culture’s political elements from their location in a larger, complex whole. Both theories are reluctant to treat state boundaries themselves as a key democratic resource, which leads them to privilege criteria of political membership that do not necessarily match those boundaries. Liberal nationalism does this almost of necessity, and constitutional patriotism does it when it is deployed (as it is by Habermas, although not by all of its adherents) as a theory of postnational democracy. Instead of describing how democracies might make a virtue out of necessity and put state boundaries into the service of building a healthy civic culture, liberal nationalism and the postnational, Habermasian variant of constitutional patriotism encourage a search for forms of identification that may not map onto those existing civic ties which do, as a matter of fact, unite citizens in complex webs of shared fate and mutual responsibility.

On Miller’s liberal nationalist argument, those civic ties are less powerful than shared nationality. According to Miller, it is nationality which most powerfully promotes democratic citizenship; citizens who are also co-nationals are better equipped “to solve collective action problems, to support redistributive principles of justice, and to practise deliberative forms of democracy.”22 Co-nationals are so equipped because they share a distinctive “common public

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22 Miller, *On Nationality*, 98.
culture,” defined as “a set of understandings about the nature of a political community, its principles and institutions, its social norms, and so forth” and as “a set of ideas about the character of the community which also helps to fix responsibilities.” A public culture is not the same as an ethnic identity; in fact, a shared public culture among co-nationals “is quite compatible with their belonging to a diversity of ethnic groups.” (Although Miller acknowledges that “the boundary between nationality and ethnicity is a porous one,” he notes that multi-ethnic nations can, and do, exist.) Nor do public cultures exhaust individual identity; they may exist alongside a range of private cultures defined by “beliefs, ideas, tastes, and preferences that may be unique to an individual, or more likely shared within a family, a social stratum, an ethnic group, or what has been called a ‘lifestyle enclave.’” In both of these senses, Miller’s public cultures depart from some common understandings of nationalism: To identify an individual as a member of a particular public culture is neither to straightforwardly locate them in a particular ethnos, nor to describe a form of collective identity that subsumes their individual identity.

Instead, for Miller, public cultures (in addition to distinguishing nationalities from each other) provide normative substance to particular manifestations of nationality. Importantly, although Miller holds that co-nationals share particular ethical obligations to each other, “we cannot derive the obligations of nationality simply from reflection on what it means for a group of people to constitute a nation in the first place.” Instead, “obligations in their particular content are an artefact of the public culture of that nation.” In addition, “the [public] culture in question is a public phenomenon: any one individual may interpret it rightly or wrongly, and draw correct or incorrect conclusions about his obligations to compatriots as a result.”

In this sense, the obligations shared among co-nationals are a kind of a cultural-moral fact which flow from the particular public culture of the nationality, and not from shared political membership in a state. At various points, Miller suggests that the obligations attached to shared nationality are much thicker than those attached merely to shared citizenship. Without the supplemental bonds provided by nationality, the “rights and obligations of citizenship,” in Miller’s view, “stem simply from [citizens’] participation in a practice from which they stand to benefit, via the principle of reciprocity,” and it would be “a great mistake to suppose that, once a practice of political co-operation is in place, nationality drops out of the picture as an irrelevance—that we simply have the rights and obligations of citizens interacting with other citizens.” Rather, nationality gives the practice of citizenship “a different shape,” including by adding to citizenship a set of “prior obligations” which motivate citizens to (say) support a welfare state that extends beyond strict reciprocity. Whereas citizenship is thin, instrumental, and governed by a self-referential logic, nationality is thick and other-regarding. Stripped of a shared nationality, mere citizens would contribute to welfare schemes only to the extent that they expect

23 Miller, 158.
24 Miller, 68.
25 Miller, 25.
26 Miller, 21.
27 Miller, 158.
28 Miller, 27.
29 Miller, 69.
30 Miller, 69.
31 Miller, 71.
to benefit. A nationality’s public culture therefore has extensive redistributive implications: For instance, Miller argues, “it is difficult to explain why states should provide opportunities and resources to people with permanent handicaps if one is simply following the logic of reciprocity.” Nationality in general, by virtue of its particularism, is capable of promoting an especially robust form of moral psychology, and if the public culture of a specific nationality incorporates redistributive demands, that nationality will generate far more extensive reciprocal obligations than would shared citizenship alone. For this reason, when members of different nationalities are citizens of the same state, the two main strategies for avoiding “instability” entail either “slimming down the obligations of citizenship—turning the state into something closer to a minimal state,” or “making state and nation coincide more closely,” either by assimilating non-nationals or partitioning the state to craft “new political units [that] are more exactly isomorphic with national divisions.”

This account of reciprocal obligations requires Miller to reify public culture—to treat public culture as a stable object which very nearly dictates obligations to members of nationalities. The facticity of public culture makes it possible for individuals’ interpretations of the culture’s normative demands to be (as Miller writes) “correct or incorrect.” But this is an excessively static account of public culture, one that underemphasizes the potentially transformative creativity that is always latent in the act of interpretation. Cultures do not exist independently of the actions and beliefs of the individuals within them; rather, they are constituted through those actions and beliefs. On this view, a public culture cannot make normative demands of its members which exist prior to those members’ interpretations, since the culture itself is an emergent property of how its members understand it. If members of a culture come to understand it as imposing certain demands on them, then the dominant interpretations of those demands will come to form the group’s basic public philosophy. This subtle adjustment to Miller’s argument acknowledges that individuals are always situated within traditions—and that these traditions are historical phenomena, passed down through generations—without further suggesting that meaning comes from those traditions, and not from individuals. It also acknowledges (as Miller’s normative deployment of liberal nationalism cannot) the internal complexity of culture, which is always composed of dominant, residual, and emergent elements which combine in shifting ways to transform the culture’s overall character.

Yet even if Miller’s account avoided reifying public culture, public culture would still not perform the democratic political work that he suggests. The chief problem, as Anna Stilz has written, is that Miller’s account “does not explain how a sense of identity and cultural relatedness could actually ground any political obligations.” Consider Miller’s example of a health service among co-nationals: Miller writes that “if, in a democratic community, I have an obligation to support a national health service, that obligation is grounded in the reasons given for having the

32 Miller, 71–72.
33 Miller, 72.
34 See for instance Miller, 57.
35 Miller, 72–73.
36 My discussion here draws on Mark Bevir, The Logic of the History of Ideas (Cambridge: Cambridge University Press, 1999), chap. 5.
37 On the categories of “dominant,” “residual,” and “emergent” elements of culture, see Raymond Williams, Marxism and Literature (Oxford: Oxford University Press, 1977), 121–27.
health service when it was first introduced, and reaffirmed from time to time when the health service is debated."39 In other words, the reasons for supporting a public health service are rooted in the historic public justifications which have become a part of the co-nationals’ public culture over time. But as Stilz notes, this raises an obvious question: Why should the obligation to guarantee health care exist only if the public culture is thought to generate it? Such a justification implies (for example) that because American public culture historically did not affirm a right to health care, an obligation to provide it did not exist.40

This implication is not only unappealing, but implausible. A great number of Americans (including several presidents) agitated for a century in favor of a national health service before the Affordable Care Act was finally passed in 2010.41 Miller’s argument requires us to omit those voices from our understanding of American public culture; otherwise, we would have to admit that the public culture’s polyvocality frustrates attempts to draw straightforward normative conclusions about what it requires of its members. (In a similar vein, Stilz objects to the assumption that “we can individuate cultural wholes with one unitary set of understandings about their members’ obligations.”42) This homogenizing tendency is a consequence of the argument’s reliance on a reified account of culture, which is rarely so coherent, so transparent, and so static that public policy can straightforwardly embody its normative demands. Nor does the goal of securing social democracy require us to pretend that public cultures are simpler than they are, since there is less risk than Miller supposes in turning to shared citizenship, rather than public culture, in order to make sense of political obligations. Co-members of a democracy might reasonably support a health service because it supports their goal of achieving a society of free and equal citizens.

In sum, Miller’s argument not only puts too much emphasis on the role of public culture in determining the content of obligations; it also overstates the determinate nature of public culture and the ease of adjudicating competing interpretations of it. (I will argue below that constitutional patriotism shares a version of this problem.) Rather than seeing public culture as a social fact that generates substantive normative obligations, we might more reasonably treat it as a framework through which large groups of people make sense of their position within a larger context—using symbols, vocabularies, keywords, and other materials that are both an inheritance and a toolkit, the stuff by which common life is at once sustained and transformed. Understood this way, culture does not itself determine whether certain normative obligations exist or not; rather, it provides a meaningful context in which those obligations can be publicly debated, interpreted, and discharged. This does not preclude the possibility that obligations of membership could originate through distinctive cultural processes. Nonetheless, it oversimplifies matters to assert that culture straightforwardly generates our shared obligations, and it needlessly

39 Miller, On Nationality, 70.
40 Stilz, Liberal Loyalty, 146. Stilz’s book was published in 2009, just before the passage of the Affordable Care Act in 2010. On a strict reading, Miller’s argument might imply that American public culture shifted after 2010, transforming conservative opponents of the ACA—formerly the defenders of American public culture, and the correct interpreters of the obligations it imposed—into erroneous interpreters of American public culture who were simply mistaken about their obligations. It seems far more plausible to argue that no sudden transformation in American public culture happened in 2010, and that the opponents of guaranteed health care were mistaken about their civic obligations all along, for other reasons.
41 For an overview of that history, see Paul Starr, Remedy and Reaction: The Peculiar American Struggle over Health Care Reform (New Haven: Yale University Press, 2011).
42 Stilz, Liberal Loyalty, 146.
limits the kinds of justifications that egalitarians can invoke to assert that only culture (and not citizenship) can perform that task.

If shared obligations do not flow directly from membership in a common public culture, then there is no reason to follow Miller’s liberal nationalist contention that *shared culture* precedes, and defines the boundaries and substance of, *political membership*. To be clear, this does not mean we must abandon the attempt to reconcile shared culture, in some form, with liberal democracy—only that justifying reciprocal political obligations does not require us to reify public culture, or to impute a dubious homogeneity to it, or to regard it as logically and normatively prior to shared political membership.

In an attempt to avoid those problems, we might loosely reverse liberal nationalism’s ordering of culture and politics: Rather than viewing shared national culture as the source of social and democratic bonds, we might turn to the procedures, institutions, and values of liberal democracy as the source of a distinctive kind of culture. This is roughly the reversal proposed by constitutional patriotism, which has emerged as a major alternative to liberal nationalism. Like liberal nationalists, constitutional patriots also turn to culture to explain political membership and political obligation, but they mean by culture something very different from the “public culture” in Miller’s nationalist theory. Jürgen Habermas, the most prominent advocate of constitutional patriotism, argues that a world well-aware of nationalism’s dangers needs “republican freedom […] [to] cut its umbilical links to the womb of the national consciousness of freedom that originally gave it birth.”

After these links are cut, constitutional patriotism takes the place of nationalism, centering not on a shared national culture, but on a common *political culture* that stands apart from the various ethnic and cultural origins and traditions found within diverse countries:

A liberal political culture is only the common denominator for a *constitutional* patriotism [*Verfassungspatriotismus*] that heightens an awareness of the both the diversity and the integrity of the different forms of life coexisting in a multicultural society […] regardless of the diversity of different cultural forms of life, [democracy] does require that every citizen be socialized into a common political culture.

Habermas regards this “common political culture” as distinct from shared national culture. Constitutionally-patriotic citizens do not imagine themselves to be attached to co-nationals by virtue of their common membership in a distinctive public culture; instead, they are attached to the basic values of a liberal-democratic constitution, and through that attachment they are linked to others who affirm the same constitutional values.

The word *nation*, writes Habermas, only came to mean both “community of descent” and “people of a state” around the time of the French Revolution, and that historical, “social-psychological” fusion of nationality and citizenship “does not mean that the two are linked at the conceptual level.” For that reason, a redirection of civic allegiance away from the nation is not conceptually inconsistent with our received understandings of citizenship. In fact, a century after their contingent fusion, the two meanings of nationhood had drifted apart again: Habermas writes that Renan’s definition of the nation as a “daily plebiscite” in 1882 was directed

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44 Habermas, 500. Emphasis in original.
45 Habermas, 495.
nationalism,” since such a conception implied a voluntaristic, participatory conception of collective civic identity opposed to “the idea of belonging to a prepolitical community integrated on the basis of descent, shared tradition, and common language.” From this, Habermas concludes that “the nation-state sustained a close connection between ‘demos’ and ‘ethos’ [sic] only briefly.”

In principle, then, constitutional patriotism could supplant culturally-thick nationalism as a basis for political allegiance in a democracy—providing, in combination with a transnational public sphere and civil society, the basis for citizenship beyond the nation-state. Habermas imagines a European citizenship whose political culture is isolated from the other cultural elements that shape the lives of its members: “In the future, however, a common political culture could differentiate itself from the various national cultures. A differentiation could appear between a Europe-wide political culture and the various national traditions in art and literature, historiography, philosophy, and so on, which have been branching out since early modernity.”

This aspiration shares with liberal nationalism the conviction that political attachment depends on some kind of shared culture, as well as the conviction that such a culture should not be defined in ethnic terms. But unlike liberal nationalists, constitutional patriots make a crucial distinction between political culture and the rest of culture, a distinction which enables them to hypothesize a “common denominator” which could unite otherwise diverse groups. In contrast, liberal nationalists contend that culture both explains and justifies the drawing of political boundaries around various nationalities.

Constitutional patriotism’s attempt to explain how common political allegiances could be fostered amidst profound diversity is appealing, and indeed comes closer to my own account than does liberal nationalism. Nonetheless, Habermas’s contention that “liberal political culture” could stand apart from other cultural differences assumes that political culture is more or less systematically isolable from diverse developments in philosophy, economics, literature, historiography, and so on. Democratic nationalists emphatically did not believe in this goal, because they did not see politics as a realm that can be treated in isolation from other constitutive cultural meanings, severed from the whole in which it is embedded. The misleading neatness of a culture/politics distinction invites an excessively decontextualized approach to the interpretation of political controversies within particular societies and may cause us to overlook

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46 Habermas, 494–95.
47 Habermas, 495.
48 Habermas wrote in 2001 that “at present, legitimacy flows more or less through the channels of democratic institutions and procedures within each nation-state,” which “falls short of what is needed for the kind of supranational and transnational decision-making that has long since developed within the institutional framework of the Union and its huge network of committees.” In his view, the history of European state-building does not refute, but rather supports, this supranational aspiration: “If the emergence of national consciousness involved a painful process of abstraction, leading from local and dynastic identities to national and democratic ones, why […] should this generation of a highly artificial kind of civic solidarity—a ‘solidarity among strangers’—be doomed to come to a final halt just at the borders of our classical nation-states?” Jürgen Habermas, “Why Europe Needs a Constitution,” New Left Review, II, no. 11 (October 2001): 14, 16.
50 Could Americans, for instance, draw on a purely political conception of freedom isolated from such distinctive cultural elements as Puritan religious ideals, slave narratives, Transcendentalist literature, the idea of the frontier, high levels of immigration, capitalist individualism, jazz, and so on? For a related objection, focusing on the relationship between language and politics, and the role of language in shaping both individual identity and broader ethical-cultural forms of life, see Sarah Song, “Three Models of Civic Solidarity,” in Citizenship, Borders, and Human Needs, ed. Rogers M. Smith (Philadelphia: University of Pennsylvania Press, 2011), 198.
areas of public life where a flourishing democratic culture finds consequential expression outside formal political institutions. If liberal democratic values cannot be isolated from their broader cultural contexts and straightforwardly provide a common basis for culturally-neutral membership, then constitutional patriotism as Habermas formulates it risks lapsing into an excessive formalism, failing to supply a robust foundation for bounded democratic states, much less a supranational demos.

Some constitutional patriots have acknowledged that the theory does not solve the kinds of boundary-drawing problems which questions about culture inevitably raise. Jan-Werner Müller, who roughly follows Habermas in defining constitutional patriotism as “the idea that political attachment ought to center on the norms, the values and, more indirectly, the procedures of a liberal democratic constitution,” in contrast to either a national culture or humanity in general, acknowledges that it “at least to some extent has to rely on already existing political units: it is not a free-standing theory of political boundary-formation, and therefore does not answer questions about political self-determination which rival theories like liberal nationalism might well be in a position to answer (even if those answers turn out to be unsatisfactory, from a normative and practical point of view).” This shortcoming does not make constitutional patriotism uniquely worse than rival theories, which fare little better on the boundary-drawing question, but neither does it explain why it is clearly preferable to them. Reasons for preferring constitutional patriotism over the alternatives, then, might be found in the theory’s superior account of the disposition citizens ought to have to their polity. Sympathetic interpreters, who often stress that constitutional patriotism does not amount merely to a Europeanized form of civic nationalism (or a European version of what is sometimes called the “American Creed”), describe it variously as a critical orientation towards one’s political identity, or as an account of political attachment that explains valid reasons both for supporting one’s polity and for challenging it. This dispositional interpretation helps to constrain the most drastically universalistic implications of the theory, adding psychological texture to the acknowledgment by constitutional patriots that the affirmation of liberal democratic values must be mediated through the particular constitutions that govern the states in which citizens find themselves.

Yet does this normative account of citizens’ ideal dispositions toward the values of their own constitution go far enough to secure the conditions of liberal democracy? It may ultimately rest on an understanding of constitutional values that, like liberal nationalism’s invocation of a public culture, supposes the meaning of a deeply contested public object to be more coherent, transparent, and agreed-upon than it actually is. The core values of a constitutional order, like the normative implications of a public culture, are often the subject of deep disagreement. To take the example of the United States (which Habermas has suggested may provide evidence about the feasibility of constitutional patriotism), an explicit invocation of liberal and democratic

52 Müller, 48.
53 In his interpretation of Habermas’s evolving theorization, Patchen Markell suggests that “constitutional patriotism can best be understood not as a safe and reliable identification with some pure set of already available universals, but rather as a political practice of refusing or resisting particular identifications—of insisting on and making manifest this failure of equivalence—for the sake of the ongoing, always incomplete, and often unpredictable project of universalization.” Patchen Markell, “Making Affect Safe for Democracy?: On ‘Constitutional Patriotism,’” *Political Theory* 28, no. 1 (February 2000): 40. Jan-Werner Müller writes that the point of constitutional patriotism is to serve “both as a source of civic trust (and therefore stability) and as a source of civic empowerment; it is inherently […] Janus-faced.” Müller, *Constitutional Patriotism*, 48–49.
principles during the nation’s founding in no way secured a stable consensus over the meaning of fundamental concepts such as freedom. These basic disagreements found expression in the ambiguous character of the nation’s fundamental law, so much so that prior to the Civil War, even abolitionists disagreed intensely about whether the American constitution was a pro-slavery or anti-slavery document. The experience of Reconstruction further suggests that although subsequent reforms might clarify and deepen the liberal and democratic commitments of a constitutional structure, disagreement about fundamental values can still persist—even as political debate is saturated with constitutional veneration and appeals to constitutional meaning.

The nexus of challenges surrounding constitutional meaning, shared political allegiance, and the scope of liberal democracy resemble those which American democratic nationalists began to systematically confront around the onset of the Civil War. Their response is instructive. The solution around which their thought eventually coalesced is that democracy requires more than the abstract affirmation of values such as freedom and equality, and indeed more than the reaffirmation of a constitutional structure. What it further requires is an imagined projection of the demos that stretches to include everyone in the state—a projection which is not simply guaranteed by formal equality. This manner of bounding the demos should overlap with an attachment to liberal democratic values, but it is not equivalent to such an ideational attachment. It poses more concrete challenges for citizens: What could freedom mean for us? What would equality look like under our circumstances?

The cultivation of a democratic epistemology requires such questions to be generated, debated, and answered by the demos itself. This array of interpretive and deliberative processes has preconditions which stable civic boundaries are ideally suited to supply. First, civic boundaries perform the crucial work of stabilizing the collective of individuals who participate in these processes. If the makeup that collective is constantly shifting, or if participants do not know where its boundaries lie, then attempts to generate a democratic epistemology founder on an inability to specify whose perspectives are most relevant. Second, by stabilizing this...
process, state boundaries allow the development of intersubjectivity through a democratic culture without culture itself drawing the boundaries of membership.

To maintain that democracy requires a distinctive political culture is not to imply, as Habermas does, that intersubjective identification can be sustained in isolation from the myriad sources of meaning found in modern societies. Politics is transformed not only through explicitly political channels, but also through literature, philosophy, art, music, journalism, religious practice, working life, voluntary associations, and so on. This helps to account for the perhaps surprising conclusion at which Whitman arrived after affirming that it is “not enough that the new blood, new frame of democracy shall be vivified and held together merely by political means, superficial suffrage, legislation, &c.”: that American democracy needed “a cluster of mighty poets, artists, teachers, fit for us, national expressers.”

These multiple sources of meaning, which emerge from diverse cultural sources, may wax and wane in their political salience at any given moment in time, and may influence politics in unexpected ways. To affirm the necessity of a flourishing public culture to democracy, however, is not to adopt Miller’s argument that democracy requires a particular prepolitical “public culture” of the sort invoked by liberal nationalists. The public culture imagined by holistic democratic citizenship is not a reified, stable entity, and it does not straightforwardly generate moral obligations distinct from those of citizenship. Nor does it mark off a special collective whose associative obligations are thicker than, and categorically distinct from, those which emerge from the kind of collective life generated by citizenship itself. Rather, it rejects the search for an already-existing prepolitical national culture, takes the legal boundaries of the state as given, and operates with such inherited cultural tools as are available in that setting (while remaining open to those which may become available in the future, as a result of new members and new cultural innovations).

On Perpetuation: Bounded States as Durable Democratic Institutions

This vision of democratic politics as a public, interpretive activity with epistemological and psychological preconditions presumes not only that the demos understands the scope of its membership, but that the political association remains (and is understood to remain) roughly stable over time. The final component of holistic democratic citizenship, “perpetuation,” refers to the link between democratic self-rule and a shared sense of futurity.

Perpetuation grows out of an analysis of participation: In a democracy, all citizens rule and are ruled in turn. Since disagreements are inevitable, rule cannot simply proceed by consensus, and every citizen will at some point experience defeat. Democracies must ask citizens to assent to such defeats. By assenting, as Danielle Allen writes, defeated citizens “preserve the stability of political institutions,” performing a “sacrifice” which “makes collective democratic action possible.” Defeated citizens likely understand that their sacrifice (which political scientists sometimes refer to as “losers’ consent”) is necessary in order to preserve the polity over time. Nonetheless, as Allen observes, that understanding likely does not diminish the

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59 Related arguments have used the term “shared fate.” See Melissa S. Williams, “Citizenship as Agency within Communities of Shared Fate,” in Unsettled Legitimacy: Political Community, Power, and Authority in a Global Era, ed. Steven Bernstein and William D. Coleman (Vancouver: University of British Columbia Press, 2009), 33–52.
60 Allen, Talking to Strangers, 29.
psychological complexity experienced by defeated citizens: “Democracy puts its citizens under a strange form of psychological pressure by building them up as sovereigns and then regularly undermining each citizen’s experience of sovereignty.”

In order not only to secure consent, but to render discrete experiences of defeat consistent with the larger promise of sovereignty, citizens must share a sense that victorious majorities treat their vanquished opponents not as subjects, but as temporarily-defeated fellow citizens who may achieve future victories, and who may re-sort themselves into new and shifting coalitions in endless ways across future decisions—meaning that no set of winners and losers is permanent and stable. This assumes a stable set of participants extended through time and suggests that, however the boundaries of membership are drawn, they must be roughly stable: The fellow-citizen who was part of a victorious coalition today understands that she may lose on some other issue tomorrow, and behaves accordingly. The alternative to this arrangement, when perpetuation has faded from citizens’ minds, is a scorched-earth style of politics which abandons a spirit of accommodation and forbearance.

**Table 1: Pathologies Resulting from Partial/Disaggregated Citizenship**

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<th>If citizens have…</th>
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<th>PARTICIPATION</th>
<th>EQUALITY</th>
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<td>RIGHTS</td>
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<td>Limited sense of collective self, inhibiting democratic epistemology and psychology</td>
<td>“Scorched-earth politics”: corrosion of temporally-conditioned democratic virtues (reciprocity, trust, sacrifice)</td>
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<td>Illiberal democracy</td>
<td>Oligarchic distribution of influence</td>
<td>Limited sense of collective self, inhibiting democratic epistemology and psychology</td>
<td>“Scorched-earth politics”: corrosion of temporally-conditioned democratic virtues (reciprocity, trust, sacrifice)</td>
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<td>EQUALITY</td>
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<td>Illiberal democracy</td>
<td>Political impotence</td>
<td>Limited sense of collective self, inhibiting democratic epistemology and psychology</td>
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<td>PERPETUATION</td>
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<td>Ossification of civic is insecure; risk of division, resulting in backlash after acts of participation</td>
<td>Feudalism or other entrenchments of inequality</td>
<td>Limited sense of collective self, inhibiting democratic epistemology and psychology</td>
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**“The despot, it will be said, guarantees civil tranquility for his subjects […] What does it profit them if this very tranquility is one of their miseries? Life is also tranquil in dungeons; is that enough to feel well in them?” (Rousseau, *Social Contract* I.4)**

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61 Allen, 27.

62 This not only takes place over time, but potentially at any given moment in time: Each of us may experience democratic victories and losses simultaneously, finding ourselves in differently-constituted majorities and minorities across a wide range of issues, living with some decisions that match our preferences and others that don’t.
Part Two: Disaggregated Citizenship in American Politics

So far, I have traced the rise and fall of democratic nationalism in American politics while briefly summarizing the historical development of the complex ideal of holistic democratic citizenship. Democratic citizenship is a complex accretion of components from a range of historical and theoretical sources, but its diverse parts exhibit a mutually-reinforcing logic which recommends against disaggregation.

Advocates of disaggregated citizenship and skeptics of democratic nationalism in American politics usually do not see their projects as impeding democracy in these ways. To the contrary, their work generally proceeds from the belief that one or more of the elements associated here with holistic citizenship actually erects an unnecessary impediment to the achievement of some important normative goal. The word “unnecessary” is key, since these retheorizations of citizenship must show how certain normative goals can be achieved without including some element regarded in my account as crucial. Part of my purpose here is therefore to show how disaggregated accounts of citizenship unintentionally and often ironically reproduce the same democratic pathologies they are trying to solve.

To concretize this abstract argument about the structure of democratic citizenship, the second part of the dissertation turns to prominent controversies in American politics which foreground disagreements over the meaning and scope of democratic citizenship, and which involve disaggregated forms of citizenship in some way. (In many cases, disaggregation characterizes both the nature of the problem and the nature of different theoretical responses to it.) Applying the framework of holistic citizenship to these debates surrounding immigration, race, and inequality involves reviving the ideal of democratic nationalism that once provided a narrative and self-interpretation to American politics. It is obviously not the case that the solutions of the 1860s or 1960s can simply be imported, unchanged, to current circumstances; but neither is it the case that older ways of thinking about the American past and present are irrelevant to addressing the present-day manifestations of these conspicuously familiar problems. Our political concepts have histories, and the specific form they take in the larger structure of our thought emerges inevitably from particular contexts. A basic task of political theory is to offer explicit interpretations of the norms, commitments, and social meanings that are part of our political life, in order to bring clarity and context to our political deliberations. The relatively idealized picture of citizenship which emerges from such an analysis still remains, at some level, “citizenship-for-us”—another in a long line of self-interpretations. Like all political self-interpretations, American democratic nationalism is contextual (and so bounded by the particular contours of our history) but also contestable (and therefore open to revision and improvement). If an inclusive democratic nationalism can inform the achievement of holistic democratic citizenship at this moment in American politics, then it may be worthwhile to revisit this dormant tradition, examine anew the arguments of those who embraced and those who rejected it, and ask how it still might speak to our problems today.
Part Two:
Anxieties of Membership
Chapter Three: Migration, Membership, and Democracy

Introduction: The Politics of Immigration in a Democracy

“I have been in California my whole life,” wrote 19-year-old Luisa Argueta to me in an email. The only trouble was that her statement was off by four months, a small difference that counted for everything. That was Luisa’s age when her mother brought her to the U.S. from Guatemala. Now, after a failed asylum appeal and multiple stays of removal, both of them were facing deportation.¹

Luisa and her mother were caught directly in the administrative manifestation of a national ambivalence. Their removal order from U.S. Immigration and Customs Enforcement (ICE), signed “Very truly yours,” was at odds with a memo recently circulated by the agency’s director urging “prosecutorial discretion” in accordance with “civil immigration enforcement priorities”—“namely the promotion of national security, border security, public safety, and the integrity of the immigration system.” People who were not considered a threat; who had been present for a long time; who had family ties (there had been a subsequent marriage and two births, both U.S. citizen children, in this case); and who were pursuing education (Luisa was on the honor roll at Diablo Valley College)—these were not the sorts of people the agency said it would prioritize when executing the U.S.’s immigration laws. As an immigration reporter at that time, however, it was never difficult to find migrants who, in the wake of the “Morton Memo” (named for the ICE director who wrote it), had been selected for removal just when they believed they had been selected for relief.

In this context, “I have been in California my whole life” was not an anodyne statement of fact. In the midst of a protracted debate over immigration, its normative thrust is clear. Lifelong, or nearly lifelong, residence had not conferred citizenship, but Luisa hoped it might shield her from removal. She might have even intended to make a stronger claim: Despite the fact that it was trying to remove her, she was a member of the American community.

If she had been able to put her membership claim to the American public, Luisa would not have found a universally warm reception. Although most Americans favor allowing many of the roughly 11 million unauthorized immigrants present today to stay in the country, and although they are especially sympathetic to unauthorized migrants who were brought over as children,² 37 percent of Americans nonetheless support mass deportations of the entire unauthorized population,³ and 40 percent favor significant expansions of a U.S.-Mexico border wall.⁴

In recent years, the politics of immigration have become more polarizing and more acrimonious. This development is the opposite of what many observers predicted after the 2012 presidential election, when the defeated Republican candidate, Mitt Romney, took just 27% of

⁴ “Americans’ Views on Immigration Issues (Trends).”
the Hispanic vote against President Obama’s 71%. In the wake of the election, the Republican National Committee commissioned an “autopsy” on the party’s defeat. The resulting report argued that the GOP was “increasingly marginalizing itself,” predicting that “unless changes are made, it will be increasingly difficult for Republicans to win another presidential election in the near future.” One of the report’s key conclusions came in the form of a blunt warning: “It is imperative that the RNC changes how it engages with Hispanic communities […] If Hispanic Americans hear that the GOP doesn’t want them in the United States, they won’t pay attention to our next sentence.” This language was widely interpreted as a sign that the party was ready to abandon its hard line and pursue compromise reform legislation.

Less than three years after the Republicans published these recommendations, Donald Trump launched his campaign for the party’s presidential nomination. In the most widely-discussed line of his announcement speech, Trump declared: “When Mexico sends its people, they’re not sending their best. […] They’re bringing drugs. They’re bringing crime. They’re rapists. And some, I assume, are good people.” Combining such language with calls for a border wall and expanded deportations, Trump won the GOP primary and continued to an improbable victory in the general election.

The rise of Trump in America coincided with a refugee crisis in Europe, breathing new life into far-right populism across the continent. This transatlantic resurrection of closed-border ethnonationalism, however, is not the only sign heralding the collapse of the center of immigration politics. The same crises inspiring calls for radical closure in some corners inspire calls for radical openness in others. One characteristic example, published at the height of these migration controversies, came from an economist promoting open borders: “The overwhelming majority of would-be immigrants want little more than to make a better life for themselves and their families by moving to economic opportunity and participating in peaceful, voluntary trade […] Immigration is the greatest anti-poverty program ever devised.” Although this call for open borders was couched largely in economic terms, it incorporated moral arguments (“What moral theory justifies using wire, wall, and weapon to prevent people from moving to opportunity?”) and implied that border control in general could never be justified under any “standard moral framework” or “well-developed perspective.” In an illustrative display of the symbiotic logic of extremes, the author implied that there was only one alternative to open borders: “Nationalism, of course, discounts the rights, interests, and moral value of ‘the Other[,]’ but this disposition is inconsistent with our fundamental moral teachings and beliefs.”

What these divergent perspectives on immigration share is a lack of concern for, or even an indifference to, the meaning of civic membership in a democracy. American debate over immigration is hampered by a widespread tendency to suggest that a world governed by the quest to maximize efficient labor mobility is the only alternative to callousness, welfare

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7 “Growth & Opportunity Project,” 15.
10 Tabarrok.
chauvinism, and xenophobia. Missing from this way of framing the debate is a robust discussion of the requirements of democratic citizenship—a category of political belonging reducible neither to economics nor to humanitarianism. The ability of modern democracies, including the United States, to handle global migration flows while preserving collective autonomy requires an explicit discussion of the form of political membership that can incorporate would-be members without underminding the conditions of democracy. But this focus on the political dimensions of migrant inclusion cannot proceed without an explicit treatment of citizenship, and insofar as discussions of borders and migration ignore or misconstrue the nature of citizenship and its role in these debates, the destabilizing tensions associated with migration controversies will likely remain unresolved.

In what follows, I discuss the case of irregular migrants like Luisa, who are unauthorized, long-term denizens of the United States. While most political theorists favor granting relief from removal to these denizens, they do so on the basis of reasons which suggest deeply different understandings of democratic membership. Many of the proposed solutions to migration controversies—calls for legalization without citizenship, or for open borders, or for transnational and episodic forms of democratic decisionmaking—effectively disaggregate the component parts of holistic democratic citizenship (participation, rights, equality, intersubjective identification, and perpetuation). Such disaggregated approaches are unlikely to resolve the problems associated with migration while preserving the conditions of democracy.

This shortcoming in our political debate indicates the need for an alternative democratic justification for political—not merely economic or humanitarian—incursion. A broad policy of naturalization for unauthorized denizens can be explicated through an account of holistic democratic citizenship which emphasizes not only rights, participation, and equality (as most migration theorists do), but also intersubjective identification and a commitment to perpetuation (as many do not). This account not only clarifies the particular elements which distinguish the membership status that migrants seek to attain; it also shows why that status, in the American context, relies on a conception of nationhood which, although diminished in both public debate and much of contemporary political theory, nonetheless remains crucial for American democracy.

In suggesting that our public discourse can be linked to theoretical foundations, I am not going so far as to suggest that it always is. The views which predominate in public discourse often don’t fit together; they become unmoored from an underlying theory; they betray our professed commitments. They often maintain only a tenuous connection to conceptual foundations which, if acknowledged, would help clarify and resolve seemingly-intractable disagreements. There remains a gap between the debate we now have and the one we might yet achieve.

The discussion below proceeds in the hopes of narrowing this gap, assuming that it is possible to locate in our present discourse the ingredients for a better one. By analyzing the actual discourse we are having, we can also suggest the kind of discourse we could have: a reframing of political questions that is within reach for members of this community, participants in this conversation, inheritors of these traditions of thought and action.11 The positions that

11 Consider Seyla Benhabib’s description of Michael Walzer’s interpretive method, in which “available and shared definitions and understandings of social meaning have to be” the “starting point” for “refining, systematizing, making coherent, criticizing and replacing by a ‘better’ understanding the common views of these issues.” See Seyla Benhabib, *Situating the Self: Gender, Community, and Postmodernism in Contemporary Ethics* (New York: Routledge, 1992), 79–80.
Americans hold about immigration in general, and especially about unauthorized immigration—whether to deport, legalize, or naturalize; what kinds of requirements to attach to citizenship; whether to maintain or abandon the practice of birthright citizenship—can be understood as expressions of underlying theoretical views about the nature of the political community to which they aspire.

I interpret debates over immigration in general to involve a series of claims and counterclaims about political membership. On first glance, this claim may seem obvious, but in reality, both public and theoretical discourse about migration have a tendency to overlook or misconstrue the nature and role of political membership. Luisa’s reference to a life spent in the U.S. can be read as a claim of membership, just as ICE’s removal order can be read as a rejection of that claim. Calls for mass deportation are an obvious rejection of the idea that unauthorized immigrants could officially join the political community as full co-members—but so, less dramatically, is the withholding of citizenship status by limitation to legal residence. Discussions of immigration which emphasize its economic and humanitarian dimensions can sometimes suggest by omission that its political, and especially democratic, dimensions are of secondary importance. My goal here is to resist this tendency, and to instead offer political principles for what is at heart a political debate. It is only by restoring politics to the center of our thinking about immigration that we can hope to see more clearly the questions of democratic citizenship that it raises.

The Conventional View of Democracy and Immigration Restriction

Writing in 1985, Peter Schuck and Rogers Smith observed about unauthorized immigration: “As the nation’s historic experience with slavery indicates, the existence of a large, discrete population that is present within the political community but is ineligible not only for membership but also for many lesser forms of participation in social life cannot fail to provoke continuing political turbulence.” But there is widespread disagreement concerning which solution—deportation, legalization, naturalization, or some other approach—is required by fidelity to democratic norms.

A basic divide in this debate can be described in terms of a clash between two different views of democracy: a conventional view that democratic peoples overlap with the borders of nation-states, and an emergent view that locates democratic peoples by different means and challenges the rights of states to control borders. Theorists of the emergent view take the position that borders and migration can be addressed democratically only if we revise our understanding of what a demos is.

The conventional view of borders and democracy rests ultimately on an appeal to the will of the existing national demos, adopting everyday assumptions as to who constitutes the demos (the body of citizens) and how their will can be discerned (through the laws passed by their

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13 This list omits “doing nothing” for the simple reason that such a position lacks defenders. Long-term residence without legal status creates a range of problems for both citizens and unauthorized immigrants. For migrants, these include not only the difficulty of upward mobility due to irregular labor status, but vulnerability to a range of exploitations. Unauthorized status may also impede the moral agency of citizens and migrants alike by making impossible several forms of social and civic cooperation that are associated with their shared territorial presence. On this last point, see Paulina Ochoa Espejo, “Taking Place Seriously: Territorial Presence and the Rights of Immigrants,” Journal of Political Philosophy 24, no. 1 (March 2016): 67–87, https://doi.org/10.1111/jopp.12061.
elected representatives). It is captured by Schuck and Smith’s contention that unauthorized immigrants in the U.S. “are present in contravention of the expressed consent of the political community.”\textsuperscript{14} If a basic feature of self-determination for any political community is the necessity of its consent in accepting new members, it is a short step to defending—on those same grounds of self-determination—the just removal of those whose presence it has not consented to. Schuck and Smith argued that the American practice of granting birthright citizenship to the children of persons present in defiance of American law places fundamental questions of citizenship beyond democratic control:

Birthright citizenship’s inclusiveness of membership is also uncontrolled because it abdicates what is perhaps the most fundamental question of our political life—who shall constitute ‘we the people’? Rather than squarely addressing that question as one that should be decided deliberately on moral and policy grounds by the national community, it leaves it to the self-interested decisions of those [irregular migrants] over whom we have no effective control.\textsuperscript{15} If the citizenship status of these children were decided by Congress instead of the 14\textsuperscript{th} Amendment, then “responsibility for defining the boundaries of the political community would rest, as we believe it should, with the representative organs of the nation.”\textsuperscript{16}

Schuck and Smith’s suggestion was not that the U.S. actually adopt a more restrictive immigration policy, but rather that it determine such policies in a more democratic fashion—where democracy means the consent of the existing citizenry. This intuition is shared by consent-based approaches which offer (arguably) democratic justifications for deportation, or at least the denial of naturalization. Whatever immigration policy the U.S. might someday adopt, the endorsement of its existing laws as democratically legitimate underlies the view that the presence of unlawful immigrants contravenes the will of the demos, and attempts to naturalize them may do the same.\textsuperscript{17} This partly explains the persistent political opposition to naturalization for unauthorized migrants, and the difficulty of dismissing such objections to inclusion as mere nativism.\textsuperscript{18} While Schuck and Smith expressed support in the 1980s for granting citizenship to

\textsuperscript{14} Schuck and Smith, \textit{Citizenship Without Consent}, 3.
\textsuperscript{15} Schuck and Smith, 135.
\textsuperscript{16} Schuck and Smith, 7.
\textsuperscript{17} One might respond by claiming that whatever is suggested by extant law, the current population of unauthorized immigrants was extended a tacit invitation to enter and work. Joseph Carens calls this the “state complicity” argument. See Joseph H. Carens, \textit{The Ethics of Immigration} (New York: Oxford University Press, 2013), 152–53. Schuck and Smith, who place far more weight on the importance of the political community’s consent in incorporating new members, also acknowledge the possibility of a tacit invitation which may justify granting citizenship to some unauthorized immigrants, even if it doesn’t rule out crafting greater restrictions on future entry: “Of course, a community may have tacitly encouraged the long-term residence of some aliens that it has never openly accepted, and its humanitarian values may lead it to place great weight on the fact that such residence has become a vital part of those person’s lives […] [S]uch considerations may justify certain sorts of rights and assistance to aliens, including offering citizenship to many of America’s current illegal alien population.” See Schuck and Smith, \textit{Citizenship Without Consent}, 40.
\textsuperscript{18} As Linda Bosniak, no adherent of the restrictive viewpoint, observes: “What is clear is that the law is sharply divided over the difference that undocumented alienage makes. On the one hand, we find it makes very little difference; the law regulating membership status has no bearing at all on aliens’ status as persons in a variety of spheres of national life. On the other hand, unauthorized status seems to make a great deal of difference, and the difference that it makes is integrally related to the perception that these aliens have willfully flouted the nation’s
many of America’s unauthorized immigrants, they emphasized that this was a pragmatic
concession to circumstances and an act of compassion, not something required in principle by
their theory: “Generally, however, the case for letting mere territorial presence qualify one for
civic membership cannot be reconciled with considerations of political self-determination.”

The political community may someday consent to a new and different policy, but on the
restrictive nationalist’s account, there is no great harm to democracy, narrowly construed, if it
chooses not to and instead pursues the just removals implied by its entry laws.

**Legalization without Citizenship**

Few theorists reason from an endorsement of democratic consent to a policy of mass
deportation. Some argue against the restrictive policy conclusions without disputing the premise
of the argument, drawing on supplementary arguments from outside democratic principles and
leaving the impression that the way to avoid the inhumane immigration policies required by
democracy is to depart from it for well-intentioned reasons. Such thinkers embrace a relatively
depoliticized vision in which individuals migrate for broadly apolitical reasons (usually for
economic opportunity), and in which the question of their civic relationship to others within a
polity is relegated to secondary importance. Because such thinkers view migration primarily in
terms of economic opportunity, they are comfortable with proposals that offer legal status
without citizenship—a concession to states’ naturalization policies that protects (and prioritizes)
the mobility and economic rights of migrants.20

Some thinkers make concessions to the consent-based argument while seeking to
minimize inhumane policy consequences by arguing that unauthorized denizens should be
extended partial forms of membership. In this spirit, Peter Skerry advocates a “balanced”
approach to immigration reform: “legalization for as many undocumented immigrants as
possible, but citizenship for none of them. Under this proposal, illegal immigrants who so
desired could become ‘permanent non-citizen residents’ with no option of ever naturalizing.”21

The merit of legalization without citizenship, writes Skerry, is that it would “address the
predicament faced by the undocumented while at the same time respecting and addressing the
concerns of those Americans who have long demanded that illegals be penalized for breaking the
law. It would respond to the challenge of illegal immigration in its genuine complexity and
ambiguity.”22

This is a common position in the public debate over immigration. It appeared in

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19 Schuck and Smith, *Citizenship Without Consent*, 40.
20 Arguments which oppose mass deportation without focusing explicitly on the issue of democratic consent tend to
emphasize the humanitarian and economic issues linked to migration. As a libertarian critic of mass deportation
writes: “The inhumanity of [deporting all 11 million undocumented immigrants] goes without saying: Individuals
would be ripped away from their families and communities. And there would also be dire economic consequences
from removing millions of hard-working residents from the domestic labor pool.” See Ed Krayewski, “5 Reasons to
Grant Amnesty to Illegal Immigrants,” Reason.com, February 7, 2013, http://reason.com/archives/2013/02/07/5-
reasons-for-amnesty-for-illegal-immigr. A conventionally-minded critic might charge that this simply changes the
subject: instead of responding to the charge that unauthorized immigrants defy the consent of the demos, the
interlocutor counters that deportation would inflict suffering and economic harm.
22 Skerry, 4.
the “Standards for Immigration Reform” promulgated by Congressional Republicans during 2014’s failed effort to pass a comprehensive immigration reform bill:

There will be no special path to citizenship for individuals who broke our nation’s immigration laws—that would be unfair to those immigrants who have played by the rules and harmful to promoting the rule of law. Rather, these persons could live legally and without fear in the U.S., but only if they were willing to admit their culpability, pass rigorous background checks, pay significant fines and back taxes, develop proficiency in English and American civics, and be able to support themselves and their families (without access to public benefits).23

This proposal explicitly rejects a “special path” to citizenship, but in its qualified proposal to allow residence “legally and without fear,” it suggests that no path to citizenship, special or otherwise, will be offered to unauthorized denizens. This is presented as a concession to fairness and the rule of law, just as similar legalization-without-citizenship proposals are framed variously as concessions to economic need, humanitarian concern, and the desire of current citizens to see unauthorized migrants suffer penalties for violating immigration law. In each case, the result is that migrants’ partial membership status is intentionally perpetuated. This indicates that political incorporation is not seen by proponents of legalization as the key issue to be resolved. It is acknowledged, but ultimately subordinated to other priorities.

Postnational Democracy: A Political Incorporation Approach (With or Without Membership)

Deportation is a rejection of the unauthorized denizen’s right either to reside in or join the host nation. Mere legalization prioritizes their right to reside while rejecting or pragmatically trading away their right to join. Naturalization confers both a right to reside and a right to join, but recently this understanding has been complicated by the emergence of democratic approaches to migration which sever the link between residence and membership. Whereas naturalization is conventionally understood as the incorporation of discrete individuals into citizenship in a given nation-state (which presumably includes physical residence in that state), new proposals advocate forms of democratic participation that presume neither physical residence, nor a stable set of individuals to be incorporated, nor “official” membership in the form of citizenship status as conventionally understood. Still, I refer to these approaches as forms of naturalization because they involve some element of political incorporation, which is the distinctive element that naturalization adds to mere legal residence.

Originating in the claim that a truly democratic regime of borders and migration requires the “unbounding” of the demos beyond the nation-state, these approaches—unlike many of the humanitarian, economic, or pragmatic arguments discussed above—are expressly political. They neither suggest that migrant incorporation is only incidentally a political issue, nor do they advocate it on other-than-political grounds (as an apparent exception to what consent-based democratic considerations might seem to demand). Instead, these alternative visions of political incorporation accept the political character of migration, but avoid the restrictive implications of the conventional democratic account by rejecting its premises about the scope of the demos. In this vein, Arash Abizadeh objects to states’ “unilateral” control of their own borders, arguing that

“according to democratic theory, the democratic justification for a regime of border control is ultimately owed to both members and nonmembers.” Such a form of democratic justification is skeptical of restrictive immigration policies because it rejects existing practices of civic border-drawing in general. Abizadeh maintains that the only way to overcome a basic incoherence in the mainstream “state sovereignty” theory of bounded democracy is to “abandon this implausible picture of the demos as a prepolitically constituted, really existing corporate entity”—an entity that could, through a democratic process, erect against outsiders the very same borders it presupposes when denying to them a say in the decision. The source of this contradiction is a confusion arising from the mistaken idea that popular sovereignty necessarily corresponds to a body of people whose existence is temporally and logically prior to any political action it might collectively take. Instead, democratic theory provides a different principle of legitimation rooted in mutual justification, not in the prior existence of any such collective. And this principle, concludes Abizadeh, “extends as far as practices of mutual justification can go, which is to say that the demos is in principle unbounded.”

Whereas the conventional view began by taking the immigration laws passed by national legislatures as legitimate expressions of democratic will, the emergent view regards those same laws as undemocratic because they unilaterally mandate border closure against potential entrants to whom a say in the decision was owed. In order to be democratic on Abizadeh’s terms, the justification of borders cannot be merely hypothetical; it requires explicit, participatory consent (such as a vote). On the issue of migrant residence and civic borders, national laws ground the restrictive nationalist’s appeal to democratic legitimacy; for postnational democrats, these same laws are inadmissibly undemocratic.

This vision of transnational democratic politics is consistent with a growing conviction among political theorists that justice requires changes to civic borders in ways that would likely result in substantially denationalized citizenship. In his seminal article on the subject, Joseph Carens concluded that on nearly every leading theory of justice, borders should “generally be open.” Similarly, Veit Bader writes that justice “asks for fairly open borders.” On this view, justice not only circumscribes the rights of political communities to self-determine; it is also logically prior to those communities as well (since their boundaries and membership are set by an authoritative principle originating outside of them).

Although much of the discussion over open borders has focused on migration’s impact on cultural diversity in receiving countries, from the perspective of holistic citizenship the more consequential questions concern its effects on perpetuation (the perception of a shared fate among members of a demos) and its potential to cast political practices and offices across multiple polities while at the same time instituting new civic distinctions among members internally. Such developments (in some form) would almost certainly accompany any substantial

25 Abizadeh, 47.
26 Abizadeh, 48.
27 Abizadeh, 41.
implementation of an open borders system. This is a point acknowledged by both critics and advocates: Veit Bader, for instance, argues that “democratic citizenship ought to be disentangled from citizenship as state membership,” and that differentiating “conceptually and practically between different levels of citizenship” is the best way to avoid the “morally illegitimate exclusion” represented by borders. Chandran Kukathas, observing that border openness is actually a matter of degree encompassing progressively-thicker rights of entry, participation, and membership, acknowledges that from a moral perspective, restrictions on the first two rights “are of most concern from the perspective of an advocate of open borders.” These proposals—whether a division of citizenship into different “levels,” or a division of the essential rights of entry and participation from the inessential (if desirable) conferral of membership—are examples of disaggregated citizenship. From the perspective of their proponents, these various forms of disaggregated citizenship follow from justice’s requirement that states open their borders, and from the likely changes to political life that would occur as a result. If conceptions of citizenship that encompass more than entry and basic legal protections should prove too demanding in the world of lowered or eliminated civic borders required by justice, then one solution is to create partial or disaggregated forms of citizenship which could meet justice’s demand without insisting on a form of political belonging that a borderless world renders impractical.

Justice, Democracy, and Postnationalism

Postnational theorists contest mainstream democratic theory’s approach to civic borders on the grounds that the form of democratic legitimation it describes is incoherent. “Boundaries comprise a problem,” contends Frederick Whelan, “that is insoluble within the framework of democratic theory.” No group can draw boundaries around itself unless some boundaries already demarcate it as a group. If this is true, then Schuck and Smith’s argument—that “the most fundamental question of our political life—who shall constitute ‘we the people’?—ought to be “decided deliberately on moral and policy grounds by the national community”—relies on an indefensible assumption that “the national community” of existing citizens is a body capable of making legitimate democratic decisions about borders—and, arguably, about many other issues.

This suggests profound changes in the practice and theory of democratic citizenship, captured by Abizadeh’s claim that “the demos is in principle unbounded.” Abizadeh defines the demos as a body of persons coerced by a decision and linked by the practice of mutual justification for that decision. Since there is no reason to assume that such a group of people

30 Bader, 224.
31 Bader, 225. Emphasis original.
34 Schuck and Smith, Citizenship Without Consent, 135.
36 “On this view, democratic theory does provide an answer to the boundary question: the reach of its principle of legitimation extends as far as practices of mutual justification can go, which is to say that the demos is in principle unbounded. Hence, even the drawing and control of boundaries must ultimately be justified to those whom the boundaries are meant to define as nonmembers.” See Abizadeh, 48.
will remain constant from decision to decision, the implication of Abizadeh’s argument is that an unbounded demos is also an episodic one: Wherever processes of mutual justification take place, there too one will find a demos.

Pro tanto, such a demos could not be a stable, discrete group that roughly persists over time. If it is constructed via processes of mutual justification, then the relevant parties among whom justification is owed must shift depending on the issue. It may no longer make sense to speak of discrete and persistent demoi, but rather episodic instances of decisionmaking via mutual justification—decisions which do not imply a stable collective whose common good, self-determination, or way of life is promoted or expressed thereby. If this interpretation of the emergent view is correct, then theorists who follow its rejection of “unilateral” border controls are also committed to a substantial revision of the way the demos is normally imagined and instituted.37 Border drawing may thus turn out to be the issue which exposes the need for basic revisions in how we theorize democratic peoplehood.

It is unclear, however, that the revisions implied by this approach can be reconciled with the nature and preconditions of democratic collective sovereignty. Some objections to a demos that is unbounded “in principle” might be rendered along practical lines. Sarah Song notes that among other things, democratic decisionmaking procedures made on the basis of all persons either affected or coerced would present “a serious problem of indeterminacy. In a world in which these principles were in operation, the lion’s share of democratic contestation would likely be devoted to determining who ought to have a say rather than to the policy issues at hand.”38 This practical concern can also be rendered as an ontological objection. If the demos is redefined in a manner that effectively renders it episodic and constantly shifting, does it remain a demos at all? Is it possible to speak coherently of a collective democratic sovereign, or only of a series of ever-changing groups which make majoritarian decisions? As Charles Taylor has argued, democracy as an ongoing project of self-rule is distinct from the simple act of majority decisionmaking, which “can be adopted by all sorts of bodies, even those which are the loosest aggregations.”39 In contrast to this sporadic majoritarianism, the conceptual development in the early modern era of a transferal of sovereignty “from a king onto a ‘nation’ or a ‘people’ […] indicated an entity which could decide and act together, to whom one could attribute a will.”40 Bernard Yack raises a similar objection: “Communities of free and equal citizens,” he argues, “cannot live so easily with continual adjustments of their boundaries. For these communities need to know exactly whom the state is serving and where the limits of its authority lie. Without sharp and relatively settled boundaries the liberal project of rendering coercive authority

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37 One way of limiting the reach of this principle is to restrict its application to all those “coerced” rather than all those who are merely “affected” by a decision. But it is difficult to specify a reasonable limiting principle; indeed, even the alleged more-restricted “all coerced” principle seems, as Sarah Song notes, “to push toward a global demos.” See Song, “The Boundary Problem in Democratic Theory,” 53. On the issue of borders, Abizadeh maintainsthat “Democrats are required by their own account of political legitimacy to support the formation of cosmopolitan democratic institutions that have jurisdiction either to determine entry policy or legitimately to delegate jurisdiction over entry policy to particular states (or other institutions).” See Abizadeh, “Democratic Theory and Border Coercion,” 48.
40 Taylor.
accountable to the people who created it is impossible.”41 So if democracies cannot avoid the contemporary fact of extensive cross-border movement, neither can they resolve its attendant problems of exclusion by detaching the demos from some form of consistent institutionalization.

Finally, the unbounded approach faces problems of scope related to the unstable distinction between all those coerced (or, more broadly, affected) by a decision, and all those potentially coerced. Consider Abizadeh’s example of border drawing. It seems clear that the border policies of the United States, on the unbounded democratic argument, should be determined with input from residents of Mexico. But what if the policy determined in this manner unexpectedly comes to coerce a new group of would-be entrants, such as Syrians? Is a new border policy now required, or does the decision of the older episodic demos stand? And when and how are we to make such determinations? Does the legitimacy of any democratic decision erode as soon as a new group emerges, a body of persons unimagined during the initial decision process? Since there is no way of determining with certainty how a decision made today will affect the world in the future, even expansive applications of these principles threaten to be under-inclusive and illegitimate on their own terms.42

If an unbounded demos not only creates a range of obstacles to collective democratic sovereignty as normally understood, but also risks failing to meet the theory’s own criteria for democratic inclusion, there seems to be no compelling reason to endorse its drastic revisions to democratic practice. Despite these problems, however, the unbounded demos approach exhibits a distinct advantage over nearly all the other alternatives discussed so far. Unlike many other approaches to migration and borders, it justifies its proposed revisions to civic borders and democratic citizenship in explicitly political, rather than economic or humanitarian, terms. Moreover, it suggests a political basis for inclusion that (as I will argue below) provides helpful principles for debating immigration policy in a democratic way. The problem with the revisions proposed by the unbounded demos theory is not an indifference to democratic citizenship, nor a reliance on other-than-political principles for inclusion, but rather an impractical and flawed model of democratic politics.

An alternative mode of inclusion should preserve these advantages while resting on a different understanding of democracy. To some extent, this different understanding can be informed by real-world practice: Controversies surrounding migration and citizenship are likely to be addressed not through a sweeping redefinition of democratic sovereignty, but on a case-by-case basis, through citizens debating (and potentially expanding) the meaning of political membership in their polities. Participants in those debates will seek a narrative to explain the meaning of political membership in their society, and many will do so by mobilizing the resources of nationhood, even if they ultimately put them to different political uses.43

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43 As Yack similarly observes: “If I am right about the connection between popular sovereignty and nationalism, the nationalism may be a lot harder to separate from liberal democratic politics than its critics realize.” See Yack, Nationalism and the Moral Psychology of Community, 153.
This is not a straightforward normative concession, in which we simply revise our expectations on the centrality of mutual justification in democratic politics. But it resists the most episodic and unbounded interpretations of the mutual justification view on the grounds that such a vision of democracy understates democracy’s associational and interpretive character. Democracy’s associational and interpretive elements imply stronger roles for history, context, and temporal continuity than an episodic model could incorporate. This suggests that the success of democratic citizenship under globalized conditions may turn out to be closely linked to the success of inclusive forms of peoplehood, including (where relevant) inclusive forms of nationalism.

**Democratic Equality in Bounded Communities**

Following Elizabeth Anderson, I discuss democratic equality in relational terms. Anderson argues that “democratic equality” is intended not to “eliminate the impact of brute luck,” but to “end oppression, which by definition is socially imposed.” On her account, “to live in an egalitarian community […] is to be free from oppression to participate in and enjoy the goods of society, and to participate in democratic self-government.” I have argued so far that in a democracy, not only the stability of institutions, but also the legibility of political problems requires temporal continuity as well as a shared framework for interpretation and deliberation. For that reason, I interpret relational equality—including participation not only in self-government, but in the public processes through which circumstances are interpreted, problems defined, and solutions negotiated—to require intersubjective identification among citizens. Democratic equality cannot inhere in social relations unless citizens understand themselves to be engaged, with particular others, in an ongoing project of democracy. (Or, to use the terms of holistic citizenship: equality and participation require identification and perpetuation, and vice versa.) Democratic citizenship understood in this way is an important source of associative duties which take shape through the demos’s own (contested, revisable) understanding of itself and its circumstances. In the absence of such processes, it may be difficult or even impossible to define and discharge many of the obligations that, on Anderson’s theory, are associated with relational equality: “What citizens ultimately owe another is the social conditions of the freedoms people need to function as equal citizens.”

In this account, the particularistic obligations shared by citizens appear not as an atavistic or unjustified exception to a modern, universalistic ethic, but rather as an important component of democratic equality. Jonathan Seglow makes the connection between associative duties and citizenship explicit:

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45 Anderson, 315.
46 Anderson, 320.
47 Relational egalitarians who accept, as I do, that bounded communities define both these relevant relationships and the practices which would enable equality within them do not mean to imply that these are the only kinds of relationships where equality matters. Relational equality implies that there is a specific class of duties we face by virtue of our location within a particular civic context, duties which exist in addition to those we owe to human beings in general. As Anderson writes, we are indeed implicated in ethically-significant relationships that stretch beyond borders: “We also have global humanitarian obligations to everyone, considered simply as human beings—to relieve famine and disease, avoid fomenting or facilitating aggressive warfare, and the like.” But the description here of global obligations as obligations to humans “simply” suggests that they are different from those owed to co-
Let me briefly defend, therefore, the very idea of civic associative duties […] In political society we engage with other citizens through institutionally defined common activities. Citizens debate issues, scrutinize their government, vote, run for office, work in public service, pay taxes, claim benefits, have civil marriages, apply for passports and permits and licenses, give information to public authorities, recycle their rubbish, call on the police, serve on juries, serve in the armed forces, and so on. In doing so, citizens enact their roles as citizens and maintain them over time. The institutional embeddedness of roles and the duties attached to them publicize our activities; in this case our activities as citizens […] Institutional embeddedness enables us to participate in more proximate social relationships with larger numbers of people, not simply those with whom we have direct contact. Institutions are the medium for larger, more complex forms of common activity.48

This understanding of democratic equality and its attendant civic-associative obligations includes acts of imagination and interpretation which orient members of the demos toward the civic whole. These processes of intersubjective identification indicate why, in contrast to the proposals advanced by a range of migration theorists, democratic citizenship cannot be reduced to a merely legal status, or (somewhat less minimally) to nothing more than the opportunity to participate in formal political activities such as voting. Individuals who enjoy a common set of legal rights and opportunities for participation, but who do not otherwise understand themselves to be engaged in a common political enterprise, share a democracy only in a limited sense, and are unlikely to maintain even this minimal form of collective sovereignty over time.

For these reasons, a holistic understanding of democratic citizenship approaches relocations of citizenship cautiously. Membership in a democratic state connects participation and identification with a politically-adequate object: Citizenship is the office through which our associative duties to fellow members are defined and sustained. Politically-consequential ties of this sort can only extend as far as the institutions capable of discharging the relevant associative duties—which is to say that the links among citizens (so conceived) are in principle coextensive with civic boundaries.49

members. Anderson does not go into further detail on the “international implications of democratic equality” in the 1999 article. See Ibid., 321, n. 78. In a later book Anderson writes of the “evaluative resources” of a “democratic approach to group inequality,” which “initially narrows our focus to social relations within the borders of a democratic state but expands the demands of justice inside those borders.” See Elizabeth S. Anderson, The Imperative of Integration (Princeton: Princeton University Press, 2010), 17–18. She observes in the associated endnote that some international relations, like those constituting the EU, generate calls for democratic organization, but does not undertake a full “investigation of the conditions that give rise to democratic claims across international borders.” See Anderson, 195–96.


49 By contrast, postnational theorists of citizenship often assume or assert that denationalized symbolic and affective ties are institutionalized in ways that make them relevantly political, such that one could speak meaningfully of “citizenship” or “citizenships” in a multiplicity of non-overlapping global assemblages. Linda Bosniak, for instance, writes that activism in international civil society could be the site of denationalized, post-statist citizenship: “From a purist’s perspective, doing this will be seen as taking us too far afield from the republican and participatory democratic traditions, which regard citizenship and polity as tightly bound-up together. On the other hand, these approaches place engagement in public life at the center of their understanding of citizenship. In this respect, one could argue that ‘transnational activism as transnational citizenship’ fulfills the normative requirements of the theory
These observations suggest that in the absence of easily-achievable alternatives for the institutionalization of democratic community, we should be more, not less, demanding in our notions of the intersubjective transformations that should occur when the American democracy accepts new members. Otherwise, we risk a corrosion of democratic citizenship with no obvious replacement for the model that has been abandoned. As the political community, conceived as an association of citizens, changes over time, so too do many of the practices, duties, and intersubjective perceptions attached to that association. Amidst those changes, an anchor of stability is the discharge of these elements of citizenship through the democratic state in whose governance the members have a common share. Disaggregating democratic citizenship severs the connections between our intersubjective, intergenerational communities of meaning and the civic institutions through which we realize them.

**Holistic Democratic Citizenship and Bounded National Solidarity**

From the perspective of holistic democratic citizenship, unauthorized immigration is a problem of political membership which cannot be straightforwardly assimilated to our treatment of migration controversies in general. Unauthorized immigrants are long-term denizens who are implicated in democratic politics in normatively significant ways, and who are subject to common jurisdictional authority along with citizens. Yet they are not full members, and from the holistic perspective they would not become members by receiving legal status on solely humanitarian or economic grounds.

I argued above that the unbounded demos proposal, despite its problems, has the distinct advantage of centering democratic politics in its conception of inclusion. The democratic state is neither merely a labor market nor merely a site for subsistence and rights-protection, and so its criteria for inclusion should not be conceived of solely in economic or humanitarian terms. In a

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of political citizenship very well […] It is simply that the notions of ‘common good’ and ‘public domain’ are drawn more expansively than they usually are within the tradition.” But as I argue above, it is not the case that these activities—stripped from their social-political context and de-linked from the life of a particular democratic state—are the same as the activities which characterize democratic citizenship, only performed on a larger scale, as Bosniak argues. That shift in context is a major reason to resist applying the label of “citizenship” to such activities or the label “citizens” to persons engaged in them. (It is even more doubtful whether, say, an anti-smog protestor in Los Angeles and a tree-planting volunteer in São Paulo should be identified as belonging to the same civic whole, whether we use the term “people,” “demos,” or anything else.) See Linda S. Bosniak, “Citizenship Denationalized (The State of Citizenship Symposium),” *Indiana Journal of Global Legal Studies* 7, no. 2 (Spring 2000): 478–79.

50 That is, either by the relatively expansive “affected interests principle” or else by the more demanding “coercion principle,” each of which have been marshaled for arguments which expand the demos beyond the boundaries of national citizenship. For a discussion of these principles see Song, “The Boundary Problem in Democratic Theory.”

51 See Levy, “Against Fraternity: Democracy Without Solidarity.” Levy writes (p. 3): “Rather, fellow citizens are in a fundamental sense moral strangers to each other, united only by the shared circumstances of inhabiting a common political jurisdiction, and not by any prior relationship that legitimizes, grounds, underlies, or stands outside of those circumstances.” (Emphasis original.) This type of unity would see to encompass others who inhabit a common jurisdiction, at least over a long period of time, even if they are not part of the citizenry.

52 There may also be strategic political reasons to resist treating citizenship as a means to economic improvement, since this may be likely to stir further resentment and undermine the superior civic reasons for integrating undocumented immigrants. Schuck and Smith express concern of this sort when discussing the citizen children of undocumented immigrants: “If an increasing number of newcomers can, by means of illegal actions, claim political membership only because their parents have exploited an anachronistic understanding of the clause, then the society will be more likely to adopt harsh policies born of resentment and prejudice against such citizens, their noncitizen family members, and aliens in general.” See Schuck and Smith, *Citizenship Without Consent*, 122.
democracy, the properly relevant principles for debating migrant inclusion are political; conceptions of the meaning and purpose of political membership should inform public debate.

Holistic democratic citizenship provides a structured framework for explicating the special normative considerations at work in the case of America’s long-term unauthorized denizens. I discuss the specific normative foundations of the political inclusion owed to such denizens in terms of three of its components: intersubjective identification (conceived in terms of the phenomenological and experiential dimensions of \textit{de facto} membership); equality (conceived in terms of the community’s own interest in maintaining its democratic character by guarding against subordination and exploitation); and perpetuation (conceived in terms of the civic future immigrants seek when considering the projects of their lives). Attention to these components of holistic citizenship shows why denizens should be distinguished from would-be migrants, generates a more inclusive vision of democratic community than the conventional theory, and avoids the disaggregation of citizenship that would follow from postnational approaches. It shows why full civic inclusion is owed to most of the unauthorized denizens currently in the U.S., suggests legitimate criteria for excluding individuals whose claim to membership is less compelling, and indicates reasons why inclusion can be owed to these denizens but not to every potential migrant—in other words, how a national American democracy can balance the demands of boundedness and inclusivity.

Only naturalization on the model of democratic nationalism addresses the American controversy over unauthorized migration while preserving holistic democratic citizenship. Each of the major alternatives—mass deportation, legalization without citizenship, open borders, and transnational and/or episodic democracy—protects some familiar elements of citizenship by jettisoning others, and so produces a corresponding pathology. The table below shows how different approaches to the problem of unauthorized immigration fit into the schema of holistic citizenship.

\begin{table}[h!]
\centering
\begin{tabular}{|l|l|l|l|}
\hline
\textbf{Proposed Policy} & \textbf{Includes} & \textbf{Excludes} & \textbf{Corresponding Pathology} \\
\hline
Mass deportation & Identification (for some), participation (for some) & Equality, protection & Ignores existing associational ties, may rest on inadmissibly ethnic or racial conception of demos \\
\hline
Legalization without citizenship & Rights-protection & Participation, equality, identification, perpetuation & “Undemocratic liberalism,” empty protections, two-track legal system and/or pervasive socioeconomic inequality, limited or no sense of collective self, corrosion of deliberation into “rights talk” \\
\hline
Open Borders & Rights-protection, participation, equality & Identification, perpetuation & Limited or no sense of collective self (inhibiting democratic communication), corrosion of deliberation into “rights talk,” scorched earth politics, episodic demoi/instability \\
\hline
Transnational/episodic voting & Rights-protection, participation, equality & Identification, perpetuation & Limited or no sense of collective self (inhibiting democratic communication), corrosion of deliberation into “rights talk,” scorched earth politics, episodic demoi/instability \\
\hline
Naturalization & Protection, participation, equality, identification, perpetuation & None & \\
\hline
\end{tabular}
\caption{Disaggregated Citizenship in the Context of Unauthorized Immigration}
\end{table}
As the table shows, most of the options proposed in the contemporary theoretical literature (where support for mass deportation is rare) privilege rights-protection, some form of political participation, and (in some cases) formal equality over identification and perpetuation—in large part because these latter components, in particular, imply a boundedness to which theorists are reluctant to lend normative approval. But these disaggregated approaches have the effect of reproducing, rather than mitigating, many of the familiar (and well-documented) problems already plaguing American democracy. Missing from this theoretical picture is a demonstration of the ways in which identification and perpetuation underwrite democratic deliberation and democratic virtues while supporting a stable form of political inclusion for migrants. My focus on identification, equality, and perpetuation is intended to restore these dimensions to a central place in our discussion of migration and citizenship.

I begin with intersubjective identification. Unauthorized denizens are chiefly distinguished from would-be migrants by occupying a place in the social fabric: Despite their subordinate status, these denizens are intertwined in the everyday experiences of the civic community and in the circles of political concern which help structure it. This factor captures the way citizens regard unauthorized immigrants, both as individuals they know and as a group important to the life of their community, their state, and their country. Most unauthorized immigrant laborers in the U.S. work in low-skill professions: They are maids, construction workers, cooks, and farm workers; but they are also students, parents, spouses, union members, activists, and members of churches and clubs. They inhabit the civic space alongside citizens and are part of the imaginary and phenomenological experience of public life, linked to citizens even in the absence of direct personal ties. At some necessarily local level, this is experienced as a lived phenomenon, but it is also a force shaping the national circle of concern. It is reflected in the way that controversies at the local and state level are understood by all parties to be, in the final sense, a fight over membership in the national community. As the 2016 presidential campaign proved, immigration politics are always-already nationalized for Americans.

The second normative foundation in this account of bounded solidarity is the holistic component of equality, by which I refer to the democratic integrity of the host community. Concerns about unauthorized immigrants’ unequal status, and their resulting vulnerability to an

53 Their liminal status in the political community is a predictable source of controversy. One such example occurred in the 2016 Supreme Court case Evenwel v. Abbott. In this case, appellants challenged Texas’s practice (employed nationwide) of drawing legislative districts by total population, rather than by total eligible voters. This, they argued, unfairly skewed the number of districts to places with a high number of ineligible residents (such as undocumented immigrants, who were counted among the population but not among regular voters), which in turn gave unequal voice to residents of the larger-by-population districts, in violation of the principle of one-person, one-vote. See Sue Evenwel, et al., Appellants v. Greg Abbott, Governor of Texas, et al. (Supreme Court of the United States 2016), as well as Adam Liptak, “Supreme Court Agrees to Settle Meaning of ‘One Person One Vote,’” The New York Times, May 26, 2015, http://www.nytimes.com/2015/05/27/us/supreme-court-to-weigh-meaning-of-one-person-one-vote.html.


55 As Schuck and Smith write: “persons within a given territory must inevitably and intensively interact with and affect one another, thereby creating a common life that ordinarily shapes their interests. Hence, defining political membership territorially expresses a recognition that all person who share a specific locale over a period of time form an organic community, regardless of their inherited legal statuses.” Schuck and Smith, Citizenship Without Consent, 39.
array of exploitations, reflect a legitimate desire to preserve our own integrity as a democratic community that opposes the emergence of a subordinate class in its midst. This is the idea behind Michael Walzer’s contention that all residents must be given a say, and ultimately an equal say, in the actions of a democratic government: “No democratic state can tolerate the establishment of a fixed status between citizen and foreigner […] Men and women are either subject to the state’s authority, or they are not; and if they are subject, they must be given a say, and ultimately an equal say, in what that authority does.” Of course, it is in the nature of ongoing controversies over unauthorized denizens that the population is shifting and is a matter of active political contestation. For that reason, the component of identification (coextensive with civic borders) is intended to help determine the scope of the component of equality, giving some guidance as to the scope of residents to whom such a say is ultimately owed. Yet the extension of democratic voice owed to permanent residents cannot be guided by identification and equality alone, since these components of citizenship do not demarcate migrants who intend temporary residence from those who have settled with the intent to stay permanently.

For that reason, the third principle concerns the temporal dimension of immigrant belonging, while casting that concern in a different direction from the leading contemporary accounts. Joseph Carens’s well-known theory of “social membership” uses time as a proxy for an immigrant’s social ties. Taking these social ties as grounds for a claim to stay, Carens looks backwards at how long an immigrant has been present in a new country: “living in a society over time makes one a member and being a member generates moral claims to legal rights and to legal status.” After a period of five to seven years—judged by Carens to be long enough to indicate deep ties and meaningful connections—the “statute of limitations” on unlawful entry expires. This theory helpfully explicates our intuitive moral sense that an unauthorized immigrant who has been present for 50 years has a better claim to stay than one who arrived yesterday. Carens makes this explicit when reflecting on the moral basis for granting many of the rights of citizens to residents, but not to tourists or visitors. This practice shows that “it is not citizenship but social membership that provides the basis for moral claims to most legal rights because social membership is what citizens and residents have in common and what distinguishes them from visitors.” Claims to membership-specific rights “depend primarily upon where one lives and how long one has lived there,” since these are the factors which determine membership “in the sense that is relevant to these membership-specific rights.” Importantly, these moral claims “grow over time.” But I want to suggest that Carens’s theory of social membership doesn’t capture the whole of what we should value when considering an immigrant’s claim to stay, in part because it doesn’t take the immigrant, and the community’s, future into account.

In stressing the importance of futurity (both for immigrants and the host community), I draw on the holistic component of perpetuation. The life-plans of unauthorized immigrants are

56 Walzer, Spheres of Justice: A Defense of Pluralism and Equality, 61.
57 Carens, The Ethics of Immigration, 159–60.
58 Carens writes: “The implication of this analysis is that states should move away from the practice of granting occasional large-scale amnesties or providing a right to stay on a case-by-case basis through appeal to humanitarian considerations. Instead, states should establish an individual right for migrants to transform their status from irregular to legal after a fixed period of time of residence, such as five to seven years.” See Carens, 151.
59 Carens, 159.
60 Carens, 161.
61 Carens, 159.
the third consideration in my account of bounded national inclusiveness because they directly affect the community’s ability to perpetuate itself over time. As liberals and egalitarians, we should ask what immigrants themselves want; as democrats, we should ask what the preservation of our collective autonomy requires. If immigrants seek to become members of the political community and participate in it over the course of their lives, this desire should be taken (along with their place in the social fabric and our own interest in maintaining democratic integrity) as strengthening the receiving community’s reason to err on the side of inclusion. Carens’s argument for the importance of social membership looks backward at the private social ties that migrants have established, but in order to ground full political inclusion, we should also consider the specifically civic ties that immigrants have established, or wish to establish, with the political community they seek to join. Such ties, per the “social fabric” principle, are not always personal, nor are they always local. This is in contrast to Carens’s account: He writes that the “deep and rich networks of relationships” that people have “in the place where they live” are “what makes sense of the idea of social membership.”

The social fabric principle, in combination with a civic-centered consideration of futurity, advances the alternative idea that existing, locally-centered social ties alone do not ground a claim to political membership.

By the same token, immigrants who do not seek to become civic members and participate in the polity have a weaker claim to full inclusion, even if they are part of the social fabric and occupy a subordinate status that weakens the democratic integrity of the community. Those first two factors generate reasons to protect their basic rights and treat them with dignity during a temporary stay in the country. But if they do not seek a future in the civic community, then further membership-specific rights (as well as permission to stay indefinitely) are not necessarily owed to them.

The consideration of futurity is faithful to a core commitment of liberalism: the creation and maintenance of the social and political conditions necessary for each person to conceive of and realize her life as a project. This principle is not absolute (it does not protect the life plans of aspiring murderers); nor does it protect life plans from scrutiny or criticism (though it generally...

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62 Carens, 168.
63 This point draws on Sarah Song’s observation that the theory of social membership, as Carens develops it, “is grounded in a theory of political community” and does not merely concern inclusion into social groups and private relationships. For, as Song and other readers of Carens have noted, social ties alone cannot do the normative work required by his theory. Carens takes social ties as a sign that one has set roots in a particular community, and these social connections ground a claim to political membership. But as Paulina Ochoa Espejo argues, deep social ties can exist among people who reside in different political territories, so it cannot be such ties in particular that ground Carens’s argument that they are, or should be, members of the same civic community. And as Sarah Song suggests, Carens’s theory does not adequately address the relevant differences between social membership in a neighborhood or town and civic membership in a democracy. To argue that one’s belonging in the former grounds a claim to admission in the latter “presupposes the value and moral relevance of the political community,” which is a distinct form of association in which the nature and preconditions of belonging may differ. See Sarah Song, “Immigration and Democratic Principles: On Carens’ Ethics of Immigration,” Journal of Applied Philosophy 33, no. 4 (November 2016): 3, https://doi.org/10.1111/japp.12188. See also Ochoa Espejo, “Taking Place Seriously.”
64 It has been suggested to me by Matt Whitt that this could involve a large and potentially invasive deployment of state power—to discern whether individual migrants “really” intend to join the political community, and to make a profoundly life-altering choice on their behalf if it determines that they do not. I acknowledge the criticism and share the concern, but I am reluctant to concede the normative point, which still stands, however we decide to institute it in practice.
restricts corrective mechanisms to admonition, not coercion). This embrace of life-plans by the proponent of bounded solidarity might invite an objection: If liberals value the autonomous fulfillment of life plans as a basic interest of humans in general, then there is no reason why such a concern should stop at civic borders. According to this objection, the only alternative to morally-arbitrary parochialism (or worse, simple chauvinism) is not just moral cosmopolitanism, but also the political cosmopolitanism which makes its realization possible.

Part of this criticism is correct. Liberals do think that people in general, and not only their fellow citizens, have an interest in being able to formulate and live out their life-plans. The error lies in assuming that prioritizing the life-plans of fellow members in certain contexts is necessarily chauvinistic or can never be justified. The choice is not so stark—that we must value all life-plans equally, or else give up on our claim to value moral equality and retreat into parochialism. As with many other liberal values, we can (and do) accommodate both general duties and special duties, and the one does not negate the other. The special concern for the life plans of co-members derives from a citizen’s duty to protect the conditions of the liberal democratic political community that enables the simultaneous flourishing of individual and collective autonomy in the first place.

The strong cosmopolitan objection would be convincing, then, if either the maintenance of democratic states did not require the kind of bonds, obligations, and special duties I’ve been discussing, or if these could be instituted on the level of a world state. Yet there is a more moderate objection which does not require meeting either of these demanding conditions. It could be stated this way: While liberals’ commitment to life-plans might allow for some special duties to co-members, the commitment to life plans for people in general means that the plans of non-members should be given serious consideration, and be reconciled as far as possible with the requirements of self-determination. In the case of immigration policy, this might require (for example) a greater number of admissions in general, as well as relief to unauthorized denizens with strong membership claims and stronger justifications for immigration restrictions.

In fact, nothing in the account I offer here contradicts this moderate objection, and accepting it does not generate the radically-inclusive results I seek to avoid (with their implications of open borders or an episodic demos). This is because I advocate the simultaneous adoption of all three of these foundations of bounded solidarity—the phenomenological experience of sharing a social fabric with unauthorized denizens (identification), the maintenance of democratic integrity (equality), and the life-plans of immigrants themselves (perpetuation). None of these principles is to be taken as the sole consideration in my account of bounded solidarity; they must all be considered together. But taken as a whole, they suggest why we ought to err on the side of inclusion. Any of them considered alone might generate an unbalanced result; combined, they help articulate our intuitive sense that inclusion may justly be owed to some but not all. We may have good reason to turn denizens into citizens; by the same token, we may have less reason to unbound democratic citizenship beyond state borders.

As Mill wrote in On Liberty: “It really is of importance, not only what men do, but also what manner of men they are that do it. Among the works of man, which human life is rightly employed in perfecting and beautifying, the first in importance surely is man himself.” This is point that is perhaps more prominent in 19th-century variants of liberalism, but as my account of citizenship argues, a liberal democratic society needs the deep humanism that Mill’s contention offers. See John Stuart Mill, On Liberty, ed. Elizabeth Rapaport (Indianapolis, Indiana: Hackett, 1978), 56.

Carens makes a similar observation in his arguments for the theory of social membership, chiding both theorists who emphasize citizenship too much and “cosmopolitan thinkers” who “go too far in denigrating the significance of
Democratic Nationalism in American Political Thought: Implications beyond Immigration

This description of the intersubjective and imaginative dimensions of citizenship partly supplements Judith Shklar’s description of American citizenship as a “quest for inclusion,” an extension of membership that is more concerned with expressive equality (or “standing”) than with political practices. Shklar argues that aspirants to American citizenship seek “agency and empowerment,” “social standing, and “inclusion in the polity”; they seek “to break down excluding barriers to recognition” more than “civic participation as a deeply involving activity.” A holistic understanding of citizenship similarly emphasizes “standing,” “inclusion,” and “recognition” as key to intersubjective identification. But it also suggests that we should understand identification and participation as intertwined and mutually-supporting elements of citizenship (resisting a strong form of the distinction that Shklar draws between them). This is because effective democratic participation requires a psychological transformations on top of formal protections and avenues for the exercise of voice. As Anna Stilz argues through her reading of Rousseau, identification is linked in practice to the maintenance of democratic equality: “Without sufficient solidarity, a general will cannot be formulated, and without a general will, we cannot live together in a condition that is free from domination […] Citizenship requires a kind of solidarity among compatriots, such that no individual is viewed separately or apart from the whole.”

According to Stilz, an individual in a democracy must be capable of regarding herself as a member of the body politic if that body is to be able to produce a general will capable of legitimately defining each citizen’s rights. Once this transformation occurs, the interests of each individual—while still privately held—are the interests of a different kind of self, of an individual citizen who is considering herself as a citizen. Indeed, Rousseau sometimes says that an adequately general will requires the prior construction of a people—or moi commun—that is, a set of individuals who have the motivation to take one another’s needs and interests as making special claims upon them.

Stilz’s Rousseauian observations about the risks of a democracy without identification suggest how the decline of prominent self-interpretations can undermine the epistemic, psychological, and motivational preconditions of a flourishing democratic life. The result is politics without a public, capable of supporting only a partial form of citizenship that cannot underwrite solidarity or secure more than a pallid fate for democracy.

I argued in earlier chapters that historically, America’s democratic reformers inverted the traditional nationalist method of boundary drawing: They sought to make the nation match the boundaries of the state, rather than making the state match the boundaries of a prepolitical nation. In the context of immigration, however, this presents a special challenge. As Elizabeth Cohen writes: “Despite its lengthy history as an immigrant-receiving nation, the United States has as yet failed to produce a well-articulated public philosophy of immigration […] We have no public philosophy of immigration because our understanding of citizenship is focused inward, on belonging.” The cosmopolitan view (“that the only thing that really matters is the protection of human rights”), Carens says, “is not my view, and the theory of social membership explains why.” See Carens, The Ethics of Immigration, 161.

67 Shklar, American Citizenship, 2–3.
68 Stilz, Liberal Loyalty, 80.
69 Stilz, 81.
differences that exist within the native-born population.”

Still, there are understandings prominent within current American practice, as well as precedents within American history, for treating long-term unauthorized immigrants as presumptive members of the demos. In Walzerian terms, this is a shared understanding that has long been recognized in American law and policy. Consider, for instance, the ‘discretion’ guidelines attached to immigration enforcement, which modify enforcement priorities based on time, behavior, and social ties, as well as the longstanding use of time in other legal contexts as a proxy for the depth of an individual’s political membership. Americans have also at times distributed citizenship with an eye towards perpetuation, treating immigrants, in Hiroshi Motomura’s words, as “Americans in waiting.” Under this “immigration as transition” model, immigrants who declared an intention to become U.S. citizens were even granted voting rights, signaling the polity’s understanding that they formed, or were in the process of becoming, part of the demos. When combined with what has often amounted to an implicit invitation from the U.S. government (in the form of work opportunities combined with weak employment enforcement) this precedent seems to generate a strong case for formalizing and completing what today is a partial, informal status. What must be considered next is whether this model of civic membership offers resources for thinking about other obstacles to nationalized democracy in the United States.

Although this argument affirms the nation as an important resource for democracy and as a site of belonging for Americans, it refrains from adopting certain arguments in the literature on liberal nationalism. Most importantly, although it presses on the contextual and historical nature of the shared meanings and understandings that have guided the nationalization of the American demos, it refrains from adopting a strong form of the argument that Americans do, or should, share a thick “common” culture. The problem with this view of the nation (in the American case) is that Americans cannot appeal to a thickly-defined particular cultural nationhood and remain loyal to their own tradition of incorporating diverse elements into an American amalgam. To be clear, this is not to suggest suggest that American politics somehow operates in a culture-free or culturally neutral space: As Bernard Yack notes, members of nations inevitably draw on cultural materials in political debate, but it is the fact of a common inheritance, and not any set way in which cultural materials must be related to or employed, which links national co-members. Yack’s account shows how we can understand the cultural character of nationhood without adopting some of the exclusionary or conservative implications of liberal nationalist arguments.

There are other aspects of civic life that ground our connections to each other—and give us reasons, as I argue in subsequent chapters, to integrate each other into a nationalized politics without presuming that this is equivalent to assimilation into a stable, preexisting cultural “core.”

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71 See for instance John Morton, “Exercising Prosecutorial Discretion Consistent with the Civil Immigration Enforcement Priorities of the Agency for the Apprehension, Detention, and Removal of Aliens” (United States Immigration and Customs Enforcement, June 17, 2011).
The idea that full political membership makes use of this shared cultural inheritance recommends against thinking about immigration either through a solely distributive lens or through a post-national one. We should resist conceptions of democratic peoplehood that de-link a people from the institutions which sustain it, that devalue the role of history in shaping the contexts and contours of specific debates, and that disaggregate citizenship. We should also pay greater attention to the intersubjective elements of democratic citizenship, and why it matters that Americans conceive of intersubjective democratic citizenship in national terms. A theory of national democratic citizenship should explain to Americans those elements of their shared meanings which can be marshaled to imagine a polity that achieves the ideals immanent in their particular traditions. I elaborate on this argument in the next chapter, which concerns racial inequality and segregation.
Chapter Four: Racial Integration and “The Nation’s Problem”

“I deny and utterly scout the idea that there is now, properly speaking, any such thing as a Negro problem now before the American people. It is not the Negro, educated or illiterate, intelligent or ignorant, who is on trial or whose qualities are giving trouble to the nation. The real problem lies in the other direction. […] It is not what he shall be or do, but what the nation shall be and do, which is to solve this great national problem.”

- Frederick Douglass, “The Nation’s Problem,” 1889

Introduction: The Ends of Integration

In the final days of May 1969, fourteen black intellectuals convened at Haverford College in Pennsylvania. It was a distinguished group, counting among its members the writer Ralph Ellison; the historian John Hope Franklin; the sociologist St. Clair Drake; the economist Phyllis A. Wallace, the first woman to gain tenure at MIT’s Sloan School of Management; William Hastie, the first African-American federal judge; Robert C. Weaver, the first African-American cabinet secretary; and Kenneth and Mamie Clark, the educational psychologists whose “doll experiments” had famously influenced the Supreme Court’s decision in *Brown v. Board of Education*. United by a shared worry, they had gathered for a discussion about the next generation’s “repudiation of what we consider some important values and goals”—specifically, that younger African Americans were coming to consider “integration a dirty word.”

Transcripts of the discussions reveal a group troubled by the rise of separatist ideologies and hopeful that a collaborative restatement of the premises, social philosophy, and political goals of integration might reclaim some lost momentum for their cause. They considered publicizing their conversations, producing a journal, scheduling speaking events, seeking mass media attention, and reaching out to young activists. But such plans for a coordinated strategic intervention in public debates over racial equality never materialized; the group’s organization faltered and its funding dried up. The conversations from the group’s May 1969 meeting were not published at the time, and three subsequent meetings during years of growing rancor (later in 1969, and again in 1972 and 1975) remain unpublished today.

In 2013, the transcripts of those first Haverford discussions were finally published. The timing of this reemergence might be seen as a suggestive metaphor for the career of integrationism over the last half century. The iconic moral statement of integration is 1954’s *Brown v. Board of Education*, which overturned *Plessy v. Ferguson*’s endorsement in 1896 of

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1 Frederick Douglass, “‘The Nation’s Problem’: Speech Delivered Before the Bethel Literary and Historical Society, Washington, D.C., April 16, 1889,” in *Frederick Douglass: Selected Speeches and Writings*, ed. Philip Sheldon Foner and Yuval Taylor (Chicago: Chicago Review Press, 1999), 728. In that speech, Douglass also argued: “When we thus isolate ourselves we say to those around us, ‘We have nothing in common with you,’ and, very naturally, the reply of our neighbors is in the same tone and to the same effect; for when a people care for nobody, nobody will care for them […] A nation within a nation is an anomaly. There can be but one American nation under the American government, and we are Americans. The constitution of the country makes us such, and our lines of activity should accord with our citizenship. Circumstances now compel us in certain directions to maintain separate neighborhoods and separate institutions. But these circumstances should only be yielded to the least practicable extent […] Our policy should be to unite with the great mass of the American people in all their activities and resolve to fall or flourish with our common country.” See Douglass, 732.

“separate but equal” public facilities. In the six decades years between Plessy and Brown, racial egalitarians advanced a major shift in Americans’ self-understanding: Integration was transformed from the antithesis of normative Americanism to the essence of it. Of course, this new vision, like all self-interpretations born of political contestation, never fully displaced its rivals. Nonetheless, Brown’s unanimous reversal of Plessy is inconceivable without the intervening six decades of activism and argument.

Brown was an electrifying victory, but it also proved a short-lived one. For about a decade, the ruling expressed the dominant ideology of racial egalitarians in the United States. Subsequent decades, however, were not so kind to the idea. Integration was assailed not only by reactionary supporters of racial hierarchy, but also, increasingly, by radical critics who charged it with promoting coercive assimilation and endorsing cultural treason. No less important than these intellectual shifts was the simple exhaustion and pessimism generated by the divisive implementation of Brown and other elements of the civil rights agenda—so enervating that by the late 1990s, prominent black liberals publicly doubted whether the goals of their vaunted predecessors in the civil rights generation were even desirable, much less realistic. These developments seemed to show that if Brown was the high point for integrationist liberalism, it represented not a new plateau, but the apex preceding a long decline.

If the story of integration had ended at this nadir, there would be no reason to view the recent emergence of the Haverford discussions in metaphorical terms. But the skeptical consensus at the turn of the century may slowly be ceding ground to a sympathetic reassessment of integrationist politics. Elizabeth Anderson, whose defense of integration as an “imperative of justice” has renewed scholarly interest in the topic, writes that integration “requires the construction of a superordinate group identity, a ‘we,’ from the perspective of which cooperative goals are framed, and appropriate policies selected and implemented.” Anderson contends that “[i]n a democratic society, this ‘we’ is most importantly a shared identity as citizens.”

Critics of integration also frame their arguments in terms of an appeal to citizenship, but unlike Anderson, they do not treat the national polity as the site of that citizenship. Skeptical of goals such as residential integration, these critics—who have variously termed their approaches “community nationalism,” “egalitarian pluralism,” “voluntary separation,” and “limited separation”—defend an egalitarian anti-integration politics by redirecting certain components of citizenship away from a national demos and relocating them in localities.

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3 One could add to this argument the Court’s decision in Loving v. Virginia (1967): if, as Gary Gerstle suggests, interracial marriage is “the most powerful form of integration,” then the Court’s dismantling of miscegenation laws is the high-water mark of American civic nationalism over its racial nationalist alternative, which would see black-white racial “mixing” as the very opposite of what American nationhood stood for. See Gerstle, American Crucible, 369.
4 Anderson, The Imperative of Integration, 184.
5 Anderson, 188.
In this chapter, I critique these skeptical views through the lens of holistic democratic citizenship. On a holistic understanding, democratic citizenship is not merely a matter of formal rights and modes of participation. It must also include practices of intersubjective identification among citizens and an ethos of perpetuation (informed by citizens’ sense of shared futurity). These components of citizenship preserve collective autonomy by imaginatively orienting citizens towards the specific others to whom they are tied by virtue of shared membership in a democratic state. Because shared membership in a state is the basis for these kinds of imaginative orientations, the proper scope for these practices of holistic citizenship is not the locality, but the multiracial nation, which extends to encompass all permanent residents within the polity. If Americans do not understand their civic affiliations in national terms, they will fail to cultivate those elements of citizenship necessary for democratic equality in a multiracial society.

What the logic of identification and perpetuation imply, in short, is that the substance of democratic citizenship cannot be understood apart from its scope. The psychological orientation of each citizen toward the demos structures the collective definition and interpretation of political problems; as the scope of citizenship changes, so too do the relevant others, the processes of deliberation and interpretation, and the attendant political problems. What the collective sovereignty of a democratic state presumes is that such orientations ideally encompass every permanent resident within the state’s boundaries.

In order to prioritize racially-separated forms of local belonging over this integrated vision of national democratic citizenship, critics of integration have had to deny or downplay the relationship between equality, on the one hand, and nationally-scaled identification and perpetuation, on the other. Yet the absence of perpetuation and identification at the scale of the national demos imperils the achievement of racial equality. It produces a form of disaggregated citizenship inattentive to the importance of a democratic epistemology (the collectively generated political knowledge which helps to define political problems and inform democratic decisions) and the role played by a democratic psychology (the other-regarding orientation citizens adopt toward fellow-members when seeking, evaluating, and acting on that knowledge).

This chapter defends the claim that in a racially-divided American polity, there is no route to democratic equality except through integration—and that in turn, integration must be defined and understood in terms of holistic democratic citizenship, on the scale envisioned by democratic nationalism. Only the revival of that holistic vision can hope to reverse the resigned consensus captured bluntly by a Bronx councilman speaking to the New York Times in 2016: “The moral vision behind Brown v. Board of Education is dead.”

Race and Citizenship: Pessimistic Diagnoses and Alternative Prescriptions

Pessimism about the prospects of integrated equality in the United States seems to have crested sometime around the mid- to late 1990s, and by the early 2000s, short obituaries for

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11 As Eric Foner and Randall Kennedy noted in 1998: “Integration, the ideal that once inspired an interracial mass movement to dream of a better America, has lately fallen into disuse or disfavor. Books continue to appear with the word in their titles, but most seem resigned to integration’s failure, treating it as an ongoing ‘ordeal’ or seeking to allocate blame for the nation’s departure from integrationist principles.” See Eric Foner and Randall Kennedy, “Reclaiming Integration,” The Nation, December 14, 1998, 11. See also Brooks, Integration or Separation? and
Integration were a staple of scholarly work on contemporary racial politics. In 2006, Michelle Adams summarized the intellectual landscape: “Integration no longer captivates the progressive imagination; it no longer moves those concerned with eliminating racial inequality.”

This skeptical attitude was the combined result of ideational shifts and embittering political experiences. In the wake of Brown, ecstatic racial egalitarians believed themselves to be in possession of the tools necessary to effect rapid desegregation; even as seasoned an activist as Thurgood Marshall predicted that school segregation could be ended nationwide within five years. This expectation of rapid progress was due not only to the legal mechanisms the decision provided, but to a widespread optimism that Brown signaled the general decline of America’s racial hierarchy, a trend with repercussions far beyond public schools. In the end, this optimism prevailed for little more than a decade. By the late 1960s the hopes of integrationists had given way to more pessimistic diagnosis, one that implied a different political prescription.

The contours of this new politics, however, were not immediately evident. While by the 1990s, many pessimistic accounts had settled on a strategy of limited or partial separation, some midcentury critics of integration envisioned a more ambitious secessionist strategy. One of the most comprehensive secessionist visions was promoted by the economist and activist Robert Browne, who in the late 1960s proposed “a formal partitioning of the United States into two totally separate and independent nations, one white and one black,” with a black state possibly

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12 As Andrew Valls wrote in 2002: “Optimism about progress toward racial justice has fallen on hard times. That optimism, which was perhaps strongest in the 1960s and ’70s, has been replaced over the last two decades by pessimism that a non-racist American society will ever be achieved […] One conclusion that follows from this line of reasoning is that the usual approaches to racial injustice must be rethought, and conventional wisdom questioned. In particular, the traditional civil rights strategy of integration, with its assimilationist tendencies, must be scrutinized and perhaps discarded in favor of alternative strategies that favor black-dominated institutions, institutions that both reproduce black culture and offer a refuge from racism.” On the separation vs. integration debate, Valls remarked: “Perhaps what lies at the bottom of this disagreement is the level of optimism or pessimism about the prospects of eliminating racism in the United States.” See Andrew Valls, “The Broken Promise of Racial Integration,” *Nomos* 43 (2002): 456, 470.


15 Patterson, 71.

16 Certainly, this development was clear enough by 1969 that it was able to spur the gathering of the Haverford discussants. But the shifting winds of racial politics were observable a few years earlier, even in the immediate aftermath of major triumphs such as the Civil Rights Act (1964) and Voting Rights Act (1965). Gary Gerstle identifies 1966 as “the moment in which large numbers of African American civil rights workers officially broke with their civic nationalist and nonviolent pasts,” a break driven by their increasing pessimism. See Gerstle, *American Crucible*, 299.

located in some region of the South already heavily populated by African Americans.\textsuperscript{18} Browne advanced this argument in the pages of radical journals like \textit{Ramparts} and mainstream ones like the \textit{New York Times Magazine}, as well as in public dialogues with civil rights leaders like Bayard Rustin.\textsuperscript{19} His hope was to contribute to African Americans’ “search for a place where they can experience the security which comes from being a part of the majority culture, free at last from the inhibiting effects of cultural repression and induced cultural timidity and shame.” Those who had pursued this search through emigration to Africa had felt racial solidarity but experienced “cultural estrangement”; their experience proved that African Americans “are left with only one place to make our home, and that is this land to which we were brought in chains.”\textsuperscript{20} This establishment of a secure life was obviously impossible in a segregated America, but it was also impossible, for Browne, in an \textit{integrated} America. For Browne, integration meant the entry of African Americans into a society of alien norms, values, and standards, and the inevitability of indignity and shame. While other critics who have voiced objections like these took them to provide support for quasi-separatist enclaves within a larger multiracial nation, Browne followed this logic further: If cultural transformation proved truly impossible, the ideal outcome was the creation of a new and independent polity.

To convince a black child that she is beautiful when every channel of value formation in the society is telling her the opposite is a heart-rending and well-nigh impossible task. It is a challenge which confronts all Negroes, irrespective of their social and economic class, but the \textit{difficulty of dealing with it is likely to vary directly with the degree to which the Negro family leads an integrated existence}. A black child in a predominantly black school may realize that she doesn’t look like the pictures in the books, magazines and TV advertisements, but at least she looks like her schoolmates and neighbors. The black child in a predominantly white school and neighborhood lacks even this basis for identification.\textsuperscript{21}

To confront this situation “as an integrationist,” contended Browne, is to accept that the child \textit{is} ugly, at least “by prevailing standards,” and to simply urge them “to excel in other ways.” Only the separatist has the resources to reassure the child that she is “not a freak but rather part of a larger international community of black-skinned, kinky-haired people who have a beauty of their own, a glorious history and a great future.” Separatism, not integration, is capable of replacing “shame with pride, inferiority with dignity.”\textsuperscript{22}

This argument effectively reverses the conclusion reached by racial egalitarians in the previous decade. In the 1950s, Kenneth and Mamie Clark’s doll tests had been used to demonstrate the damage inflicted by segregation on the self-respect of African-American children, findings which racial egalitarians interpreted as providing support for integration.\textsuperscript{23}


\textsuperscript{20} Browne, “The Case for Black Separatism,” 50.

\textsuperscript{21} Browne, 49. Emphasis added.

\textsuperscript{22} Browne, 49.

\textsuperscript{23} A primer from the NAACP Legal Defense and Educational Fund briefly summarizes the experiment: “In the 1940s, psychologists Kenneth and Mamie Clark designed and conducted a series of experiments known colloquially
Midcentury integrationists did not think that preserving or deepening separation while reinterpreting its meaning could promote either self-respect for individuals or relations of equality in the broader society. As Clark explained in a 1968 letter:

As a psychologist I try to understand the depths of frustration and bitterness out of which these racial separatist demands arise […] In understanding this, however, I do not accept or agree with the variety of demands which some Negroes are making for racially segregated facilities and institutions. I particularly do not agree with the demands for racially segregated educational institutions or facilities. My studies of this problem have convinced me that all forms of racial segregation institutionalize racism and thereby intensify the basic American disease. Furthermore the consequences of voluntary or self-imposed racial segregation are as detrimental—at times more insidiously so—as that of involuntary segregation.24

For Clark and his allies, the defeat of subordination required the end of separation. But by the late 1960s, this belief was under severe stress—challenged by a growing pessimism that manifested not only in the changing political strategies of racial egalitarians, but also in shifting attitudes towards American nationhood.

The goals of the civil rights movement had long been understood in nationalist terms; in 1955, C. Vann Woodward coined the term “New Reconstruction” to describe a wide-ranging egalitarian campaign that resembled another high point in the tradition of democratic nationalism.25 To narrate twentieth-century civil rights activism in this way implies a self-conscious, intentionally-sustained link with nineteenth-century democratic nationalism; it suggests that the American demos is a historically-continuous group with a particular set of aspirations and a story to tell about itself.26 In the telling of that story, each tense of the verb is

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26 The transformation that many egalitarians envisioned took direct inspiration from what Eric Foner has described as “the emergence during the Civil War and Reconstruction of a national state possessing vastly expanded authority and a new set of purposes, including an unprecedented commitment to the ideal of national citizenship whose equal rights belonged to all Americans regardless of race.” See Foner, Reconstruction, xxvi. As James Liu and Denis Hilton write: “a group’s representation of its history will condition its sense of what it was, is, can and should be, and is thus central to the construction of its identity, norms, and values.” See James H. Liu and Denis J. Hilton,
emphasized: What the group was, what it is, and what it can or should be are each part of an imagined whole. Democratic theorists often appeal to this temporal holism, since many of the virtues and projects associated with democracy, such as sacrifice,\textsuperscript{27} reciprocity,\textsuperscript{28} and what Amy Gutmann calls “conscious social reproduction,”\textsuperscript{29} are comprehensible only within the context of a shared future with a particular collective—a group of fellow members who willingly sacrifice for each other; who understand themselves to owe reciprocal obligations; who consciously reproduce their own society for future generations.

The component of perpetuation refers to this future-oriented ethos, which is necessary for the maintenance of a democracy’s collective sovereignty over time. Democratic nationalists like Abraham Lincoln, Frederick Douglass, and Walt Whitman promoted perpetuation by portraying the American demos in aspirational terms, acknowledging that American democracy was not fully realized in the present, but holding out hope that it could be achieved in the future. In their formulation, the achievement of nationhood would also signal the achievement of democracy: Democracy, as Whitman wrote, “is a great word, whose history, I suppose, remains unwritten, because that history has yet to be enacted.”\textsuperscript{30} Yet even if that democratic nation remains unachieved, belief in its possibility and desirability directs political action toward that specific (potential) collective.

For this reason, changed perceptions of possible futures profoundly affect democratic politics in the present. This is the key consequence of the growing pessimism of the late 1960s: It dissolved the historically continuous link between civil rights activism and an older tradition of democratic nationalism. As Browne wrote, the growing support for separatist solutions “unmistakably revealed” “the depth of the despair about white America which is now prevalent in the black community.”\textsuperscript{31} Despair expresses one’s belief in the impossibility of a better future—the future to which democratic nationalists had appealed. No wonder, then, that the rise of despair directly informed Browne’s call for a national dialogue on the topic of establishing separate states for America’s racial groups. When the temporal link was broken, relocation of the demos was not far behind:

To these developments has been added the momentous realization by many ‘integrated’ Negroes that, in the U.S., full integration can only mean full assimilation—a loss of racial identity. This sobering prospect has caused many a black integrationist to pause and reflect, even as have his similarly challenged Jewish counterparts. Thus, within the black community there are two separate challenges to the traditional integration policy which has long constituted the major objective of established Negro leadership. There is the general skepticism that the Negro, even after having transformed himself into a white blackman, will enjoy full acceptance into American society; and there is the longer-range doubt that even should complete integration somehow be achieved, it would prove to be

\textsuperscript{27} Allen, Talking to Strangers.


\textsuperscript{30} Whitman, “Democratic Vistas,” 477.

\textsuperscript{31} Browne, “The Case for Black Separatism,” 47.
really desirable, for its price may be the total absorption and disappearance of the race—a sort of painless genocide.\textsuperscript{32}

Browne’s suggestion that integration \textit{necessarily} means assimilation, and that assimilation is \textit{necessarily} the elimination of black culture (a “painless genocide”), presents a revealing contrast with the understanding of integration that prevailed among members of the Haverford Group. In a written statement following the discussions, Ralph Ellison pointedly affirmed “integration without the surrender of our unique identity as a people to be a viable and indeed inescapable goal for black Americans.”\textsuperscript{33} He added that as a writer, “the object of my fictional imagination is the American society and the American experience as experienced fundamentally by Negroes and I find it impossible to deal with either in isolation, for they are intricately united in their diversity.”\textsuperscript{34}

These comments recognize and endorse hybridity as the key to understanding both the American past and the American future. Whatever its fading appeal in the late 1960s and early 1970s, Ellison’s view is closer to the contemporary Anglo-American philosophical mainstream than is Browne’s (which posits a racial essentialism that even many separatists reject).\textsuperscript{35} Moreover, as Kwame Anthony Appiah has written, the rhetoric of cultural integrity may reinforce constraining life-scripts that oppress the individuals in whose interest the culture’s self-appointed defenders claim to speak:

What demanding respect for people as \textit{blacks} or as \textit{gays} requires is that there be some scripts that go with being an African-American or having same-sex desires. There will be proper ways of being black and gay: there will be expectations to be met; demands will be made. It is at this point that someone who takes autonomy seriously will want to ask whether we have not replaced one kind of tyranny with another. If I had to choose between Uncle Tom and Black Power, I would, of course, choose the latter. But I would like not to have to choose.\textsuperscript{36}

\textsuperscript{32} Browne, 49.
\textsuperscript{33} Lackey, \textit{The Haverford Discussions}, 111.
\textsuperscript{34} Lackey, 111–12. The one bond that Ellison identified across various forms of American diversity—in region, class, ethnicity, and religion—was language. American English, influenced by African culture even before the country was founded, “owes something of its directness, its flexibility, its music, its imagery, mythology and folklore to the Negro presence; it is not, therefore, a product of ‘white’ culture as against ‘black’ culture, rather it is the product of cultural integration.” See Lackey, 112.
\textsuperscript{35} As Brooks wrote in 1996: “Likewise, limited separation rejects racism (black and white), Black Nationalism, ethnic nationalism, racial essentialism, racial mythmaking, and other belief systems that undermine unity. Limited separation, in short, broadens the American base without destroying it.” See Brooks, \textit{Integration or Separation?}, 285. Michael Lackey, in a discussion of Harold Cruse’s debate with J. Saunders Redding on the questions of integration and black peoplehood, concludes that the most contemporary students of race would concur that the views of writers like Cruse have fallen from prominence. As he writes: “the Cruse victory, if we can now call it that, could only be categorized as short lived, for as it turns out, the metaphysical model of race underwriting Cruse’s black cultural nationalism and the Black Arts Movement would be considered by today’s standards profoundly misguided. Since the 1980s most academics have rejected the idea of race as an ontological fact of being and accepted the postmodern view of race as a sociopolitical invention.” See Lackey, \textit{The Haverford Discussions}, xxviii.
Concerns like these help explain why Browne’s call for separate nationhood, justified on strongly cultural grounds, has not been met enthusiastically even by otherwise sympathetic thinkers. Yet not all versions of the separatist argument necessarily rely on this sort of essentialism. They could be justified simply by reference to the skeptical outlook implied by the conscious break with democratic nationalism. This view, rooted more in political judgment than in any appeal to culture, implies a form of separatism that is not as strongly tied to secession and political independence. Browne acknowledged, with some ambivalence, the largely local character of separatist activities focused on this more modest goals.

If one inquires about the spokesmen for the new black nationalism, or for separatism, one discovers that the movement is locally based rather than nationally organized. [...] To a black who sees salvation for the black man only in a complete divorce of the two races, these efforts at ghetto improvement appear futile, perhaps even harmful. To others, convinced that coexistence with white America is possible within the national framework if only the whites permit the Negro to develop as he wishes (and by his own hand rather than in accordance with a white-conceived and white-administered pattern), such physically and economically upgraded black enclaves will be viewed as desirable steps forward.37

Browne’s description hints at the complications that can arise from separatist strategies in which African Americans ultimately remain citizens of the larger polity. In the terms of my argument, separatist strategies that stop short of full secession are forms of disaggregated citizenship. Here the proposed disaggregation is not legal or formal; it is (or aspires to be) temporal, spatial, epistemic, and psychological, operating at the level of civic experience and civic imaginary. The proponents of various forms of limited separatism claim that it has beneficial civic effects, a claim which deserves examination from the holistic perspective.

Identity, Identification, and Integration

In 1966, the Pulitzer Prize-winning historian Oscar Handlin, a celebrated chronicler of America’s immigration history and major influence on the reforms contained in the 1965 Immigration Act,38 claimed in an essay that integration was impossible for both whites and blacks. Desegregation alone was sufficient to undo the harms of Jim Crow, argued Handlin, and if its progress extended beyond this essentially destructive task in order to “open the way to full participation by Negroes in the political and economic life of the nation,” that positive process of civic rebuilding would occur only “within the terms of some approximation of the group life already developed.”39 Handlin’s vision for civic transformation did not entail a thoroughgoing exchanges with young radicals in the late 1960s, including an incident involving a young black man—clad in a black beret and a black leather jacket—who had travelled from Chicago to confront Ellison at a party following a panel at Grinnell College. During an argument about Invisible Man, the younger man shouted: “You’re an Uncle Tom, man. You’re a sell-out. You’re a disgrace to your race.” Visibly attempting to control his emotions, Ellison replied that he resented the charge. Later, after his accuser had left, Ellison broke down to a black student who had intervened, weeping into his shoulder and repeating: “I’m not a Tom, I’m not a Tom.” See Arnold Rampersad, Ralph Ellison: A Biography (New York: Alfred A. Knopf, 2007), 439–40. 37 Browne, “The Case for Two Americas - One Black, One White,” 60–61. 38 Mae M. Ngai, “Oscar Handlin and Immigration Policy Reform in the 1950s and 1960s,” Journal of American Ethnic History 32, no. 3 (2013): 62–67, https://doi.org/10.5406/jamerethnhist.32.3.0062. 39 Oscar Handlin, “The Goals of Integration,” Daedalus 95, no. 1 (Winter 1966): 276.
integrative change in the social or psychological dimensions of America’s racial system: “Integration, defined as the elimination of differences […] demands of both Negroes and whites an impossible surrender of identity.”

Whereas Handlin saw integration as an “impossible surrender of identity” for both black and white Americans, other thinkers understood it in essentially assimilative terms. A 1964 report in *Commentary* captured this one-way perspective, which prevailed among many liberals who supported the civil rights cause:

> What is now perceived as the ‘revolt of the Negro’ amounts to this: the solitary Negro seeking admission into the white world through unusual achievement has been replaced by the organized Negro insisting upon a legitimate share for his group of the goods of American society. The white liberal, in turn, who—whether or not he has been fully conscious of it—has generally conceived of progress in race relations as the one-by-one assimilation of deserving Negroes into the larger society, finds himself confused and threatened by suddenly having to come to terms with an aggressive Negro community that wishes to enter it *en masse.*

*Commentary*’s characterization of the terms on which integration was acceptable to many white liberals was reinforced the next month by Norman Podhoretz, speaking at a roundtable that included James Baldwin and Gunnar Myrdal:

> On the one side, we have those liberals whose ultimate perspective on race relations (as David Danzig puts it) envisages the gradual absorption of deserving Negroes one by one into white society. At its most extreme, this position has sometimes looked forward to an eventual merging of the two races, though of course that possibility has rarely been discussed in public among liberals—and for very good reason, as I am here to testify.

Danzig and Podhoretz characterized the mainstream liberal view of integration as a process of assimilation or “absorption,” in which whiteness remains the default social identity for Americans, the model to which African Americans must adhere if they are to join the societal mainstream. This is the understanding of integration that Kwame Ture and Charles Hamilton denounced in 1967 as “unrealistic” and “despicable,” as “a subterfuge for the maintenance of white supremacy.”

> The fact is that integration, as traditionally articulated, would abolish the black community […] No person can be healthy, complete and mature if he must deny a part of himself; this is what ‘integration’ has required thus far.

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40 Handlin, 276.


42 Nathan Glazer et al., “Liberalism & the Negro: A Round-Table Discussion,” *Commentary Magazine*, March 1964, https://www.commentarymagazine.com/articles/liberalism-the-negro-a-round-table-discussion/. In context, Podhoretz’s remark seems to refer to the difficulties that would arise for a pluralistic style interest-group politics for black Americans if interracial relationships became so commonplace as to blur racial identity boundaries.


44 Hamilton and Ture, 55.
Unless integrationists clearly distinguish their position from assimilation, they risk promoting a fatally flawed vision of democratic equality—one which deserves the criticisms raised by Ture and Hamilton. As Sharon Stanley writes: “If we take these [assimilative] views as emblematic of integration, then integration can be difficult to defend.”

Avoiding these assimilative risks requires a different approach to the topic of identity. The claim that integration necessarily dilutes or imperils identity—whether the identity of the minority group alone or, as Handlin believed, the identities of both blacks and whites—risks inviting both ontological mistakes (a belief in racial identities’ essential content) and normative ones (a belief that racial identities presumptively merit protection from voluntary change). When Handlin refers to an “impossible surrender of identity,” he is not referring to the discredited idea of biological race. Rather, “identity” here refers to mores, customs, styles of thought and language, traditions, and other cultural markers associated with blackness and whiteness. But as critics like Appiah have pointed out, “racial identity” in this sense has no intrinsic, natural relationship to racialized groups as such. It may have a historical and sociological relationship, but insofar as this observation shows that identity (in the sense of distinctive traditions) is a product of human beliefs and meaningful human actions, it weakens the argument that something essential to individuals is lost when those identities are transformed through voluntary association. This is not to deny that human beings are profoundly influenced by the traditions, values, and customs of the particular communities in which they are raised, or with which they come to identify. Rather, it is to emphasize that such identities are not natural kinds, and that they are not straightforwardly caused by an individual’s race in any sense that precludes human agency and the identity’s perpetual revisability. Rather, the traditions underlying these forms of identity are (like all traditions) contingent, revisable human practices transmitted across generations by individuals who share an understanding about their meanings. This grants them a certain stability and makes them recognizable as traditions, but it does not fix their essence or suggest that there are strong naturalistic grounds for lamenting the ways in which humans revise them. The value of traditions is not intrinsic, but rather relative to their meaning for those specific humans engaged in them.

Further complicating this picture is the fact that while “identity” implies something unitary and fixed, scholars now tend to discuss identities as shifting, hybridized, contextual, and in many cases voluntary. Individuals have not one overarching identity, but several identities that intersect, jostle alongside each other, and may differ greatly (and vary by context) in their mutability, flexibility, and political salience. Some of our identities are politically relevant in almost every interaction we have; some wax and wane in their political relevance, or are relevant only in certain settings; others matter hardly at all. Some can be concealed; others affect how others see us whether we want them to or not. Some can be changed or revised relatively easily,

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46 As Mark Bevir writes: “Traditions are not fixed entities people happen to discover. They are contingent entities people produce by their own activities. The exponents of a tradition bring it into being and determine its progress by developing their webs of belief in the ways they do. A defense of procedural individualism clearly implies that traditions arise only out of the beliefs of specific individuals, and a defense of agency implies that traditions do not determine the beliefs of their exponents. Consequently, we can identify the beliefs that make up a tradition only by reference to the shared understandings of temporal links that allow us to associate its exponents with one another […] Because structural meanings are abstractions derived from hermeneutic meanings, traditions must be emergent entities based on the beliefs of individuals.” See Bevir, *The Logic of the History of Ideas*, 203–4.
others, only at great effort or cost. Some are revisable by individuals acting on their own power, but others can be revised only if great numbers of people participate in the revision. For these reasons, talk of undifferentiated “identity” presents a serious risk of oversimplification.

Holistic democratic citizenship implies that this revision of “identity talk” should go even further than shifting our usage from singular to plural. What we further require is a direct consideration of those processes through which individuals come to identify each other in politically-salient ways. We can guard against assimilative risks by redirecting our focus from identity as a (fixed, unitary) possession to a (dynamic, intersubjective) activity—from something individuals have to something that they do. Understood in terms of intersubjective identification instead of identity, integration can be defended as a mutually-transformative process required for the realization of democracy, rather than as a one-way accommodation of minorities to the majority’s way of life.47

Of course, democratic citizenship is often regarded as a form of identity, and this is not entirely mistaken—at least with respect to those relatively fixed, common elements of citizenship which can be conferred formally (such as rights). But intersubjective identification refers to something which cannot be reduced merely to rights: the tendency of individuals to see each other as partners an ongoing project of collective sovereignty. It is misleading to speak of these processes as a citizenship “identity,” because they do not imply uniformity, and because they are dynamic actions in which individuals participate, not fixed qualities about them. Practices of identification can be intersubjectively shared by individuals who differ in many of the respects usually associated with “identity,” and it is these practices, not any common and fixed characteristics shared by individuals, that democracies require in order to preserve collective sovereignty.

The identity/identification distinction enables a more tractable approach to many of the complicated questions that arise in a democracy marked by racial divides and a history of segregation. Against such a backdrop, the meaning of separatism in a given instance is not always self-evident. As Rogers Smith has noted, “some types of democratic pluralist positions insist that real equal respect for groups requires public support for separate but equal institutions, such as all-black or all-Latino schools and business or self-governing neighborhoods or cities.” The risk, as thinkers like John Dewey worried, is that strong forms of separatism “may produce a society that does not really share many democratic institutions at all,” but rather “a set of confederated and mutually suspicious separate communities.”48 The mere existence of separate institutions does not indicate that such a point has been reached, since each example (such as an all-Latino school or an all-black business association) will play a different role in the life of each of its members, who individually (through their array of associational ties) may live more or less integrated lives.

Instead of debating “which” identity individuals should adopt, then, some democratic theorists have instead asked whether given organizations encourage or inhibit their members’ engagement in broader democratic associations and their ability to imagine the civic whole.49

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49 Amy Gutmann argues that “group identification in itself is not morally admirable in democracy” because “identity groups can impede and undermine as well as aid and express the cause of democratic justice. A democratic perspective therefore does not consider identity groups as good or bad in themselves but rather evaluates them
This approach preserves our focus on identification: whether voluntary separation ultimately substitutes one form of inequality (coercive assimilation) with the forms of inequality and domination that result when citizens who are responsible for decisions on each others’ behalf are in important ways strangers to each other. As Elizabeth Anderson argues: “Democracy requires that citizens from all walks of life discuss matters of public interest together, as equals. So long as the citizens were divided into distinct noninteracting groups, the aggregation of their opinions would still not amount to the consent of a unified body of citizens.”

Rather than foregrounding this question of intersubjective identification, however, contemporary critics of integration instead focus on the conditions under which racial groups choose to separate. Andrew Valls provides a clear expression and defense of this approach:

…in principle, it is a mistake to equate racial clustering with failure. This is one of the main upshots of the black nationalist position: racial clustering is not in itself a bad thing, and may in some respects be a good, valued thing, as long as it results from uncoerced individual choices under just conditions. It is a mistake to say that ‘If racial segregation is the problem, then racial integration is a remedy’ (Anderson 2004, 20). De jure segregation was certainly a ‘problem’ but it does not follow that integration is the remedy.

Stated this way, the harms of racial segregation are not separation per se, but rather enforced separation. (Significantly, one of the most explicit recent defenses of clustering uses the term “voluntary separation.”) It follows that the removal of coercion—whatever its results—is the remedy, whether or not that leads to integration. Indeed, Valls is quite explicit about this, presenting as an advantage of his theory that it “cuts across the integration/separation debate by focusing [instead] on the terms on which the debate should be decided.”

Though undoubtedly important, this focus on conditions of choice hardly exhausts what we have to say about racial equality. Theorists should be concerned with the political consequences of separation itself, not merely the terms under which it takes place. Whether


50 Anderson, The Imperative of Integration, 92.
52 Merry, Equality, Citizenship, and Segregation.
54 Indeed, the focus on conditions of choice threatens to give undue weight to conservative arguments that in a post-Jim Crow world, the persistence of segregated neighborhoods and schools simply reflects the preferences of citizens. If this legalistic standard is alluring for its clarity, it is also risky for the minimalistic and misleading vision of free choice on which it is premised. As critics such as Randall Kennedy have noted, both conservatives and egalitarians with separatist sympathies give considerable deference to freedom of choice as an acceptable explanation for racial separation in such contexts as schools and housing. According to [Justice Clarence] Thomas, “[t]he continuing ‘racial isolation’ of schools after de jure segregation has ended may well reflect voluntary housing choices or other private decisions.” See Randall Kennedy, “On Racial Integration,” Dissent 43, no. 3 (Summer 1996): 47–52. Merry also argues repeatedly that liberty may stand in tension with integration: “with respect to integration, liberty is a kind of nonfacilitative principle, and most efforts to promote integration will clash with liberty.” See Merry, Equality, Citizenship, and Segregation, 48. One problem with this view is that the end of de jure segregation did not mean the end (to use Clarissa Hayward’s terms) of the stories, institutions, and spaces it created. Indeed, all of these continue to powerfully shape the racial contours of Americans’ identities even after the racist narratives (and many of the legal and political structures) that initiated them have faded from prominence. At some level, this is unsurprising,
systematic separation is coerced or voluntary is a distinct question from whether systematic separation corrodes democracy—and there are strong reasons to presume that democracy, which flourishes when all citizens see each other as potential allies and partners in the act of self-governance, is at least potentially inhibited by such separation. In order to answer this concern, critics of integration would need to specify how democratic epistemology is to be maintained when new internal barriers are constructed among the people who are supposed to understand each other’s interests, experiences, and aspirations when making decisions that affect the whole.

In practice, however, the most comprehensive defenses of separatist citizenship avoid this question by assuming a civic whole, rather than treating it as something which must be achieved and continually sustained through intersubjective identification on the scale of the whole polity. Separatist theories of citizenship are parasitic on a thicker shared civic life than their theory is capable of providing, and they only appear to avoid this problem by reframing the civic whole in minimal terms, making its achievement appear less demanding.

A recent example comes from Michael Merry’s defense of voluntary separation. Merry claims that voluntary separation frequently aids, rather than obstructs, the achievement of liberal-democratic equality and citizenship. In order to make his case, Merry adopts a “pluralist” account of citizenship that is “less robust” by design and which entails “a less explicitly political version of civic virtue.” Merry understands virtues as “dispositions, habits, and actions whose excellence promotes individual and collective well-being,” and he deems them civic “to the extent that they contribute to, and strengthen, the communal good.” Civic virtue therefore entails “dispositions and actions that promote the good of the community,” but it “does not collapse into political virtue.”

Civic virtue, then, is less the sine qua non of effective membership in a polity and more a set of qualities that could be described as good neighborliness. Its geographical scope is correspondingly narrower: Merry acknowledges that “civic virtue typically begins with the local,” since its “possibility” “begins with attachments nourished by those with whom we have daily interaction.” He does not claim that these good local habits are in principle incapable of a broader application, but neither does he insist that they will or should have one. His characterization of civic virtues’ extension beyond the local is consistently provisional: Civic virtues “need not eclipse more remote concerns”; they “do not exclude” an outward-facing application; their benefits “may very well move outward,” and the local “may significantly overlap with the national or global.” The reach of effective civic virtue “will arguably depend on the way in which segregation is characterized by a fusion of separation and subordination. See Clarissa Rile Hayward, How Americans Make Race: Stories, Institutions, Spaces (New York: Cambridge University Press, 2013).

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55 Merry, Equality, Citizenship, and Segregation, 61.
56 Merry, 73.
57 Merry, 61.
58 Merry, 68.
59 Merry, 74.
60 Merry, 75.
61 Merry, 73.
62 Merry, 73. Emphasis added.
63 Merry, 73. Emphasis added.
on the good being promoted,” but in any case, it is not to be “conflated with republican notions of citizenship that accentuate national over communal attachments and their attendant expressions of common good.” Merry characterizes these expressions of communal attachment, and their political salience, in this way:

Civic virtue may include political acts such as lobbying, town meetings, and voting, but it need not. Instead, it might include coaching little league baseball, good parenting, volunteering one’s time at a homeless shelter, or planting trees. What gives these activities civic import is their impact on the lives of others. Here, civic draws attention to people’s roles as citizens and their relation to the state and to others within the same country, most of whom they do not know. If and when conditions change, persons may choose to participate in overtly political acts […] But civic virtues need not be overtly political; indeed, nonpolitical actions often contribute more to the common good within a particular community.

By categorizing as “civic virtue” this array of actions—from lobbying to coaching baseball—Merry leaves little guidance on what delineates democratic politics as a distinct realm of thought and action. His expansive definition of civic import (“what gives these activities civic import is their impact on the lives of others”) is not limited by reference to what kind of impact these activities have, on whom they have that impact, by virtue of what prior relationship the actors are linked to each other, who performs (or is obligated to perform) the action, and so on. Nothing in Merry’s theory, for instance, requires that citizens of a state perform these actions: a tourist could plant a tree, or a citizen of another state could parent a child. To the extent that an action like tree-planting advances a communal good, Merry would deem it civic. But such a description creates a tension with Merry’s simultaneous contention that “civic draws attention to people’s roles as citizens and their relation to the state and others within the same country, most of whom they do not know.” After all, a U.S. citizen living next to the Canadian border might plant trees which positively impact the lives of both Americans and Canadians. But what about that action “draws attention,” as Merry puts it, to the “role” of citizenship understood as a political office, or to one’s “relation to the state and others within the same country”? Surely the new trees have less impact on Americans living in the country’s interior than they do on Canadians just across the border.

This example suggests that actions can satisfy Merry’s definition of civic virtue even if they have no particular impact on our state or our co-citizens, and even if they are more relevant to many who are not our political co-members than to those who are. His attempt to stave off this conclusion by claiming that “civic draws attention to people’s roles as citizens and their relation to the state and to others within the same country” fails because he specifically excludes political actions from any necessary place within his definition of the civic. Indeed, Merry is consistent in arguing that the characteristic feature of civically virtuous actions is their beneficial impact on a given community, in a sense which does not imply that either the actions or the relations among those affected are specifically political. But many actions promote a communal good without

64 Merry, 73.
65 Merry, 74.
66 Merry, 74.
67 Merry, 74.
68 Thanks to Luke Mayville for inspiring this example by asking a set of challenging questions along these lines.
relating to “our roles as citizens” and our “relation to the state and to others within the same country.”\(^6^9\) so it cannot follow from this that functional political relationships can be found everywhere that civic virtue (in Merry’s social and communal sense) flourishes. When Merry reintroduces not only “people’s roles as citizens” (a role which his pluralist account minimizes), but also their “relation to the state” (which his depoliticized, localist logic also downplays), he is attempting to recover for this theory a sense of the political whole that it has already eschewed. Recall that the pluralist account embraces a minimal understanding of the duties which exhaust citizens’ “basic civic responsibilities and obligations” (Merry’s example is the duty “to operate within the parameters of the law”),\(^7^0\) and its spatial and associative logic avoids demanding that civic virtues must have a broader application beyond the parameters of some local community. The resulting account effectively privileges local (and not necessarily political) ties over the ties that co-members of a democratic polity share by virtue of their mutual responsibility for the state apparatus which profoundly affects their collective fate.

I think Merry’s account of civic virtues must have this largely apolitical and localist character if it is to be marshaled in defense of separation. He writes that “so long as segregation provides facilitative conditions for the fostering of civic virtue, integration is not an irreducible good.”\(^7^1\) But these “civic virtues” promote liberal democracy only if one accepts his depoliticized vision of membership, which, by reducing citizenship to good neighborliness, abandons an insistence on nationally-scaled processes of intersubjective identification that extend citizenship beyond the realm of the local, supporting a democratic imaginary that secures the epistemic conditions of collective sovereignty and the psychological orientations of healthy citizenship. The achievement of multiracial democracy in the U.S. requires intersubjective identification not only on the scale of the neighborhood, but on the statewide scale envisioned by democratic nationalism.

Thinking like a Citizen

Many theorists note that African Americans may reasonably feel stronger sentiments of solidarity to communal institutions than to national ones, and there are good reasons why such sentiments may persist into the future. Tommie Shelby argues that it may be “entirely appropriate” for oppressed groups like African Americans “to withhold some allegiance to the nation and to invest more in cultivating solidarity and mutual aid within the group,” postponing “full identification with and loyalty to the nation” until such identification arises naturally, as a result of the broader nation’s sustained “commitment to equal justice by removing the unfair burdens on the oppressed.”\(^7^2\) This presents a dilemma: Nationwide identification may be too demanding to ask of oppressed groups, even if it is also necessary in order to craft a genuinely inclusive collective sovereignty.

Some theorists have attempted to resolve this dilemma by portraying integration as a process in time. Consider Sharon Stanley’s recent call for a reconciliation of integration and racial solidarity, which proposes a long-term process of narrowing the distance between these more and less expansive forms of identification. Stanley is critical of the argument, advanced by integrationist scholars like Anderson, that Americans need to cultivate a superordinate national

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\(^6^9\) Merry, *Equality, Citizenship, and Segregation*, 74.
\(^7^0\) Merry, 61.
\(^7^1\) Merry, 68.
\(^7^2\) Shelby, “Integration, Inequality, and Imperatives of Justice,” 285.
identity in order to achieve racial justice. Anderson contends that “the kind of inclusion entailed by seeing one another as fellow citizens joined in a common project of living together democratically constitutes a form of mutual identification.”73 But the problem with this call for a nationalized political co-identification that is “invested with fellow feeling,” writes Stanley, is that it “begs the question of where this fellow feeling actually comes from.”74 The kind of interracial solidarity Anderson seeks is less often the cause of integration and more often its result, and so “we may well be putting the cart before the horse” by asking citizens without experience in integrated spaces “to forge [at the national level] comparable bonds of solidarity” to those they already feel in their communities.75

Instead, Stanley writes, we should imagine integration as an ongoing process, understanding solidarity “as constantly in flux for each citizen,”76 but also promoting a normative conception of membership that asks of each citizen “the willing acceptance that one also belongs to a larger whole, to a democratic nation,” where “responsible citizenship […] requires one to develop an understanding of the perspectives of unfamiliar groups, rooted in their different historical experiences and the different structural positions they occupy in the greater society.”77 Stanley acknowledges that “this vision maintains residential clustering,” but says that “one can well imagine the creation of a new sense of solidarity to the diverse region as a whole built on top of, but not replacing, more localized solidarities.”78 She offers this example to illustrate the idea:

In this account, integration signifies the fact that we have multiple, complex loyalties, any of which can become active and guide our choices and political actions in appropriate circumstances. An individual may strongly identify as a Black resident of a Black neighborhood as he goes about his ordinary day-to-day affairs, but when he hears at a public meeting that a nearby, predominantly Latino neighborhood has suffered catastrophic flooding, his solidarity with the greater region can be activated.79

As with Merry’s discussion of acts like volunteering, this sort of behavior is admirable and necessary for society to function well. But the example nonetheless raises more questions than it answers. Flooding anywhere—whether near or far—may activate some sense of fellow-feeling, and this reaction can reasonably exist independently of any direct political ties. A catastrophic event like a flood neither engages us on a topic of specifically-political concern nor demands a response which calls upon any specifically political virtues of democratic citizenship. (It is not because we are fellow citizens that we volunteer to rebuild after an earthquake in Haiti or donate to tsunami victims in Indonesia.) By contrast, civic associative obligations arise in virtue of shared citizenship in a state, and normative grounds of this civic boundedness lie in the ideal of collective sovereignty. None of these features of associative obligations—their particularism, their political character, their connection to state membership, or their normative

73 Anderson, The Imperative of Integration, 188. Emphasis in original.
74 Stanley, “Toward a Reconciliation of Integration and Racial Solidarity,” 55.
75 Stanley, 56.
76 Stanley, 56.
77 Stanley, 58.
78 Stanley, 58.
79 Stanley, 59.
foundations in collective sovereignty—are features of the obligations which might arise in the context of a humanitarian disaster.

More broadly, there is something amiss in Stanley’s distinction between a citizen’s “ordinary day-to-day affairs,” which take place in a more parochial psychological universe, and an unusual, catastrophic event like a flood, which “activates” our “solidarity with the greater region.” But surely democracy happens in the “ordinary day-to-day affairs” too. Each of us exercises power over, and bears political responsibility for, events that transpire outside our immediate community—in our voting behavior, news consumption, donations, activism, and participation in deliberation and other forms of public political speech. It is not only in the event of a catastrophe that our actions, and our corresponding mindsets, reach (or ought to reach) outside our local communities. Day-to-day parochialism can have damaging consequences for fellow-citizens beyond the parish. To take Stanley’s example of a nearby Latino neighborhood that has suffered from flooding: We can easily imagine citizens, focused on their own neighborhood, who are enabled solely by their psychological insularity and spatial separation (and perhaps not through any ill-will) to ignore the special flooding risk faced by Latinos living closer to the river. The exceptional, episodic activation of wider solidarity is a pale substitute for deeper, continuous practices of identification. Neighboring citizens, however admirably they respond once a disaster has occurred, are nonetheless likely to perform poorly overall in their civic office in the absence of more ongoing processes of identification. Perhaps they unthinkingly opposed a candidate for state legislature who proposed new taxes to fund flood readiness. Perhaps they voted for a presidential candidate, or supported a political party, that wanted to slash spending on infrastructure and disaster response—out of a self-centered desire to save themselves a few dollars, rather than an other-regarding concern for the needs of the fellow citizens over whom they exercise power.

Stanley’s reliance on a catastrophic event as the catalyst of a broader solidarity might be read as an implicit admission that pervasive residential separation is indeed incapable of generating and sustaining polity-wide processes of intersubjective identification. If pervasive residential clustering does not inhibit the ability of citizens of different racial groups to inhabit the same social imaginary and operate effectively as co-participants in democratic life, it should not take an extraordinary event to bring that social imaginary into the forefront of citizens’ minds. Nor should our answer to this challenge depend, as Merry’s does, on an implausible broadening of civic virtue that, by redefining pro-social behavior as good citizenship, essentially cedes the political valence my account insists on. Neither separatist nor integrationist defenders of residential clustering assert that it can coexist with intersubjective identification on the scale of the national demos. Either, like Stanley, they acknowledge that wider solidarities are likely to be exceptional and episodic, or, like Merry, they redefine the relevant scope of citizenship in localist terms.

In effect, each of these approaches accepts a form of identification which falls far short of the whole citizenry, and so they can supply neither a satisfactory democratic epistemology nor a satisfactory democratic psychology. One alternative has been suggested by Danielle Allen, who uses the language of “wholeness” (rather than “unity”) to describe the kind of civic integrity that distinguishes integration from assimilation. Allen argues that “the seesawing back and forth of African American political ideology between assimilation and separatism is itself a product of

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80 Stanley, 59.
our failure to address directly the question: what modes of citizenship can make a citizenry whole without covering up difference? She proposes this answer:

To be the people as ‘whole,’ citizens do not need to spend more time in the public sphere attending to politics than they presently do, but they must learn to see and hear what is political in the interactions they already have with their fellow citizens […] They are asked to see customers, employees, employers, attendants as citizens, and to look out for how their participation in institutions—whether schools, churches, or business—implicates them in strangers’ lives.

On Allen’s description, seeing and hearing like a citizen occurs when individuals come to recognize interactions in the economy and civil society not as discrete, private, and sporadic, but as patterned interactions located within webs of political belonging that “implicate” citizens in the lives of certain strangers. As in Anderson’s description of relational equality, these are not just any strangers who belong to any polity. They are our political co-members: “fellow citizens” in the “public sphere.” Likening citizens to musicians who rely on eye contact to coordinate their individual playing in the collective performance of a song, Allen writes: “The people as a whole is constituted of a multitude of citizens exchanging glances while holding firmly to the legitimate institutions of collective decision making.”

In this account, the ideal of civic wholeness relies on the prior fact of shared political membership. I cannot see my interaction with an employer, an attendant, or a student as political in Allen’s sense unless I already understand both of us to be members of the same civic community. But what characterizes this political way of seeing and hearing? It cannot be reducible to mere good neighborliness, as in Merry’s account, or be activated by some general sentiment of humanitarianism, as in Stanley’s example of flood relief. If that were the case, it would not matter whether the strangers implicated in my actions were fellow citizens or not, since my responsibilities to them, or the specifics of my virtuous conduct toward them, would not turn on the fact of our shared civic membership. In other words, I could be an outstanding humanitarian, a caring parent, a dedicated little league coach, or a good boss, but none of these excellences would indicate very much about how I perform as a citizen. To argue otherwise effectively reduces citizenship to a depoliticized, almost superfluous category.

Allen’s references to churches, schools, and businesses may seem to share with Stanley and Merry a principled prioritization of local ties, but her attribution of political significance to those ties cannot be accounted for purely by reference to what denizens of some neighborhood or small community share qua denizens. Relations of denizenship are distinguished from relations of citizenship by the fact of shared membership in a state. Again, Allen implies that the scope of these ties is determined institutionally:

And, happily, liberal institutions make it possible for us to interact with fellow citizens well beyond the limit of the “polis” […] liberalism allows us to extend political friendship beyond local and to national contexts. Wherever we move throughout our polity, we have opportunities to engage strangers in political friendship because strong

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82 Allen, 88.
83 Allen, 88.
institutional protections of rights free us to take risks on interactions that we could not otherwise afford. Nor, when we are active as political friends in our own polis, can we forget about the rest of the people with whom we share our polity.\(^{84}\)

This account, by locating citizenship in institutional ties rather than local denizenship, preserves an emphasis on the necessity of civic recognition across local, racialized boundaries.\(^{85}\) Empirical evidence shows that racial separation (especially in housing and education) is a serious barrier to racial equality.\(^{86}\) A review of separatist theories of citizenship suggests that separatism is also likely to inhibit the intersubjective components of shared democratic citizenship. In a racially divided democracy like the United States, members of the racial majority cannot help but make political decisions that affect the minority, even under conditions of voluntary separation, and their decisions are likely to be worse—less attentive, less informed, and based less on shared deliberation and shared concern—the more pervasive separatism is.

*The Haverford Group and Paths Not Taken*

In his statement after the May 1969 Haverford discussions, Robert C. Weaver, who had only a few months earlier concluded his tenure as the first Secretary of Housing and Urban Development, expressed concern that separatist activism tended to obscure crucial questions about ultimate intent:

Perhaps the most basic issue is that of goals. Do we want to establish a separate black society; and if so is it a permanent goal or a temporary arrangement which is achievable now and will be effective in ultimately facilitating black people’s full participation in this nation? And if the latter position is espoused, is it viable, or does the acceptance of separation create institutional patterns and vested interests that give it permanence?\(^{87}\)

Weaver’s question of whether separation will effectively bring about “full participation” is empirical. But his opening question poses the problem of separatist strategies within a larger theory of political community: Is the goal a permanent and total separation, along the lines of what Browne and earlier classical nationalists imagined, or is it separation in the interest of furthering eventual incorporation? Contemporary defenses of separatism do not advocate full secession, but neither do they always portray their proposals as a means to eventual incorporation, and so they actually evade this question. This illustrates the failure of such

\(^{84}\) Allen, 185–86.

\(^{85}\) As Nick Bromell argues: “If we seal ourselves off from each other, if we deny or foreclose on the possibility of relationship with each other, then we clearly are not putting ourselves in a position to recognize and affirm each other’s democratic dignity. Democratic citizenship is relational citizenship.” See Nick Bromell, *The Time Is Always Now: Black Thought and the Transformation of US Democracy* (New York: Oxford University Press, 2013), 76.


\(^{87}\) Weaver, in Lackey, *The Haverford Discussions*, 132.
Theories to generate a holistic picture of citizenship—unbundling identification and, in the long run, perpetuation. The incorporation question also implicates a larger constellation of ideas about the nature of political belonging. Here the theoretical premises of the Haverford group, whose contributions to the post-Civil Rights era discussion on racial equality never fully materialized (fading from public debate around the same time as democratic nationalism), are worth revisiting. Their understanding of race was sociocultural and historicized, meaning that their discussion of black politics was also a discussion of American politics. In short, the Haverford group’s understanding of the process of racialization within American history limited their ability to imagine black politics in separatist terms.

This understanding of race and political community informed both the Haverford discussants’ democratic ethic and their tendency to regard separatist epistemologies with skepticism. This theme emerges repeatedly in the remarks and written statements of the participants: William Hastie implored young activists “to think and act intelligently, aggressively, generously and compassionately, with a view to a better total society, not to think and act belligerently black with a view to a separate society.” J. Saunders Redding, characterizing the “background” of debates over separatist educational strategies, observed that “black Americans could not drop out of a society of which they had never been a part, and of course they could not drop in,” but also insisted that “knowledge that is not shared is useless.” His meaning was partly sociological: “Except when we put it in the context of Africa,” Redding elaborated, “there is no such thing as ‘black studies’—no black history, language, philosophy, physics, chemistry, ethics, etc. in the context of the United States. There is such a thing as American studies, and in courses such as American history, literature, sociology, economics, the ideal is to structure into these courses the substantive facts about black Americans.” But Redding’s point was also political, since “one of the difficulties of our present American situation is due to the ignorance of white people about Negroes.”

For Hastie and Redding, a sociocultural understanding of race led to a political program based on a historical understanding of African Americans’ situation in the United States, a program which resisted the implicitly ahistorical appeal of racial romanticism, and which on those same sociocultural grounds saw both the predicament and the solution as inextricably bound up with the United States itself. In other words, African Americans had made the U.S. just as it had made them, and what blackness meant as a social, historical, and political reality was simply not isolable from its embeddedness in the whole. Neither could the U.S.’s white majority understand itself without understanding how it had been formed by a racial minority, an understanding which segregation had masked and which voluntary separation would further inhibit. As John Hope Franklin, a few weeks before joining the Haverford discussions, had bluntly stated in a lecture: “[W]hat we have to say we have to say to the whole world and not to this little jim crow bunch of Negro kids.” In the same spirit, Ellison wrote:

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88 Separation may also inhibit the achievement of equality in practice, as much of the empirical literature on race and politics indicates. Although this supports my contentions about holistic citizenship, it is beyond the scope of the current discussion.
90 Lackey, 129.
91 Lackey, 129.
92 Quoted in Lackey, xxxv.
Our situation cries out for new definitions—or at least for conscious intellectual restatement of those abiding attitudes and values which have been acted out, if not stated explicitly, by our people as they have repudiated theories of white superiority. It is our task to define who and what we are with as much intellectual precision as is possible. And since we are an inseparable part of the American nation and its culture, let us accept the obligation of defining it from the perspective of our own backgrounds and insist that its values be brought in line with our own group’s aspirations and needs.\(^93\)

This comment captures the core of Ellison’s philosophical critique of the premises of black separatism. He consistently insisted on the central fact that black culture already is American culture, and vice versa, meaning that separation was impossible. Young activists, he worried, “don’t understand that we can have group unity without becoming ‘white,’ just as whites have become culturally black without losing their identity.”\(^94\) Instead of indulging in what amounted to a fantasy of separation, Ellison argued that it would be more realistic and productive to ask: “Where do we find elements of our spirit, our values, our traditions, our style in the larger American culture? What metamorphoses have our contributions undergone? These are some of the unstated questions which are implicit in the positions of the kids.”\(^95\) Ellison’s own treatment of this issue is consistently nationalistic:

And some of the answers have been around for a long time but have been ignored. Mark Twain wrote the classical novel *The Adventures of Huckleberry Finn* in which he discovered a way of giving colloquial American speech a literary dimension, and in the preface to that work he paid his respect to the Negro idiom as a creative factor in the American language. In 1824, Walt Whitman was looking at the cultural sources at hand and writing about the Negro American idiom as a source of American poetry and the basis for an American grand opera. So when the kids and those leaders start talking about separatism and integration and the non-melting of the pot we should remind them that on the level of language we have been integrating since before there was an American nation. And the blindness that the white scholars are suffering is the same that many blacks are suffering—except that we have the effects of the pluralism of American culture as a more active force in our lives and thus, and often in a negative way, we are more conscious of its pluralistic nature. We have it through received-tradition, if you will, but as American intellectuals we must tell the young, both black and white where we and they come from.\(^96\)

This cultural and historicized rendering of national identity—generated by a process of self-examination, discovery, and interpretation which appeals to the historical interplay between ideals and actions, not to any kind of essentialized, organic, or metaphysical understanding of “Americanness”—is typical of Ellison’s thought. In a 1979 address at Brown University, Ellison reflected at length on the historical background against which American political and cultural life unfolds, observing that the background comprises both conscious narrative and what he called

\(^{93}\) Ralph Ellison, Friday Evening Session, May 30, 1969, in Lackey, 45.
\(^{94}\) Lackey, 60.
\(^{95}\) Lackey, 61.
\(^{96}\) Lackey, 61–62. Lackey notes that the Ellison’s reference to Whitman cites the wrong year; Whitman would have been a small child in 1824.
Americans’ “unwritten” or “underground” history—for “not all of American history is recorded.” Ellison surmised that Americans’ selective historical memory is perhaps a collective defense mechanism, for if the nation’s full history were known, “we might become so chagrined by the discrepancies which exist between our democratic ideals and our social reality that we would soon lose heart.”

Despite this risk of discouragement, Ellison argued that the task of American culture was to achieve self-consciousness, to record the unwritten and render the invisible visible. Yet he also understood that this process would always be provisional: No self-interpretation based on a new narrative or historical excavation could foreclose the possibility of other narratives and interpretations. Argument (not always explicit, and often mediated through other forms) is part of the cultural, not just the political, life of a democracy. The narratives which “are made in the reconstruction of our common experience” are a kind of perpetual debate, an ongoing collision of different self-interpretations which cannot escape the influence of the past—whether written or unwritten.

…for in spite of what is left out of our recorded history, our unwritten history looms as its obscure alter ego, and although repressed from our general knowledge of ourselves, it is always active in the shaping of events. It is always with us, questioning even when not accusing its acclaimed double, and with the two locked in mute argument which is likely to shock us when it becomes visible during periods of national stress. Meanwhile, yearning and thirsting for a rational social order, and being forced as human beings to live and what we like to identify as the ‘present,’ we go on struggling against the built-in conditions which comprise the pathology of American democracy.

Ellison’s description of democratic life as a struggle against “built-in conditions,” along with his wry reference to “what we like to identify as the ‘present,’” indicate his historicized approach to thinking about political action. Collective historical ignorance is a failure of self-knowledge which inhibits political action against the pathologies of American democracy. To be born and socialized into American society simply is to inhabit a set of cultural and political circumstances which have been generated by historical forces whose overt and covert operation simultaneously create and circumscribe a field of possibilities which we can master only through historical investigation of our collective self. In “pushing significant details of our experience into the underground of unwritten history,” Ellison claims, “we not only overlook much which is positive, but we blur our conceptions of where and who we are.”

Not only do we confuse our moral identity, but by ignoring such matters as the sharing of bloodlines and cultural traditions by groups of widely differing ethnic origins, and by overlooking the blending and metamorphosis of cultural forms which are so characteristic of our society, we misconceive our cultural identity. It is as though we dread to acknowledge the complex, pluralistic nature of our society, and as a result find ourselves

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98 Ellison, 594.
99 Ellison, 595.
100 Ellison, 594.
stumbling upon our true national identity under circumstances in which we least expect to do so.\textsuperscript{101}

Ellison’s conception of “national identity” underlies both his aesthetic and his political commitments, but although portrayed in broadly cultural terms, it is not the same as the conception marshaled by liberal nationalists. Liberal nationalism’s proponents seek to justify certain policies (regarding issues such as immigration, education, language, and holidays) in the interest of preserving distinct national cultures. Such a theory, however, is ill-suited to confront the hybridity that, for Ellison, is distinctive of America. It is precisely the “blending and metamorphosis of cultural forms” which for Ellison is “characteristic” of American society, giving it a “complex, pluralistic” form that constitutes its “true national identity.”

Although this hybridity is driven by an “apparently random synthesis” which Ellison describes as “the unconscious logic of the democratic process,” it is nonetheless experienced as a cultural and political inheritance and can be understood as a tradition. Ellison describes this synthesizing democratic logic as an “irrepressible force which draws its power from those fateful promises that were made in Philadelphia,” one that “reveals itself in those gestures and elements of style through which we find our definition as Americans,” and which “is likely to become our conscious possession during those moments when events force us to measure that which we have been taught formally and abstractly, against that which we have learned through hard experience.”\textsuperscript{102} Thus for all his celebration of hybridity and diversity, even randomness, Ellison detects the historical unfolding of a democratic ethic whose origins and implications are distinctly political. Among other things, this means that for Ellison there can be no fantasy of creating the political world de novo, no conceit that the defining act of democracy is straightforward self-creation. What emerges instead is a vision in which the possibility of effective political action is predicated on a process of discovery, in which we come to understand ourselves and our situation through a historical investigation of our traditions and inheritance, as well as the potentially discouraging aspects of our history that are often omitted from our public narrative reconstructions.

Ellison’s description of how this process might be rendered intentional and conscious indicate that the premises underlying his literary criticism also inform an essentially Walzerian social criticism. In a concluding passage about the “democratizing action of the vernacular,”\textsuperscript{103} Ellison unites his aesthetic and political concerns by remarking that “fortunately, American culture is of a whole,” and that this holism has allowed for the advancement of cultural democratization even as “those who were charged with making our ideals manifest on the political level” failed at their task. “In this sense the culture of the United States has always been more ‘democratic’ and ‘American’ than the social and political institutions in which it was emerging.”\textsuperscript{104} By the “democratizing action of the vernacular,” Ellison means something less literal than Will Kymlicka’s description of democratic politics as “politics in the vernacular,” but the term captures (in a more metaphorical sense) Kymlicka’s idea of a group of citizens “debating political issues in their own tongue.”\textsuperscript{105} For Ellison, “the importance of the vernacular”

\textsuperscript{101} Ellison, 595–96.
\textsuperscript{102} Ellison, 596.
\textsuperscript{103} Ellison, 611.
\textsuperscript{104} Ellison, 610.
lies in its power to craft an inclusive, historicized national identity: It is part of “the ongoing task of naming, defining and creating a consciousness of who and what we have come to be.” The many groups who together have formed America’s hybridized culture have all found ways of reducing “some aspect of our corporate experience […] to form”; if we “make a conscious effort to seek out and explore such instances” in which a participant in the collective experience has provocatively interpreted or represented some part of the whole, we can advance in the process of self-understanding. “What is more,” Ellison argues, “our unwritten history is always at work in the background to provide us with clues as to how this process of self-definition has worked in the past. Perhaps if we learn more of what has happened and why it happened, we will learn more of who we really are, and perhaps if we learn more about our unwritten history, we won’t be so vulnerable to the capriciousness of events as we are today.” It is because Ellison treats national identity as historical, not organic, and because he understands democratic culture as a real but malleable tradition, that he can speak of “who we really are” without falling into homogeneity or essentialism, and without foreclosing the possibility of creative action.

This manner of understanding both the background conditions and field of possibilities confronted in the domain of American politics places Ellison in the tradition of democratic nationalism. His approach is a form of immanent criticism, an attempt to comprehend a society from within and to advance a public interpretation of its values, in the hopes of giving explicit, conscious expression to the situation it faces and the debates it is having. Ellison’s simultaneously hopeful and admonishing tone, which traces the unfolding of democratic ideals while lamenting shameful (and shamefully submerged) aspects of national history, matches almost exactly the terms in which Michael Walzer (paraphrasing Breyten Breytenbach) describes the practice of the social critic: “to question relentlessly the platitudes and myths of his society and to express the aspirations of his people.” Ellison invites us to a confrontation with the ugliness which is inevitably revealed by self-knowledge, and he holds out hope that acquiring knowledge of the unwritten will improve and clarify that which is unrealized or mistaken in what is written. As Walzer writes, the social critic first “shows us to ourselves as we really are, all pretense shattered,” and after this unsettling revelation provides “an account or interpretation of what, in our very souls, we would like to be: all our high hopes and ideal images of self and society.”

Like Ellison, Walzer understands the practice of social criticism to be conducted in vernacular terms and directed at a particular national community: “national in form, popular in content, or better, national in idiom, popular in argument.” For Walzer, the nation is a more relevant framework for such criticism even than class, and the national-popular critique and program exists “within the framework of national history and culture.” Walzer’s description of the national-popular social critic mirrors Ellison’s language: “he is likely to pay close attention to national history, finding in his people’s past (its literature and art as well as its politics) a warrant for criticism in the present.”

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108 Walzer, 231.
109 Walzer, 233.
110 Walzer, 234.
111 Walzer, 235.
It is this close attention to history that helps explain why Ellison and his interlocutors in the Haverford group routed their integrationist politics through the framework of democratic nationalism. They understood hybridity to already characterize Americans’ national culture, and they believed that the achievement of self-understanding would entail an appreciation of the fact that integration had in some respects already occurred. As Ellison had noted after the first Haverford meeting, “the American language owes something of its directness, its flexibility, its music, its imagery, mythology and folklore to the Negro presence; it is not, therefore, a product of ‘white’ culture as against ‘black’ culture, rather it is the product of cultural integration.” 112 Ellison regarded language as a site of already-accomplished integration, linking a society which was diverse in almost every respect and providing not just a practical, but a political and vernacular, medium through which the alert social critic could direct a message to the nation.

But social criticism directed at the nation is only comprehensible if one also believes in the existence (or at least the possibility) of nationhood. Rejection of the national political community robs this approach of its audience. The decline of democratic nationalism and integrationist politics thus created an opening for a form of political activism inhibited by a fatal mismatch between the scope of the new activists’ imagined community and the scope of the democratic nation which fully, collectively bore responsibility for their situation. Jeffrey Stout’s description elegantly captures the dilemma: Black nationalism and separatist politics are an understandable reaction “against an exclusionary definition of the democratic community,” yet they rely on “forms of piety that obscure the relations of mutual dependence actually at work in democratic communities.” 113

Integration and Democracy

Because democracy is a deliberative mode of governance in which cultural inheritances and shared meanings structure political conversation, an analysis of democratic societies—even one focused on formal institutions—cannot rigidly sustain a distinction between culture and politics. At the same time, what democracy requires is not a shared cultural identity per se, but rather cultural practices which support a polity-wide form of intersubjective identification, helping citizens to imagine and value the needs and aspirations of others who are differently situated within their polity. Unlike liberal nationalists, I do not regard a thickly-shared or monolithic public culture as necessary for citizens to deliberate with fellow members and act on behalf of the whole, but I do understand a democratic culture (including one marked by Ellisonian hybridity) to be distinguished by these practices.

There is no plausible path to social and economic equality in a multiracial United States that does not involve substantial integration. And there is no way for Americans to make sense of integration’s special democratic importance without treating American citizenship holistically and understanding its scale in national terms.

Our leading theories and public discourse have jettisoned these forms of self-understanding, obscuring Americans’ relationship to their historical past and producing flawed visions of political community and participation in the present. The democratic nationalism implicit in the integrationist politics of the Haverford group generates a basis for identification and perpetuation that could help us craft a more inclusive and accurate history; collectively form an interpretation of our present and express an aspiration for our future; identify the other

participants in our collective project of self-governance; and give some account of what is owed to them. Without a widely-shared, nationalized self-understanding of this kind, we lack the tools to fully understand what is political in our interactions—the politically latent which is yet to be realized, the partial which still remains to be made whole. If American egalitarians are to renew a push for integrated racial equality, they will need to appeal to this self-understanding to explain and motivate their program. So the prospects of integration may, after a long dormant period, once again be linked to the prospects of democratic nationalism.
Chapter Five: Inequality, Citizenship, and the Permanent Tax Revolt

“We have been led to look upon taxation as merely a problem of public financing: How much money does the government need? We have been led to discount, and often to forget altogether, the bearing of taxation on the problem of individual freedom.” – Barry Goldwater, 1960

“Calhoun’s theory of still separate and sovereign states is not as anachronistic as it may appear […] Without mentioning Calhoun by name, a leading conservative theorist once offered a Calhounian denial of nationhood as the theoretical ground of the Reagan Revolution.” – Sotirios Barber

“My friends, history is clear: Lower tax rates mean greater freedom, and whenever we lower the tax rates, our entire nation is better off.” – Ronald Reagan, 1985

Introduction: Two Speeches in Osawatomie

On December 6, 2011, President Barack Obama traveled to Osawatomie, Kansas. With a population of 4,447, the president’s destination was chosen not for its size, but for its symbolism. About a century before, former president Theodore Roosevelt had delivered a speech in the same town, on the same topic, and the 44th president intended to draw explicit parallels with his predecessor. “In 1910, Teddy Roosevelt came here to Osawatomie and he laid out his vision for what he called a New Nationalism,” explained Obama as he called for action on “the defining issue of our time.” “This is a make-or-break moment for the middle class,” he explained: “what’s at stake is whether this will be a country where working people can earn enough to raise a family, build a modest savings, own a home, secure their retirement.”

Obama’s ambitious “inequality speech” was met with a dyspeptic response from conservatives. The speech “was not given by the President of the United States,” complained a writer in the Wall Street Journal; it “sounded like what you’d expect to hear in Caracas or Buenos Aires,” with ominous overtones of left-wing populist authoritarianism. Accusing the president of singling out wealthy Americans “as basically enemies of ‘the middle class,’” the writer mused: “If in fact there are categories of Americans he simply doesn’t like, a second Obama term […] could be a clinical exercise in hammering the people he singled out in this speech. Metaphorically speaking.” National Review, the flagship publication of the American right, published multiple denunciations of Obama’s remarks. One NR writer deemed it a “speech of such fascinating awfulness archeologists of the future sifting through the rubble of our civilization will surely doubt whether it could really have been delivered by the chief executive

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2 Barber, The Fallacies of States’ Rights, 133.
of the global superpower in the year 2011.”

The magazine’s editors chastised the speech for its allegedly misplaced priorities: “Americans are not suffering mainly from inequality. They are suffering from unemployment.” And in a more philosophical vein, a vice president at the Heritage Foundation claimed that Obama had attacked the “principle that each has a right to the rewards of his own labor,” imperiling the very idea which “makes possible a dynamic social order in which every member of society can work hard and advance based on individual talent and ability.”

Obama’s call for high earners to pay their “fair share” and his criticism of low taxes on the wealthy as the “height of unfairness” portended nothing less than a radical restructuring of American life under the control of unaccountable government managers.

“Obama’s program is fundamentally about the rise of a new governing class that insists on enforcing political and economic ‘fairness’ rather than letting us govern ourselves,” a program which would make the state “more undemocratic, and more potentially despotic, than ever.”

Such complaints echoed the reaction that had met Roosevelt in 1910. A New York Times editorial about Roosevelt’s speech had objected that tasking the federal government with pursuing economic fairness was a step toward unaccountable despotism. Skeptical of what it called the speech’s “spirit of universal Federal dominion,” the Times insisted that constitutionally speaking, “the Federal Government may do only what it is specifically empowered to do,” whereas Roosevelt promoted “the essential, inherent, besetting, and obsessing idea that the Federal Government shall take control of the daily life, the earnings, the property of every American citizen.” The newspaper recoiled at Roosevelt’s argument for a progressive income tax, in which he drew a categorical distinction between the income of an average American and “the really big fortune, the swollen fortune” of a wealthy one. In such a distinction, the Times saw a clear threat to liberty: “Therefore the universal regulator at Washington should take steps to reduce ‘big’ or ‘swollen’ fortunes. This involves necessarily the discretion at Washington to decide what is big and must be cut down. It is discretion that none but an absolute ruler can possess.”

The Times’s feared “universal regulator” was, for National Review, a “new governing class”; its invocation of an “absolute ruler” became for NR a “potentially despotic” regime, and for the Journal a kind of Latin American dictatorship. In other words, both the president and his conservative detractors seemed to concur that Obama was indeed resurrecting, for good or ill, the program of New Nationalism that Roosevelt had outlined a century earlier.

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9 Obama, “Remarks by the President on the Economy in Osawatomie, Kansas.”
10 Spalding, “The String-Pullers.”
12 “Mr. Roosevelt’s Issue.”
13 Spalding, for instance, concluded: “In his own Osawatomie speech, President Obama donned TR’s progressive mantle […] By turning to TR’s New Nationalism model, Obama has revealed once and for all that the intellectual antecedent of his administration is the progressive theory of governance. He is calling his party back to its most radical roots.” Steyn wrote that “the president channeled Theodore Roosevelt in trust-busting mode.” The editors of National Review concurred: “Color us skeptical, but we can see why TR’s New Nationalism might appeal to Barack Obama.” See, respectively, Spalding, “The String-Pullers”; Steyn, “Statist Delusions”; The Editors, “New Nationalism, Old Liberalism.”
However, a closer comparison reveals important differences between the two presidents’ speeches. Although Obama invoked Roosevelt’s program of “New Nationalism” and its call for “real democracy,” his speech struck a far different tone, portraying Americans more as consumers than as citizens.14 “America,” the president declared, “was built on the idea of broad-based prosperity, of strong consumers all across the country.”15 He hastened to add that “inequality also distorts our democracy.” But the speech’s turn from economic to political questions was only a brief rhetorical pivot: After just three sentences on the theme of democracy, Obama informed his listeners that there is “an even more fundamental issue at stake. This kind of gaping inequality gives lie to the promise that’s at the very heart of America: that this is a place where you can make it if you try. We tell people—we tell our kids—that in this country, even if you’re born with nothing, work hard and you can get into the middle class.”16

By contrast, Roosevelt’s speech had made no suggestion that obstacles to a middle-class consumer lifestyle were an “even more fundamental issue” than inequality’s distortion of democracy. Quite the opposite: Roosevelt had endorsed “practical equality of opportunity for all citizens” for its ability to advance “two great results”: not only affording “every man […] a fair chance to make of himself all that in him lies,” but also ensuring “that the commonwealth will get from every citizen the highest service of which he is capable.”17 By articulating his critique of inequality in terms of a “New Nationalism,” Roosevelt intended not only to promote a scope of concern that superseded what he called “sectional or personal advantage”; he sought to cast the threat of growing inequality as a problem whose civic and economic dimensions were equally important. “[R]uin in its worst form is inevitable if our national life brings us nothing better than swollen fortunes for the few and the triumph in both politics and business of a sordid and selfish materialism […] The material progress and prosperity of a nation are desirable chiefly so long as they lead to the moral and material welfare of all good citizens.”18

In the century separating Roosevelt from Obama, egalitarians initially succeeded in making the United States a more equal democracy, but over time, they grew far less inclined to think and speak about distribution in strongly political terms. By the time inequality had begun to expand in the late 1970s, they had largely abdicated a democratic approach to political economy. This transformation, subtle and unilateral, essentially surrendered the contested political economy of citizenship to conservatives, who organized with massive success around what became the defining policy ambition of the new Gilded Age: opposition to taxation.

14 In 2014, Obama was criticized for remarking during a speech that “folks can make a lot more, potentially, with skilled manufacturing or the trades than they might with an art history degree.” He later apologized. See Barack Obama, “Remarks by the President on Opportunity for All and Skills for America’s Workers” (The White House, Office of the Press Secretary, January 30, 2014), https://obamawhitehouse.archives.gov/the-press-office/2014/01/30/remarks-president-opportunity-all-and-skills-americas-workers; Jennifer Schueller, “President Obama Writes Apology to Art Historian,” The New York Times, ArtsBeat (blog), February 18, 2014, https://artsbeat.blogs.nytimes.com/2014/02/18/president-obama-writes-apology-to-art-historian/. Critics such as Wendy Brown have raised important questions about the broad erosion of the citizen-consumer distinction: “But what are the implications, for an ostensibly democratic people, of jettisoning a broad and deep university education in favor of job training? What kind of world will be made through conceptions and practices of postsecondary education that reduce students to future human capital, citizens to manipulable consumers, and the public to GDP?” See Wendy Brown, Undoing the Demos: Neoliberalism’s Stealth Revolution (New York: Zone Books, 2015), 181.

15 Obama, “Remarks by the President on the Economy in Osawatomie, Kansas.”


The Permanent Tax Revolt

Anti-tax ideology is a defining and exceptional feature of American conservatism. As Fred Block observes, its predominance on the American right “diverges sharply from hundreds of years of political history in which durable ruling regimes in all parts of the world have increased the capacity of government by strengthening the state’s fiscal base.” Anti-tax sentiment is not merely one policy stance among many; it is, in the words of one historian, “an ideological crusade” through which “the conservative movement transformed a specific economic prescription into an overarching theory of government.”

Anti-tax activism is obviously not a new phenomenon in American political history. But its takeover of a political party and near-hegemonic dominance of popular understandings of freedom are both relatively recent developments, each of which is intimately bound up with the midcentury rise of the conservative movement. Jennifer Burns has noted that “in the early 1950s, conservatism had yet to harden into a clearly defined ideology,” but that “by the 1960s […] conservatives had managed to redefine the word so that it referred almost solely to traditionalists comfortable with the despised Manchester economics. A conservative was now someone who called for both an unfettered free market and a return to tradition, however bizarre such a position seemed to liberals.” That combination has proved durable. A recent history of fiscal policymaking deems the tax revolt “the third great transformation in American public finance,” ranking in importance alongside the early 20th-century development of the fiscal state and the WW2-era expansion of a “mass tax” to millions of new households.

Like these earlier transformations, the tax revolt was inspired and publicly legitimated by a set of guiding ideas. These ideas are not only, or perhaps even predominantly, a set of empirical propositions about economic growth, and economic interests alone cannot explain the

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20 Gary Gerstle argues that “Conservative Republicans have been so successful in demonizing income taxes that it is now impossible to imagine raising them to anywhere near the rates that prevailed from the 1940s through 1970s.” Gerstle’s verdict is expansive, but difficult to contest: Because of this limitation of revenue, he argues, Republicans have undermined Congress’s ability to confront such pressing issues as immigration, climate change, and aging infrastructure; they have handicapped federal agencies and hastened regulatory capture; and they have generally undermined governmental competence and public confidence, which in turn fuels increased pressure for (and ideological celebration of) privatization of key services. He concludes: “All these developments reflect the success of the Republican Party in making its antigovernment ideology predominant.” See Gary Gerstle, Liberty and Coercion: The Paradox of American Government from the Founding to the Present (Princeton: Princeton University Press, 2015), 337–38.
intensity of conservative focus on tax cutting. Rather, as Block has argued, that focus arose as an “ideological response” to events, one that exhibited a familiar “cultural dynamic” witnessed in an earlier surge of laissez-faire thought during the Industrial Revolution.\footnote{Block, “Read Their Lips: Taxation and the Right-Wing Agenda,” 69–70.}

Chief among the guiding ideas of the tax revolt is a narrative of citizenship largely without serious competition on the contemporary American left. This understanding of citizenship is crucial to the political economy of inequality. It both grants normative legitimacy to inequality and blocks responses to it, chiefly by omitting intersubjective identification—the processes through which citizens come to understand each other neither as atomistic individuals, nor as members of an organic or prepolitical community, nor as participants in an undifferentiated global assemblage, but as part of a demos that forms itself through a shared political life.\footnote{My use of this term parallels its use by Rogers Brubaker and Frederick Cooper in the key sense that “identification” refers to a set of processes; like them, I avoid “identity,” with its connotation of a condition. Brubaker and Cooper, “Beyond ‘Identity.’”} The permanent tax revolt systematically challenges the idea that democratic politics emerges from, and relies on, an intersubjective understanding among members that they are connected through membership in the polity to each other. Identification expresses an orientation toward the political world which gives reasons to be skeptical of the thoroughgoing individualism on which anti-tax citizenship is premised.

The distinctive themes of anti-tax politics—individualism and antistatism; skepticism about solidarity and majoritarianism; and the naturalism of market economies—portray the citizen as an individualistic creator of wealth, threatened by majoritarian tyranny in the form of illegitimate claims on his earnings voiced by undeserving, alien others. Through this potent idea, American conservatives have redefined and monopolized the concept of freedom in American political discourse,\footnote{This distinctive interpretation of freedom was both an earnest belief and a self-conscious political strategy. Conservative intellectuals of the 1950s were acutely aware that they could make political progress against the reigning New Deal coalition by influencing the public’s understanding of freedom. See Foner, The Story of American Freedom, 308–9. On the international network of neoliberal intellectuals who helped to effect this change, see Burgin, The Great Persuasion: Reinventing Free Markets since the Depression; Jamie Peck, “Remaking Laissez-Faire,” Progress in Human Geography 32, no. 1 (February 2008): 3–43, https://doi.org/10.1177/03091325070848416; Philip Mirowski and Dieter Plehwe, eds., The Road from Mont Pelerin: The Making of the Neoliberal Thought Collective (Cambridge, MA: Harvard University Press, 2009).} linking it to antistatist and even antidemocratic policies, and going so far as to associate their opponents’ agenda with slavery.\footnote{Robin Einhorn’s study of American taxation succinctly captures the irony of this development: “the antigovernment rhetoric that continues to saturate our political life is rooted in slavery rather than liberty. The American mistrust of government is not part of our democratic heritage. It comes from slaveholding elites who had no experience with democratic governments where they lived and knew only one thing about democracy: that it threatened slavery. The idea that government is the primary danger to liberty has many sources, but one of its main sources in the United States involved the ‘liberty’ of some people to hold others as chattel property.” See Robin L. Einhorn, American Taxation, American Slavery (Chicago: University of Chicago Press, 2006), 7–8. On the ambivalence toward democracy felt by many postwar-era members of Hayek’s Mont Pèlerin Society, see Burgin, The Great Persuasion: Reinventing Free Markets since the Depression, 116–20.} The extreme individualism which distinguishes this conception of citizenship relies on a naturalistic understanding of markets. Therefore, an effective response to that individualism must also rebut market naturalism by emphasizing a market economy’s embedded and artificial nature, something which the contemporary discourse of liberal political economy fails to do. Conceptualizing a democratic political economy—that is, some restoration of collective
sovereignty to market economies which are inevitably political in their origins, operations, and effects—requires confronting one of collective sovereignty’s central questions: Who belongs?

In the context of current economic debates, “Who belongs?” might seem like an odd or irrelevant issue to raise. In fact, it is a necessary, and frequently overlooked, starting point. Despite the attention paid to the new right in recent years by historians and political theorists, there nonetheless remains little scholarship that contextualizes the movement’s signature issue in terms of broader midcentury shifts in thinking about American nationhood and citizenship. But it was precisely changing attitudes toward nationhood that enabled a midcentury redefinition of citizenship along individualist and market-naturalist terms amenable to the permanent tax revolt and the age of inequality. To be sure, this change has not gone entirely unnoticed: Fiscal historian Ajay Mehrotra detects in the 1970s a “dissolution of society as a national community,” and he argues that this dissolution “was expressed in the anti-tax policies and anti-statist ideology that came to rule the times.” But these policies and ideologies were rooted in developments that took place before the 1970s. In particular, a view of citizenship stripped of identification had to come to prominence in order to legitimize the political economy of extreme inequality. This is precisely the development represented by democratic nationalism’s midcentury decline—and it is this decline which links the politics of immigration and race to the politics of taxation and inequality. For questions about economic distribution are, like questions about racial equality and immigration, conceptually linked to the existence (or not) of an expansively-defined, nationally-scaled dems; they are influenced by whether Americans “see” the whole nation as engaged in a shared political association coextensive with the boundaries of the state.

The tax revolt implies that such a dems either does not exist, or is simply irrelevant to questions of production, wealth, and distribution. Although some version of this claim (explicit or implicit) has become conservative orthodoxy since the 1960s, much else had to change before it could transform into “common sense.” In the decline of democratic nationalism, a path was cleared for the rise of conservative definitions of citizenship that give normative sanction to inequality. In that same shift, the American left gradually lost a specifically political language with which to critique those definitions. Yet the inequality that Americans face two decades into the 21st century is primarily a political problem. It is a political problem not only because it is generated by political choices, but because it impedes the goals of a specific collective of citizens whose association is aimed at some good. In the absence of a clear narrative of what that association is, why it exists, and who belongs to it, egalitarians lack a means of communicating the purposes which inequality impedes, the parties injured by inequality (and in what way), and the parties responsible for addressing the problem.

Drawing attention to these questions opens possibilities for a clearer conversation about the prerogatives of politics and the purposes for which markets exist. It suggests how the

29 Mehrotra, Making the Modern American Fiscal State, 414. Mehrotra extends this critique further in noting that while economists’ complaints of inefficiency in the tax code demonstrate a “sharp analytical logic,” they nonetheless “elide the complex historical and incremental development” of American policymaking, overlooking with their “ahistorical assessments […] how earlier conceptions of fiscal citizenship, social belonging, and collective responsibility” motivated earlier generations of tax reformers. This failure of historical memory is likewise mirrored in public debate, which is “clouded” by “anti-statist rhetoric and anti-tax ideology” that has caused Americans to lose sight “of how and why activists from earlier generations searched for a stronger source of financing for the positive state.” Mehrotra, 417.

30 Block, “Read Their Lips: Taxation and the Right-Wing Agenda,” 69.
economy might be seen as a terrain of democratic debate and contestation, rather than as a natural realm closed off from politics. The revival of this political vocabulary would restore identification, now absent, to our discussions about the political economy of democratic citizenship, furnishing conceptual resources to contest and critique inequality and oligarchy. Such resources, once latent in the political economy of democratic nationalism, are now largely absent from public discourse—because the right rejects them and the left remains skeptical of invoking them. In tandem, these trends have cleared an ideational path for inequality in American politics and made it more difficult for egalitarians to formulate and popularize a response.

The timing of the tax revolt’s emergence helps explain why these questions of membership are perennially controversial. It was not until the 1960s that the balance of power within the Republican Party began to decisively shift toward individualist conservatives whose market naturalism informed a deep skepticism of civic-associative duties and a celebration of tax-cutting as synonymous with freedom. The libertarian faction’s ascent coincided with a marked intensification of the federal government’s pursuit of racial equality—through such steps as the Brown decision of 1954, the federalization of the Arkansas National Guard during the desegregation of Little Rock’s Central High School in 1957, the Civil Rights Act of 1964, and the Voting Rights Act of 1965. Opposition to these measures led to cracks in the New Deal coalition, encouraging what Thomas and Mary Edsall have called the “embourgeoisement” of white voters “who had previously seen their interests as aligned with a downwardly-redistributive federal government.”

As Ira Katznelson has shown, racial conservatives had been reliable members of the New Deal coalition in previous decades, supporting its interventionist economic policies so long as the boundaries of distribution observed strict racial limits. Among FDR’s Southern allies in Congress, support for the New Deal was “premised on” the security of Jim Crow: America’s welfare state was secure, so long as it was limited to white citizens. But this coalition did not last, as Southern Democrats eventually began to worry that their party was being overtaken by racial egalitarians who would extend the New Deal across the racial boundaries they had worked so hard to maintain. As early as the late 1940s, prescient Southerners were predicting that in the name of racial hierarchy, the white South would eventually have to partner, despite the obvious ideological mismatch, with conservative Republicans. The political logic underlying this prediction implied that intraparty tensions might be partly smoothed over, and the coming fracture of the coalition delayed, so long as pallid support for civil rights was combined with a prosperous, egalitarian economy. These conditions snapped almost simultaneously: In 1964 and 1965, President Johnson signed landmark civil and voting rights legislation, and in 1966 the U.S. experienced the first credit crunch of the postwar era.

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33 This coalition sometimes produced results that make for strange reading for Americans accustomed to the stable ideological-racial coalitions of today’s parties. For example, objections to policies like a national minimum wage were not only raised by pro-business conservatives asserting the primacy of capital. A Democratic Congressman from Texas expressed a different concern: “You cannot prescribe the same wage for the black man as for the white man.” See Katznelson, 177.
34 Katznelson, 187–88.
macroeconomic conditions were making former New Deal Democrats more receptive to racialized fears that Democrats would “raise taxes from the largely white lower-middle and middle classes in order to direct benefits towards the disproportionately black and Hispanic poor—benefits often seen as wastefully spent.” Related racialized perceptions continue to influence white Americans’ views on a range of distributive issues, from welfare to health care to taxation.

When this realignment finally united racial conservatives and economic conservatives under the same partisan banner, the latter’s economic naturalism complemented the former’s partial and racialized conception of the scope of the civic community. In this fusion, the conservative movement produced an influential conception of citizenship which omitted intersubjective identification. Identification’s disappearance helps to explain why, despite an apparent normative consensus against inequality, national political debate seems only fitfully able to imagine alternatives to the status quo. As Jacob Hacker and Paul Pierson note, a widespread “amnesiac” flourished during the period of market fundamentalism that followed the downfall of mixed-economy liberalism in the 1970s. Of course, the broad growth of antigovernment sentiment in that era “did not go unnoticed or occur without pushback,” but those who resisted it nonetheless “found themselves caught in what communications experts call a ‘spiral of silence’”: alternative ideas and their associated labels were gradually pushed out of mainstream discourse.

By the time the conservative movement had won the presidency in 1980, more than two decades of intellectual groundwork had been laid to define government in opposition to freedom, to give naturalistic normative sanction to unregulated capitalism, and to idealize the citizen as a wealth creator badly in need of tax relief to better secure the blessings of liberty. As Eric Foner has summarized, the result of the Reagan-era tax cuts was “a massive shift of wealth from poorer to wealthier Americans.” In that time, he argues, “nothing did more to prevent a revitalized sense of common national purpose more than the widening gap between rich and poor.”

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38 In fact, Americans not only disapprove of inequality; they also underestimate its severity, suggesting that they would disapprove even more strongly if they understood its extent. See Michael I. Norton and Dan Ariely, “Building a Better America—One Wealth Quintile at a Time,” *Perspectives on Psychological Science* 6, no. 1 (January 2011): 9–12, https://doi.org/10.1177/1745691610393524.
39 As one critic has noted, the idea of a democratic state involved in what was once called the “mixed economy” But has “disappeared” from normal conversation. The losses aren’t just material, to be measured in terms of decaying infrastructure and poorly governed markets. They are ideological too, with a central function of the state disappearing from our worldview.” See Mike Konczal, “The Forgotten State,” *Boston Review*, August 2016, http://bostonreview.net/books-ideas/mike-konczal-yuval-levin-fractured-republic-jacob-hacker-paul-pierson-american-amnesia.
An End of History for Economics

At the time of the conservative movement’s rise to prominence, it was nearly a commonplace among analysts of American politics that conservatives simply had to make peace with the national state represented by the New Deal. It is clear in retrospect, however, that the political-economic order represented by the New Deal state was less stable than it appeared at midcentury. In fact, when democratic nationalism began to decline around the late 1960s, the United States was quietly nearing the end of an anomalous era in its economic history. With the entry of the U.S. into World War Two, the share of income held by the top decile of Americans (and, within that group, the top 1% in particular) had suddenly and sharply plummeted, falling from interwar highs of about 45 percent to almost 30 percent. There is some reason to assume that this shock to the incomes of the well-off might have lasted only as long as the fighting. After all, their share of income had risen in the years between Armistice Day and the Great Depression, and a return to prewar wage structures had arrived quickly following the end of World War I.

Yet after 1945, the top decile’s share did not rebound to its prewar highs. Instead, it hardly budged for three decades, a period during which wages also became substantially more equal. As two economists summarize the era: “When the United States emerged from war and depression, it had not only a considerably lower rate of unemployment, it also had a wage structure more egalitarian than at any time since. Further, the new wage structure remained somewhat intact for several decades.” Economists have termed the war-era increase in wage equality “The Great Compression,” and the economy it created persisted until the 1970s. The era’s egalitarian prosperity was modeled in the Nobel Prize-winning economist Simon Kuznets’s inverted U-shaped curve of industrialization and inequality. In the mid-1950s, Kuznets proposed that while inequality would increase in the early stages of industrialization (as it had in the Gilded Age United States), it would eventually dissipate—resulting in the happy combination of growth and increasing equality that Americans enjoyed at the time. Kuznets admitted that his theory was highly speculative and perhaps infected by wishful thinking, but that did not deter its popularity as an explanation of the country’s economic boom.

Indeed, so powerful was this era’s effect on the political imagination that it briefly became possible to think that the major issues of organizing the political economy of an industrialized mass democracy had been solved. The problems posed by a mature economy’s low growth rate, which had so concerned the liberal and left intellectuals of the early New Deal era,

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43 Piketty and Saez, 11.
45 Goldin and Margo, 2.
46 Goldin and Margo, “The Great Compression.”
48 As Alan Brinkley writes, many New Dealers had assumed in the 1930s that the U.S. was entering a new phrase of permanently low growth, a “mature economy” which meant that government had an ever-more important fiscal role (in supplementing low levels of private investment) and regulatory role (in protecting consumers against collusion by fragile corporations). But the disappointing track record of New Deal managerialism, combined with the surprising economic resurgence of economic growth, “helped erode one of the mainstays of late-Depression
seemed to disappear amidst the egalitarian boom of the postwar decades. Faith in the managerial expertise of liberal economists was, not coincidentally, at an all-time high. As Arthur Schlesinger reflected later in the 1960s, this optimism informed the explicitly post-political perspective that distinguished economic policymaking in the Kennedy administration:

The ideological debates of the past began to give way to a new agreement on the practicalities of managing a modern economy. There thus developed in the Kennedy years a national accord on economic policy—a new consensus which gave hope of harnessing government, business, and labor in rational partnership for a steadily expanding American economy.

This way of framing debates (or, rather, the end of debate) in political economy was not something liberals came to recognize only in retrospect; President Kennedy himself had given influential and crisp expression to the postideological impulse at the time. “What is at stake in our economic decisions today,” Kennedy declared in 1962, “is not some grand warfare of rival ideologies which will sweep the country with passion, but the practical management of a modern economy. What we need is not labels and cliches but more basic discussion of the sophisticated and technical questions involved in keeping a great economic machinery moving ahead […] political labels and ideological approaches are irrelevant to the solution.” Reflecting the confidence born of the postwar boom, Kennedy announced that economics had entered a new era:

49 David Grewal and Jedediah Purdy suggest this possibility: “However, during the trente glorieuses, Keynesian macroeconomic planning and a favorable international context reconciled the imperatives of capital accumulation and democratic legitimacy through sustained and relatively equitably shared growth […] Thus, the tensions inherent in democratic capitalism were effectively evaded in the immediate decades following World War II through what Charles Maier called ‘the politics of productivity.’ Rising wages and capital accumulation proved mutually compatible and even allowed for the modest redistribution that the more ambitious welfare states of the period undertook.” David Grewal and Jedediah Purdy, “Law and Neoliberalism,” Law and Contemporary Problems 77, no. 4 (2015): 21–22.

50 Daniel Rodgers identifies the macroeconomics discipline around the early 1960s, particularly after the discovery of an apparent trade-off between unemployment and inflation, as experiencing a “peak” in “confidence in economic management for full-capacity employment.” Scarcely a decade later, the economic crisis of the 1970s had reversed this prestige and confidence, resulting in a “collapse of economic predictability” and a “crisis in ideas and intellectual authority” for left-of-center Keynesian macroeconomists. See Rodgers, Age of Fracture, 47–49.


I am suggesting that the problems of fiscal and monetary policies in the sixties as opposed to the kinds of problems we faced in the thirties demand subtle challenges for which technical answers, not political answers, must be provided […] governments, and many of them are conservative governments, [are] prepared to face technical problems without ideological preconceptions, [and] can coordinate the elements of a national economy and bring about growth and prosperity—a decade of it.53

This faith in capitalist growth and skepticism toward anything that resembled divisive class politics also reflected the pressures of the Cold War, which made liberals reluctant to discuss political economy using the terms they had employed only two decades prior. Kennedy’s reference to the difference between the 1960s and the 1930s invites a comparison to President Franklin Roosevelt’s 1936 renomination speech:

These economic royalists complain that we seek to overthrow the institutions of America. What they really complain of is that we seek to take away their power. Our allegiance to American institutions requires the overthrow of this kind of power. In vain they seek to hide behind the Flag and the Constitution. In their blindness they forget what the Flag and the Constitution stand for. Now, as always, they stand for democracy, not tyranny; for freedom, not subjection; and against a dictatorship by mob rule and the over-privileged alike.54

Here, there is no suggestion that growth and prosperity are the sole questions of political economy. Roosevelt foregrounds the distribution of political-economic power and, far from predicting the rise of a postideological consensus, frames opposition to “economic royalism” as an ongoing political imperative of American democracy. Although this language draws on powerful rhetorical and intellectual traditions, its popularity among liberal politicians was ultimately short-lived. As Gary Gerstle notes, “in the hands of anti-Communist crusaders,” these kinds of nationalist invocations eventually “became a tool for narrowing the political and ideological boundaries of the American nation […] By the mid-1950s, the opportunity to use the language of civic nationalism to advance a radical economic program—so prominent a feature of Progressive and New Deal reform—had largely vanished.”55

Ironically, the egalitarian prosperity that democratic nationalism helped to bring about also produced the attitude that eased its decline and created an opening for a conservative alternative. By the early 1960s, the distinctive feature in the discourse of liberal political economy was, to be specific, not its faith in managerial expertise per se (which had a lineage tracing back to the Progressives), but rather its confidence in the postideological character of the

53 Kennedy.
55 Gerstle, American Crucible, 267.
issues that economic policy would address.\textsuperscript{56} By the 1960s, the divisive arguments that have historically accompanied attempts to bring the market in line with democratic aspirations no longer seemed necessary. The pie was growing rapidly, and the only remaining task was to set more places at the table. As William Forbath and Joseph Fishkin observe, “the Civil Rights Revolution and Great Society unfolded in an unprecedented moment of broadly shared prosperity,” when “America appeared to be becoming the kind of middle-class nation past generations of reformers dreamed about—or so liberals believed at the time.” This made it possible for the designers of the War on Poverty to argue that they could achieve their policy goals through growth alone: “no tax hikes would be necessary, no controversial redistribution, no structural changes in the political economy.”\textsuperscript{57} Harold Lasswell’s “who gets what, when, and how” is merely a matter of administration when there is plenty go around; only in a context of scarcity do these questions take on a more urgent political character.\textsuperscript{58}

The perspective derived from democratic nationalist arguments was thus gradually displaced from discussions of political economy, a trend detectable in the reaction to Rawls’s definitive philosophical statement of postwar redistributionist liberalism. As one recent study has noted, A Theory of Justice featured a characteristic postwar emphasis on “the significance of economic growth for fair economic distribution,” but nonetheless “did not appear until the disintegration of the liberal consensus was well under way. During the most opportune moment for consensus thinkers to have aggressively developed their ideas on political economy—the two

\textsuperscript{56} After all, it is possible to imagine technocrats empowered to self-consciously pursue a social-democratic agenda—and in fact, a combination of this sort characterized Progressive ambition in earlier decades. As Richard Adelstein has noted, Progressive thinkers were attracted, for political reasons, to “the new, empirical social sciences and techniques of control derived from them”: “Once the laws that governed modern civilization were understood, humankind could turn them to the collective good […] Politics could be separated from administration; while the former concerned itself with articulating the common good, the latter could draw upon neutral theories of management science to bring it about.” Richard P. Adelstein, “‘The Nation as an Economic Unit’: Keynes, Roosevelt, and the Managerial Ideal,” The Journal of American History 78, no. 1 (June 1991): 166, https://doi.org/10.2307/2078092. More recent work from K. Sabeel Rahman has expressed skepticism that technocracy and left-wing politics can be combined in this way; for Rahman, managerialism is unlikely to become the servant of social democracy precisely because its rationale, for most people, is rooted in a quixotic hope to escape ideology. The appeal of technocracy, argues Rahman, “derives from an idealized vision of objective, neutral expertise motivated by ethics of professionalism and bureaucratic discipline. This technocratic impulse is also driven by a faith in the ability of such experts to determine and then pursue the common good independently of the partialities and vagaries of politics.” K. Sabeel Rahman, “Conceptualizing the Economic Role of the State: Laissez-Faire, Technocracy, and the Democratic Alternative,” Polity 43, no. 2 (April 2011): 270.


\textsuperscript{58} Forbath and Fishkin refer to the decline of the “constitution of opportunity” tradition in the 1960s as a “great forgetting” which occurred at an “inopportune moment.” The advocates of that tradition had sought to show that the Constitution makes substantive demands on the structure of the nation’s political economy, but they came to abandon that argument for largely pragmatic reasons. Just as it was abandoned, the period of growth which the Johnson administration had relied on, and which midcentury liberals had come to take for granted, came to a halt. See Forbath and Fishkin, 58–59. Michael Katz offers a similar interpretation, writing that as a result of 1970s stagflation, “public psychology shifted away from its relatively relaxed attitude toward the expansion of social welfare,” with significant effects: “Increasingly worried about downward mobility and their children’s future, many Americans returned to an older psychology of scarcity. As they examined the sources of their distress, looking for both villains and ways to cut public spending, ordinary Americans and their elected representatives focused on welfare and its beneficiaries, deflecting attention from the declining profits and returns on investments that, since the mid-1970s, should have alerted them to the end of unlimited growth and abundance.” Michael B. Katz, The Undeserving Poor: America’s Enduring Confrontation with Poverty, 2nd edition (New York: Oxford University Press, 2013), 164.
decades immediately following World War II—they had failed to do so. By the time such a statement arrived, the nation’s political and intellectual tide was turning toward conservatism.”

But the moment of Theory’s arrival in 1971 was not only distinguished by ascendant conservatism; it was also, and no less importantly, a time of growing postnationalism on the Anglo-American left. After all, one of the earliest critical reactions among sympathetic liberal readers was to globalize Rawls’s argument: Why, they asked, should the reach of justice as fairness extend only to societies conceived as closed systems? Was not national membership, as Rawls might put it, so arbitrary from a moral point of view?

The reaction among philosophers mirrored broader trends in the 1970s, as American leftists came to abandon the nationalist language they had intermittently deployed during Reconstruction, the Progressive Era, the New Deal, and the early postwar years. The embittering political divisions of the late 1960s had made the concept of the national commonweal seem elusive, and the emergent critique of corporate liberalism, combined with the deepening crisis of the Vietnam War, made an institutional reliance on the federal government seem naïve, if not directly opposed to basic left-wing goals. As Jennifer Burns notes, liberal thinkers had, for a brief moment in the 1950s, evoked the “national good […] in response to resurgent conservatism,” but that “after a brief moment of popularity, it was rarely articulated again.”

At midcentury, liberals spoke in a confident, sure voice about the interests of the nation as a whole. They confidently criticized the behavior of capitalists without impugning capitalism, and their tone was steady, not defensive. Since then, these attitudes have been mocked from both the right and the left as complacent centralism and a false consensus that papered over the realities of American life. But without a robust sense of the public good, liberalism has little to do but carp at business. Surely, such carping has its uses, for as a dominant feature of American life and a thoroughly human institution, business will always behave in ways that call for criticism and correction. But liberals also need to offer a positive idea of what America can do and be. In the 1950s, as they fought back against the first surge of conservatism, liberals articulated such a vision.

Yet as other political pressures damaged the appeal of this nationalist vision, popularizing such a message became more difficult, and liberals became more attracted to, and more dependent on, a set of notionally postideological arguments centered on economic growth. But this technocratic confidence was based on mistaken predictions about the future of American political economy. At the very moment when broad sectors of the American left were on the precipice of abandoning (explicitly or implicitly) their conceptual anchoring in democratic nationalism, an unanticipated ideological challenge was emerging on the right. As a result, when archaic economic concepts roared back against the stumbling Keynesian macroeconomic paradigm—concepts which, despite their technical self-presentation, entailed a strongly political

59 O’Connor, A Commercial Republic, 200.
61 For the definitive statement of left-nationalism in the Progressive Era, see Croly, The Promise of American Life. On FDR’s deployment and radicalization of civic nationalist themes, see Gerstle, American Crucible, chap. 4.
worldview—they found a surprisingly vacant conceptual terrain. Because economic liberalism was guided, as K. Sabeel Rahman writes, by a model of “market-optimizing, technocratic regulation,” it proved “troublingly vulnerable to laissez faire critiques” that questioned “the efficacy and accountability of expertise.” Technocracy’s legitimacy rested not on a normative vision of the kind of political economy proper to an egalitarian democracy, but on the supposed ability of experts to deliver economic growth. All that was required was an economic downturn to undermine the authority of the technocrats—and to make it appear that rival, free-market approaches were superior on the technocrats’ own growth-centric terms.

When the downturn came, the revival of market discourse would not only dethrone the technocrats; it would come to dominate social thinking in general. And the kind of market that emerged in prominent metaphors and conceptual frames was not the institutionally thick, historical and sociological realm imagined by mainstream macroeconomists at midcentury. Rather, as Daniel Rodgers has demonstrated, the novel feature of post-stagflation market metaphors “was their detachment from history and institutions and from questions of power […] To imagine the market now was to imagine a socially detached array of economic actors, free to choose and optimize, unconstrained by power or inequalities, governed not by their common deliberative action but only by the impersonal laws of the market.”

Political economy had entered, first subtly and then unmistakably, into the era after democratic nationalism.

The Twilight of the Long Boom and the Dawn of the Conservative Movement

On the eve of the GOP’s 1964 convention, William F. Buckley, Jr. reminded the readers of Newsday what “Establishment” opinion had made of the exotic Arizonan who was about to secure the party’s nomination. Barry Goldwater, the conservative Republican senator, made Walter Lippmann “hysterical”; Murray Kempton had issued a “burst of frenzy” against him; and before his successful nomination push, Joseph Alsop had dismissed him entirely: “No serious Republican politician, even the most Neanderthal type, any longer takes Goldwater seriously.”

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63 Jacob Hacker and Paul Pierson have argued that stagflation was not only a crisis moment for believers in the mixed economy, but also a major opportunity for a well-prepared opposition ready to step into the vacuum of intellectual authority. Had these crises not been “at the ready,” stagflation “would not have precipitated such a fundamental reversal” in the fortunes of the mixed economy tradition. See Hacker and Pierson, American Amnesia, 171–72. Similarly, Mark Blyth argues that understanding the “crisis” of the 1970s requires attention to ideational factors, since “what constitutes an economic crisis as a crisis is not a self-apparent phenomenon.” Ignoring such factors impoverishes our ability to understand institutional reorganizations in the post-1970s political economy: “Since structures do not come with an instruction sheet, economic ideas make such an institutional resolution possible by providing the authoritative diagnosis as to what a crisis actually is and when a given situation actually constitutes a crisis. They diagnose ‘what has gone wrong’ and ‘what is to be done.’ In short, the nature of a crisis is not simply given by its effects, dislocations, or casualties, nor are the actions of agents simply determined by their ‘given’ interests. Instead, the diagnosis of a situation as a ‘crisis’ by a particular set of ideas is a construction that makes the uncertainty that agents perceive explicable, manageable, and indeed, actionable. Therefore, in periods of economic crisis, it is imperative to attend to the economic ideas that key economic agents have.” Mark Blyth, Great Transformations: Economic Ideas and Institutional Change in the Twentieth Century (New York: Cambridge University Press, 2002), 9, 10. Emphasis in original. Regarding liberals’ failure to “produce a convincing counter-narrative”, see Katz, The Undeserving Poor, 167. See also K. Sabeel Rahman, Democracy against Domination (New York: Oxford University Press, 2017), 33.

64 Rahman, Democracy against Domination, 32.

65 Rodgers, Age of Fracture, 76.

Buckley’s relish in recalling these dismissals of Goldwater must have come, in part, from his sense of vindication. Less than a decade before, the founding of his National Review had been greeted with similar scorn from liberal writers whose respect was reserved (with the occasionally patronizing charity of the dominant) for the “New Conservatives,” like Peter Viereck and Clinton Rossiter, that Buckley’s magazine would soon help displace. In their battle to define conservatism in more sharply ideological terms, Buckley and others associated with National Review would focus much of their critique on these traditionalists who were, in their view, far too accommodating of the New Deal state—who had earned liberals’ respect at the cost of ideological capitulation. The “fusionist” approach pioneered by National Review blended conservative traditionalism with a strident championing of free-market economics.

In the 1964 presidential election, Goldwater became the first conservative to popularize that fusionist message on a national scale. Goldwater shared some of Buckley’s literary and intellectual ambition: Just four years earlier, he had published a best-selling ideological manifesto, The Conscience of a Conservative (aided by his ghostwriter L. Brent Bozell Jr., a National Review editor and, later, Buckley’s brother-in-law). Along with the founding of National Review in 1955, Conscience represented a signal moment in the transformation of American conservatism.

Each of Conscience’s chapters covered a topic of special importance to this emerging movement, including states’ rights, civil rights, education, the USSR, and “Taxes and Spending.” In that latter chapter, Goldwater developed an account of property and earnings which gave influential expression to the conservative movement’s understanding of the relationship between the individual and the political community. The political economy of Goldwater’s vision is individualistic and distinctly naturalistic. Goldwater privileges property rights, regards them as having a prepolitical sanction, and so portrays them as generally off-limits to intervention, including through the organs of democratic rule.

Goldwater’s enthusiasm for natural rights arguments was inconsistent. Elsewhere in Conscience, he had complained about the tendency of “extravagant and shameless misuse” to broaden (and thereby distort) the term “civil rights”—a tendency that had led the public to conflate a set of explicit legal protections with “human rights,” “natural rights,” or “simply […] an activity that someone deems socially or politically desirable.” Insisting on a more narrowly positivist understanding, Goldwater countered that while “there may be some rights—‘natural’, ‘human,’ or otherwise—that should also be civil rights,” the protection of such rights under the law required explicit codification. Absent such a change in the law, there could be no justification for even a well-intentioned intervention by other powers. “We must not look to politicians, or sociologists—or the Courts—to correct the deficiency.” To do otherwise would “endorse a rule of men, not laws.” Claims from natural right, then, are potentially destabilizing even when they are justified, since they can encourage a search for remedy outside the established legal order. The proper response to a natural rights argument is to reform the law so that the argument can be rearticulated as a legal claim and remedied within the system.

Goldwater’s discussion of civil rights had taken this approach, arguing that if legal protections for (what we take to be) human rights or natural rights do not exist, “our recourse is to a

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67 Burns, “Liberalism and the Conservative Imagination.”
69 Goldwater, 27.
70 Goldwater, 30.
legislature or to the amendment procedures of the Constitution.” In the absence of legal codification, natural rights claims are relatively weak. They might generate calls for a new law or a constitutional amendment, but to act on such rights-claims before taking those steps would imperil the rule of law and, in some cases, bestow undeserved gravity on ideas which are nothing more than what “someone deems socially or politically desirable.”

As Goldwater saw it, this positivist position was consistent with Conscience’s other arguments in support of strict limitations on the federal government’s taxation power. In each case, he claimed, the Constitution was the ultimate authority to which individuals could appeal for a defense of their rights. While conceding that government “has some claim on our wealth,” Goldwater argued that this claim (“the federal government’s total tax bill”) could not exceed the amount required for “exercising such of its delegated powers as our representatives deem necessary in the national interest.” If the federal government enacts programs not specifically authorized by the Constitution, “the taxes needed to pay for such programs exceed the government’s rightful claim on our wealth.”

In this context, however, the meaning of “rightful claim” becomes ambiguous, since Goldwater evinces less skepticism about natural rights when the subject turns to taxation. Claiming that the public’s vigilance against high taxes has been dampened by the widespread assumption that citizens are, “in the nature of things, obliged to accommodate” whatever level of revenue the government seeks to collect, Goldwater counters: “The ‘nature of things,’ I submit, is quite different. Government does not have an unlimited claim on the earnings of individuals. One of the foremost precepts of the natural law is man’s right to the possession and the use of his property.” This argument, at this stage, presents more of a difference in emphasis than a direct contradiction, since Goldwater’s constitutional interpretation supplies rigid limits on taxation which happen to complement his naturalistic argument. A coherentist reading of Conscience suggests that Goldwater’s arguments ultimately depend on a legal appeal to the Constitution, and that the natural rights arguments are an appealing, but superfluous, rhetorical supplement.

However, Goldwater complicates this reading by suggesting that the force of these natural property rights is so powerful as to preemptively delegitimize any attempt to expand the federal government’s taxation authority by law or constitutional amendment. Such a suggestion would undermine the coherentist reading by showing that Goldwater is a positivist about civil rights, but a naturalist about property rights.

The inconsistency emerges in Goldwater’s arithmetic discussion of taxation and freedom, which quantifies the loss of freedom caused by taxation in terms of the percentage of income it captures. “Property and freedom,” he writes, “are inseparable: to the extent government takes the one in the form of taxes, it intrudes on the other.” Offering the example of a person who pays

71 Goldwater, 27.
72 Goldwater, 55. Emphasis in original.
73 Goldwater, 56. Emphasis in original.
74 Goldwater, 56. Emphasis in original. Later in the chapter, Goldwater lists in more detail those areas where the federal government is acting outside its constitutional authority: “The government must begin to withdraw from a whole series of programs that are outside its constitutional mandate—from social welfare programs, education, public power, agriculture, public housing, urban renewal and all the other activities that can be better performed by lower levels of government or by private institutions or by individuals […] It is only through this kind of determined assault on the principle of unlimited government that American people will obtain relief from high taxes, and will start making progress toward regaining their freedom.” See Goldwater, 61–62.
76 Goldwater, 54.
32% of his income in taxes, he concludes that such a person is “working one-third of the time for government: a third of what he produces is not available for his own use but is confiscated and used by others who have not earned it.” Given Goldwater’s concession that the government has “some claim on our wealth,” this equation raises the question of where the limit should be set, in order to distinguish the state’s justified claims from its violations of natural property rights.

Again, Goldwater cites the Constitution (understood in restrictive terms) as the source of that limit. But when he turns to the distribution of the tax burden, it is no longer clear whether this constitutional appeal remains essentially positivist. On the question of how funding for the government’s duties will be collected, Goldwater writes that “the requirements of justice” are “perfectly clear: government has a right to claim an equal percentage of each man’s wealth, and no more.” Dismissing progressive taxation as “confiscatory,” he continues:

Its effect, and to a large extent its aim, is to bring all men down to a common level. Many of the leading proponents of the graduated tax frankly admit that their purpose is to redistribute the nation’s wealth. Their aim is an egalitarian society—an objective that does violence both to the charter of the Republic and the laws of Nature. We are all equal in the eyes of God but we are equal in no other respect. Artificial devices for enforcing equality among unequal men must be rejected if we would restore that charter and honor those laws.

It is notable that Goldwater rejects outright the possibility of legitimate constitutional innovations with the goal of “enforcing equality among unequal men.” By 1960, nearly five decades had passed since the passage of the 16th Amendment granting Congress the power to levy income taxes. The adoption of that amendment was driven by worries about the growing power of corporations and wealthy individuals, as well as by objections to the regressive character of the prevailing consumption tax regime. “Instead of relying exclusively on consumption taxes that fell most heavily on ordinary people,” write Joseph Fishkin and William Forbath, “the Populists and later the Progressives wanted a federal income tax that would fall most heavily on the enormous new fortunes of the era.” They ended up supporting a constitutional amendment after a conservative Supreme Court, in an unpopular and highly controversial ruling, struck down an income tax that had been passed by Congress in 1894.

The egalitarian constitutional innovation represented by the 16th Amendment suggests that Goldwater’s positivism, when pressed, is actually selective in its reliance on the Constitution. A more consistently positivist approach would concede that an egalitarian and redistributive agenda, far from doing “violence” to the “charter of the Republic,” has become part of the charter. But Goldwater’s position fuses constitutional arguments with extraconstitutional appeals to the naturalness of markets and of property rights—an early and influential articulation of the vision of freedom mobilized to justify the permanent tax revolt. Taxation, as Goldwater wrote, bears on the question of individual freedom, and his understanding of this kind of freedom generated a corresponding suspicion of majoritarian

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77 Goldwater, 55.
78 Goldwater, 56.
79 Goldwater, 57. Emphasis in original.
politics guided by egalitarian goals. This attitude obviously accommodates a general hostility not only to federal power, but also, if more subtly, to the nationally-scaled conceptions of political peoplehood that motivate its deployment.

The normative naturalism expressed in Goldwater’s argument has come to be matched in conservative thought by a descriptive naturalism which regards markets as spontaneous, uncoerced, and (therefore) free and fair. Following his assertion that “one of the foremost precepts of natural law is man’s right to the possession and the use of his property,” Goldwater adds that earnings are just as much a form of property as land—indeed, “in the industrial age, earnings are probably the most prevalent form of property.” This argument about earnings draws on preindustrial theories of rightful possession, including what Ian Shapiro calls the “workmanship ideal”—the idea that work mixed with justly-acquired resources confers legitimate ownership over the resulting product. Modern conditions create serious difficulties for a straightforward application of that ideal. Not only is there a long and “vituperative debate,” as Shapiro notes, over the ideal’s caveat that the resources must be justly acquired; the ideal also assumes that the identity of the laborer is, like the origin of the resources, relatively straightforward. Without definite answers to these questions, the ideal cannot generate a clear right of possession that comprehensively insulates property (and, for Goldwater, earnings) from politics.

Yet these are precisely the questions which became vastly more complicated in the era of industrialization and in the development of modern capitalism. Goldwater indicates some recognition of these complications, implicitly acknowledging that the emergence of wage labor is a modern phenomenon, but he is silent about whether that fact presents complications for his

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81 Robin Einhorn has noted that, in general, the familiar libertarian narrative of American taxation “leaves out a lot,” not least “the little matter of democracy”: “This story casts ‘the government’ of the United States as an autonomous entity […] In the radical libertarian world of this story, it is inconceivable that Americans might have wanted (and might still want) to use their (our) government to provide certain services, voting for candidates who promised to do deliver them.” Einhorn, American Taxation, American Slavery, 3.

82 In a similar vein, Fred Block notes that market fundamentalism’s appeal to conservative voters can be explained in “geographic and racial” terms: “The heartland of the religious Right coincides with the states of the old Confederacy that harbor a long-standing hostility to the power of the federal government. In the aftermath of the civil rights movement, when Southern voters abandoned the Democratic Party in huge numbers, they embraced Republican politicians who echoed the traditional state’s rights rhetoric of Southern Democratic politicians. Because the federal government in that period was clearly aligned with the aspirations for equality of African Americans and women, hostility to federal taxation had an obvious appeal to conservatives who resisted racial and gender equality.” Block notes that this explanation does not account for opposition to taxation at the state level, which is partly accounted for by the naturalist outlook I discuss here. See Block, “Read Their Lips: Taxation and the Right-Wing Agenda,” 77.

83 In other sections of the book, Goldwater signals his belief in the naturally self-regulating character of markets. With respect to farm subsidies, for example, he writes: “The reason government intervention has created more problems than it has solved is quite simple. Farm production, like any other production is best controlled by the natural operation of the free market […] If, however, the government interferes with this natural economic process, and pegs prices higher than the consumer is willing to pay, the result will be, in Hamilton’s phrase, ‘troublesome.’” See Goldwater, The Conscience of a Conservative, 36.

84 Goldwater, 54.


86 Shapiro, 48.

87 Goldwater uses the language of “earnings” through Chapter 7, a usage which does not distinguish between different sources of income relevant to debates over taxation, such as wages and capital gains.
normative argument. Instead, “earnings” are simply treated as analogous to the acquisition of property as it was understood by preindustrial thinkers. The establishment of corporations, the existence of contracts, the rise of the wage-laborer, and a range of other issues which create complex new webs of economic relations and implicate states in the market economy are analytically absent—allowing Goldwater to leapfrog over the distinctive political problems faced by capitalist democracies and preserve the market naturalism which underlies his individualistic view of taxation.

This view has powerfully shaped contemporary political economy by obscuring the omnipresence of the state—and, therefore, the potential for a democratic form of politics—in the functioning of an advanced capitalist economy. It defends the politics of permanent tax revolt by locating earnings in an essentially individualistic and natural realm untouched by politics and law. This ontological separation of the economy from politics informs a corresponding normative separation: Democratic political intervention in the economy is, with extremely limited exceptions, off-limits. On the terms of Goldwater’s account of ownership, the demos that would presume to interfere could not possibly rival the individual’s own right to his earnings. Even more radically, the argument suggests that the demos is simply fictional: Not the agent of collective sovereignty of which each member is a part, but rather a mere aggregate of alien others illegitimately trying to seize something to which it has no claim.

In this way, the conservative movement has promoted a vision of citizenship distinguished by a radical rejection of intersubjective identification. The consequences of this rejection are far-reaching, since the democratic ideal of collective sovereignty presumes a stable collective actor. As Elizabeth Anderson writes, it is from “the perspective of” this collective actor that “cooperative goals are framed, and appropriate policies selected and implemented.”

Processes of intersubjective identification are essential for bringing that collective actor into existence in the minds of individual members of the demos. By denying the demos any place in economic life, the permanent tax revolt suggests that the larger collective envisioned by holistic citizenship and theorized by democratic nationalists does not exist.

The enormous success of this disaggregated view of citizenship consigns to memory the variant of Burkean conservatism which, in the years before Conscience’s publication, preserved at least the possibility of free-market skepticism on the American right. As the “fusionist” combination of moral traditionalism and laissez-faire came to dominate conservative politics, it displaced those thinkers whose understanding of political community resisted a Goldwater-style approach to economic issues. Views once derided for their economism and individualism became central to the conservative movement, and as that movement came to dominate American politics, it popularized a hyper-individualist discourse of citizenship through its signature issue of taxation.

Inequality, Understood Politically: Beyond Need and Desert

Why should such a flawed, and indeed contradictory, set of arguments have become so powerful? In part, their appeal rests on the popularity of market naturalism, which furnishes a simple, seemingly commonsense way of thinking about economics, and which has powerful effects on normative beliefs about inequality. Depicting a world of spontaneous, voluntary, efficient, and potentially frictionless exchange, market naturalism implies that inequality, in most

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88 Anderson, The Imperative of Integration, 184.
of its manifestations, is exempt from criticism—either by virtue of its naturalness or because it is the result of voluntary actions which, it can safely be assumed, benefit all parties (because they agreed to them). Milton Friedman’s defense of “competitive capitalism” rests on this latter idea: “The possibility of co-ordination through voluntary co-operation rests on the elementary—yet frequently denied—proposition that both parties to an economic transaction benefit from it, provided the transaction is bi-laterally voluntary and informed.”

A broad interpretation of what constitutes sufficient voluntarism and information, combined with the assumption that these conditions generally obtain, underwrites the belief that market transactions are definitionally free, and un free only to the extent that they are subject to external interference.

Yet as a growing body of literature has demonstrated, this is an untenably depoliticized and ahistorical understanding of actually-existing markets, and it occludes our ability to understand the actual origins and effects of growing inequality. As Larry Bartels has argued, “interpretations of economic inequality are politically consequential because they shape political responses to inequality.” This link between a descriptive evaluation and a normative response—between a diagnosis and prescription—is evident in the divergent ways that observers of inequality understand and respond to it. If high levels of economic inequality are natural (a matter of differential returns to individuals’ different endowments of talent and intelligence), or a reflection of just deserts (rewarding harder work with higher returns) or otherwise uncontrollable (because they result from powerful market forces), they may be undesirable or impossible to effectively counteract. At best, post hoc redistributive schemes might be able to partly compensate those who lose out on the different returns to talent, intelligence, hard work, or market demands. But defenders of market naturalism have raised a range of objections to such policies. Following Hirschman’s three modes of reactionary rhetoric, redistribution is often portrayed either as futile, or as perverse (rewarding laziness, stupidity, or obsolescence), or as jeopardizing such social values as just deserts, returns to hard work, economic freedom, and so on.

Such objections carry much less force if we drop these naturalistic empirical assumptions and begin instead with the presumption that the inequality which marks contemporary capitalist economies is—because it derives from artificially-constructed markets—produced and reproduced politically. Ignoring the political character of market exchange creates the impression that political questions arise only after the market has done its work, when the state intervenes to

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93 See Albert O. Hirschman, *The Rhetoric of Reaction: Perversity, Futility, Jeopardy* (Cambridge, MA: The Belknap Press of Harvard University Press, 1991). Michael Katz traced the argument from perversity to “the oldest and most coherent tradition in the political economy of poverty in the United States as well as in Europe,” a tradition which “views the poor as the unfortunate casualties of a dynamic, competitive economy, unable to gain a secure foothold on the ladder of opportunity and too incompetent or ill-disciplined to reap the bounty of increasing productivity.” According to thinkers within this tradition, “[a]iding them with charity or relief only interferes with the natural working of markets, retards growth, and, in the end, does more harm than good. Often dressed with quantitative sophistication and theoretical skill, this idea has retained an amazing purchase on popular thought as well as on politics. The widowed, the sick, and a few others remain exceptions, but for the most part the poor are losers.” Katz, *The Undeserving Poor*, 272.
artificially redistribute what the market has naturally distributed. This alluring misconception derives its potency from some of the basic conceptual oppositions and biases around which modern thinking is arranged—particularly the normative priority implicitly awarded to the natural over the artificial. As the creator and enforcer of the laws which make market exchange possible, however, the state is always already part of economic life: the agent not only of redistribution, but of predistribution.

The normative implications of this point are obviously not limited to economic life within the borders of nation-states, although I do not explore implications for transnational and global political economy here. Instead, I am chiefly concerned with those frameworks of interpretation and debate through which citizens of a democracy can understand economic governance as part of their broader, ongoing project of collective sovereignty. The boundaries of a democratic state mark, in principle, the scope of the political actor which bears ultimate responsibility for bringing the market into existence and facilitating its operation. Whether that political actor recognizes itself as such, and behaves accordingly, depends in large part on whether it recognizes the market’s political character and understands itself as a democratic collective.

Treating the market as a political artifice, rather than as the spontaneous result of individuals’ isolated labor and natural propensity to exchange, directly counters the market naturalism which grounds anti-taxation politics and the new right’s view of citizenship. Yet since the 1960s, inequality has become depoliticized in public debate even as it has expanded. This is apparent in the tendency for public debate to approach inequality in terms of one of two unpromising discursive alternatives: desert and need. Desert is often, but not exclusively, invoked by conservative defenders of the distributive status quo, since it provides a straightforward response to critiques of inequality: Market outcomes, even unequal ones, are fair because they represent just returns to work. As one of Obama’s critics in National Review argued, echoing Goldwater, a “dynamic social order” depends on “the “principle that each has a right to the rewards of his own labor.” In the declinist narrative of American conservatism, it was the rejection of this principle—the belief that “government could engineer a better society, rather than simply leaving the people free to create one”—that led to the embrace of “progressive taxation, economic regulations, and extensive social-welfare programs,” technologies which obstruct spontaneous market dynamism and undermine property rights (and therefore freedom).

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94 Margaret Somers calls this the “binary logic of social naturalism,” an “epistemological construct” that first divides the social world into natural and non-natural categories and then “assigns epistemological privilege and ontological superiority to those entities deemed natural, such as the market,” while it “demeans all that is deemed unnatural, such as the state.” Margaret R. Somers, Genealogies of Citizenship: Markets, Statelessness, and the Right to Have Rights (Cambridge: Cambridge University Press, 2008), 33.

95 Markets are not only brought into existence by political processes; they also have effects on politics. Inequality, for example, dampens political engagement and biases political participation toward the rich, which partly explains why politicians (themselves from affluent backgrounds) enact policies that benefit the already-affluent, perpetuating an oligarchic cycle that uses political power to direct more wealth and, ultimately, more political power to the wealthy. See Frederick Solt, “Economic Inequality and Democratic Political Engagement,” American Journal of Political Science 52, no. 1 (January 1, 2008): 48–60; Kay Lehman Schlozman, Sidney Verba, and Henry E. Brady, The Unheavenly Chorus: Unequal Political Voice and the Broken Promise of American Democracy (Princeton: Princeton University Press, 2012); Martin Gilens and Benjamin I. Page, “Testing Theories of American Politics: Elites, Interest Groups, and Average Citizens,” Perspectives on Politics 12, no. 3 (September 2014): 564–581, https://doi.org/10.1017/S1537592714001595; Martin Gilens, Affluence and Influence: Economic Inequality and Political Power in America (Princeton: Princeton University Press, 2012).

96 Spalding, “The String-Pullers.”
“Need” furnishes a different and, as its defenders usually note, uncontroversial distributive principle: Individuals should have enough to provide for the general requirements of survival (food, clothing, shelter). Instead of trying to specify some ideal pattern of distribution amidst contentious disagreements, or pursuing the controversial goal of a ceiling on top incomes, need simply insists on a minimal floor necessary for survival, or at most a decent life—something no one can in good faith deny.

The problem with need is that its implications are sufficientarian, not egalitarian. While need supplies a convincing moral objection to deprivation, it does not provide freestanding reasons to object to inequality per se. If need-based claims are satisfied, the principle does not supply additional reasons to object to some having more than others. For this reason, argues Harry Frankfurt, a sufficientarian approach does not treat economic equality as an intrinsically compelling moral ideal: “From the point of view of morality, it is not important that everyone should have the same. What is morally important is that each should have enough. If everyone had enough money, it would be of no special or deliberate concern whether some people had more money than others.”97 To be sure, Frankfurt allows that economic equality may have derivative “importance in creating or in preserving certain noneconomic conditions,” including equality of political influence.98 But political equality, considered as a derive benefit of economic equality, arguably does not have the expansive scope of application implied by need, since it registers most powerfully as an imperative among co-members of a political association.

This discrepancy between universal and associative scopes of application indicates the second weakness of need-based arguments in crafting a political theory of inequality: their indifference to membership. Neither the force nor the substance of need-based claims depend on membership status in a political community, since everyone needs basic goods, and (in general) everyone needs the same basic goods. If food is a basic human need, then the threat of starvation generates duties which apply, in principle, to everyone. The delegation of responsibility to states or aid organizations is simply a practical choice; it does not imply that only those organizations are responsible for helping. If a sovereign state were indifferent to a famine within its borders, or if an aid organization were incapable of delivering aid, this would not dissolve the obligation—it would merely shift responsibility to some other entity.

This quality locates need-based duties at one extreme of a spectrum ranging from general to directed. At the latter extreme, obligations may be so individuated that they originate and perish on the basis of promises made among specific individuals: A may have promised to help B move, which creates a duty. But if A breaks her promise to B, B does not have a claim on C to step in. More specific than general duties, but broader than directed duties, are associative duties: These are duties which obtain by virtue of some relationship among parties, and which help to make that relationship what it is. They may not depend on a voluntary assent to gain their force, but neither do they apply to all people in general. Associative duties may obtain, to take a few common examples, within families or among members of a profession; they also obtain among co-citizens of a democratic state.

An approach to inequality informed by associative duties generates different concerns than one driven by a membership-agnostic argument from need.99 Some straightforward

98 Frankfurt, 16.
99 Indeed, the idea of civic associative obligations faces a distributive objection on the grounds that prioritizing relatively wealthy co-citizens is indefensible, so long as persons outside the country’s borders have more serious needs, and could benefit more from the concern of citizens of relatively developed countries. Although the
distinctions concern not only the scope of the distributive community, but also the kinds of goods under consideration and the goals that an equal (or minimally satisfactory) distribution is thought to advance. But to define those goods and those goals, we need an account of the sort of association whose purposes or associative obligations are impeded by inequality among its members. This sort of particularistic description will take us far from the universalizing language of need, but that may be unavoidable, since need alone does not suffice to capture what is concerning about inequality, at least not inequality of the kind facing contemporary American society.

Some democratic nationalists attempted to provide such a public narrative, one that would articulate the civic purposes of the political economy and narrate the scope of distribution in terms of the national demos. But such attempts, from the Jacksonian Era through the Gilded Age through the New Deal, consistently excluded certain groups (especially women and nonwhite men) from the imagined civic-distributive community. Although a more inclusive democratic political economy is imaginable, experience has not yet shown whether one could gain widespread influence in American politics—in part because liberalism’s belated inclusion of historically-excluded groups coincided with its abandonment of a more political critique of inequality. The timing was exceptionally unfortunate. As Fishkin and Forbath note, it was possible to believe during the midcentury “great compression” that “the threat of oligarchy had receded […] that America had built the political economy of a middle-class democracy and that the work that remained was to dismantle the racial and gender exclusions that severely limited access to the rich opportunities this economy offered—and to full citizenship in the American polity.”

But the threat of oligarchy returned in short order. The prosperous middle-class democracy that the New Deal had helped to build would soon buckle under the combined weight of conservative policy changes and external economic pressures, and so the politics of distribution would not simply dissolve amidst widespread growth. At the very moment of renewed scarcity, it became clear that the left had failed to match a democratic approach to political economy with an inclusive conception of nationhood, and that the right had no interest in either.

distributive objection is important, its force fades if we move from a simple to a differentiated conception of goods. It seems plausible that even if those who lack basic necessities have an immediate, compelling claim that applies to anyone capable of aiding them, there is a distinct range of goods and duties which only apply among co-citizens by virtue of the kind of association they share, and which therefore can’t easily be in tension with goods or duties owed to persons generally. (One obvious, but probably rare, exception to this rule applies in cases where we simply lack the necessary resources to discharge both our universal and our associative duties, but here I assume that this is generally not the case.) For a general discussion of the distributive objection to associative duties, see Samuel Scheffler, Boundaries and Allegiances: Problems of Justice and Responsibility in Liberal Thought (Oxford; New York: Oxford University Press, 2001), 56–65.

I locate such attempts within what Fishkin and Forbath call the “anti-oligarchy” constitutional tradition in American history. See Joseph R. Fishkin and William E. Forbath, “The Anti-Oligarchy Constitution,” Boston University Law Review 94, no. 3 (May 2014): 669–96. In the early republic, Fishkin and Forbath write, “The Constitution was understood to protect the rights of white men to a fair or equal chance to join the ‘middling classes’ that were the bulwark of republican government. Avenues to wealth and distinction had to be open to ordinary Americans, not just the privileged few; the roads to a middle-class life had to be wide open and broad enough to accommodate everyone.” Fishkin and Forbath, 671. Today, they note, arguments that the Constitution makes affirmative demands on the fundamental structure of American political economy can be found only on the libertarian right.

As this history suggests, the political work of combating inequality cannot rely on sheer growth to compensate for political work that has been left undone. Even if economic growth were manageable and predictable, the mere fact of expansion cannot answer normative questions about who belongs to the demos, and what they are owed by virtue of their membership in it. Indeed, it may be that no critique of inequality can get off the ground unless it supplies a narrative of this sort. Earlier generations might have supplied such narratives by appealing to race, ethnicity, organic forms of belonging, and other criteria that contemporary defenders of bounded solidarity rightly reject. The present work of constructing such a defense has to freely acknowledge the contingency of existing political associations but nonetheless find ways to narrate them as potentially meaningful sites of intersubjective identification among citizens. This is work that, at present, the American left seems conceptually incapable of performing, which explains its tangled reliance on the depoliticized language of need.

Something of this ambivalent reliance is detectable in Obama’s Osawatomie speech, which focused on securing the conditions under which “working people can earn enough to raise a family, build a modest savings, own a home, secure their retirement.” The word “enough” signals a roughly need-driven approach in both of the senses discussed here: First, ameliorative steps are understood in terms of securing a floor for people at the bottom of the distribution, and second, the goods in question are portrayed as (nearly) essential for a good life, at least as understood in American culture. But the suggestion that culturally-conditioned signifiers of middle class stability should be treated as basic needs strains the principle beyond what it can plausibly accommodate. Need’s effectiveness derives from its ability to sidestep contentious political disagreements by appealing to the incontrovertible requirements of survival. Because it gains force at the expense of scope, it creates a tension for those who rely on it: If interlocutors grant the argument, they will do so on a restrictive but far from implausible understanding of its terms. For need to adequately serve egalitarian rather than merely sufficienitarian purposes, the categorization of what the deprived “need” must be expanded. Yet this expansion will come to encompass things which at least some interlocutors will not see as necessities, and consensus on the importance of securing them will only be achieved through the kind of political contestation that invokers of need presumably seek to avoid.

The limitations—indeed, risks—of this strategy are evidenced by the ease with which conservatives who are otherwise skeptical of egalitarianism can easily accept need-based claims at face value. If the real objection to inequality actually concerns a floor of basic survival needs, then the absence of deprivation suffices to answer egalitarian concerns. This was the thrust of National Review’s rejoinder that Americans’ real problem was unemployment, not inequality—in other words, not the relative disadvantage of middle-income Americans in a society

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102 On the racialized and gendered limits of Jacksonian political economy, see Fishkin and Forbath, 676. Fishkin and Forbath identify the New Deal as the climactic moment in a clash over constitutional political economy that went back as far as the Jacksonian era, and they label Roosevelt’s 1936 nomination acceptance speech as “Anti-Oligarchy Constitution in its purest modern form.” See Fishkin and Forbath, 687–88. But as Ira Katznelson has shown, even Roosevelt’s steps against distributive injustice were radically limited by what the Southern wing of his party regarded as the proper scope of the distributive community. See Katznelson, Fear Itself.

103 Obama, “Remarks by the President on the Economy in Osawatomie, Kansas.” Emphasis added.

104 It bears noting that Obama’s framing lumps together two categories of goods. The first includes modest savings and retirement savings, which are not strict survival necessities (in the nature of food, clothing, and shelter), but which are only slightly less important as elements of minimal financial security. The second category includes the ability to comfortably make choices which are less obviously necessary for a good life, and so less universal in their application, such as the choice to have children or purchase a home.
increasingly divided by class, but the absolute deprivation of Americans who have no source of income.

Even this latter concern can (and often is) minimized by the argument that American poverty is rarely characterized by deprivation. This was the position taken by a 2011 Heritage Foundation report typical of the conservative response to Obama. The report argued that “if poverty means lacking nutritious food, adequate warm housing, and clothing for a family, relatively few of the more than 30 million people identified as being ‘in poverty’ by the Census Bureau could be characterized as poor.”¹⁰⁵ Heritage noted that the vast majority of U.S. households defined as “poor” have amenities such as refrigerators, televisions, ovens, microwaves, and air conditioning.¹⁰⁶ Taking ownership of such consumer appliances to be indicative of the absence of true need (in the sense suggested by a straightforward interpretation of the principle), the writers argued that to label such Americans as impoverished was “a public relations Trojan horse, smuggling in a ‘spread-the-wealth’ agenda under the ruse of fighting significant material deprivation.”¹⁰⁷ This kind of political misdirection, they argued, is necessary because “the American voter is unwilling to support massive welfare increases, soaring deficits, and tax increases just to equalize incomes.”¹⁰⁸ (I leave aside the question of whether Heritage’s objections are empirically sound; critics have raised questions about the statistics cited in the report, the conclusions drawn from those statistics, and the report’s focus on cheap consumer goods, rather than the rising cost of necessities such as health care, education, and housing.)¹⁰⁹

For our purposes, what is revealing about Heritage’s response is that it superficially concedes the point: Inequality would be a problem if it manifested as deprivation for some Americans, and that deprivation would merit a response. Conservatives can embrace the normative principle without necessarily conceding anything else; all that is in dispute is the empirical question of whether deprivation has occurred.

Because the conservative response accepts the legitimacy of need on restrictive terms, it correspondingly regards ameliorative steps beyond the relief of deprivation as otiose, even petty. As Heritage characterized a more ambitious left-egalitarian agenda: voters will not “support massive welfare increases, soaring deficits, and tax increases just to equalize incomes.”¹¹⁰ At least two key ideas are implicit here—not only that for left-egalitarians, equal incomes are a goal in themselves, but also that only post hoc redistribution (welfare and tax increases) can achieve that goal. The entire political process that structures the “initial” distribution is analytically absent, an empirical manifestation of the same market naturalism elsewhere encountered in its normative form. The inequality generated by the free market is fair because it is natural, and so

¹⁰⁶ Rector and Sheffield, 6.
¹⁰⁷ Rector and Sheffield, 20.
¹⁰⁸ Rector and Sheffield, 20.
the achievement of “equalizing” incomes could therefore only occur when jealous egalitarians hubristically remake the work of the invisible hand.

This thoroughgoing naturalism is also the basis of Goldwater’s complaint against redistribution: that it sought to create equalities where they otherwise would not exist, violating natural law and exceeding Constitutional limits. Goldwater’s view is instructive not only because of the influence it exercised over later conservatives, but because it signals clearly what some more recent iterations of this perspective obscure: That market naturalism is at odds with democratic politics. Market naturalism, for Goldwater, was opposed to the artificiality represented by the conscious pursuit of substantive political equality through redistribution; equality of this sort was not part of his understanding of citizenship.

Today, American debates over the meaning and scope of citizenship profoundly reflect Goldwater’s influence. His ideas have become simplified and popularized, and they now amount to a kind of commonsense doctrine for much of the country. The achievement of commonsense status shifts once-controversial ideas into the invisible backdrop of public discussion, providing some measure of inoculation from critical scrutiny and enabling a country whose democracy is endangered by extreme inequality to believe itself more free whenever it exacerbates that inequality. As Ronald Reagan declared in 1985: “My friends, history is clear: Lower tax rates mean greater freedom, and whenever we lower the tax rates, our entire nation is better off.”

A response to the crisis of inequality begins with understanding how alternatives to this worldview were pushed out, and why they are still relevant—why they address aspects of the crisis that cannot be captured within either desert or need-based frameworks. The possibility of a democratic political economy depends on citizens understanding themselves not as atomistic individuals engaged in de-politicized forms of production, but as a demos which creates and governs markets through the state. The democratic state is at once the legal entity which brings markets into existence as well as the source of the political boundaries within which civic-associative duties related to predistribution and redistribution can be legibly debated and discharged. Marketcraft and distribution are two sides of the same, thoroughly political process, even if the rhetoric of market naturalism has obscured both their political character and their connection to each other. Their democratization requires the kind of bounded, holistic form of democratic citizenship I have defended here.

The dormant ideal of a democratic political economy, embedded in the logic of holistic citizenship and democratic nationalism, offers an alternative to the vision of citizenship advanced by the permanent tax revolt. In this way, it satisfies a requirement succinctly summarized by Mark Blyth: “To beat an idea, one needs another.” Or, as none other than Milton Friedman similarly observed in 1962: When a crisis occurs, “the actions that are taken depend on the ideas that are lying around.”

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111 “Ronald Reagan: Remarks to Business Leaders in Cincinnati, Ohio.”
112 Blyth, Great Transformations, 190.
113 Friedman, Capitalism and Freedom, xiv.
Conclusion: Reconstruction Revisited

On November 19, 1867, Charles Sumner delivered an address to the New York Young Men’s Republican Union. The senator from Massachusetts understood, at a personal level likely matched by few politicians, the depth of feeling underlying the nation’s sectional and ideological divisions. Eleven years prior, a member of the House from South Carolina, incensed by an antislavery speech Sumner had delivered, had approached the legislator in the Senate chamber and beaten him nearly to death. Sumner survived the attack and lived to see both the surrender of the Confederacy and the abolition of slavery. However, two years after the war’s end, he by no means regarded the Slave Power as defeated.

The title of Sumner’s speech posed a question: “Are We a Nation?,” and the senator asserted that “the whole case is involved in the answer.” He began by discussing the meaning of “nation”—“originally ethnological,” but “now political,” and connoting “a political unity, rather than a unity of blood or language.” Because national unity was political, not ethnic or linguistic, Sumner believed in the possibility of American nationhood despite “the various accents of speech and the various types of manhood, with the great distinction of color, which we encounter daily,” all of which “show that there is no such unity here. But this is not required […] the essential condition is one sovereignty, involving, of course, one citizenship.”

On this understanding of American nationhood, Union victory, however essential, was only one part of a necessary task. “Liberty has been won,” Sumner acknowledged; but “Equality must be won also […] Here must we plant the National standard.” Americans’ confrontation with hierarchy constituted a national project. To achieve American nationhood was to make equality manifest in national life. “[I]t is your glorious part,” Sumner told his audience, “to assure the National Unity on this adamantine base.” By collectively dedicating themselves to equality, Americans would promote “a new consciousness of national life with a corresponding glow. The soul will dilate with the assured Unity of the Republic, and all will feel the glory of its citizenship.”

The speech is a pellucid expression of democratic nationalism in the Reconstruction era. Sumner’s expansive commitment to equality was articulated in terms of a nationalist self-understanding and narrative of American peoplehood. Echoing Lincoln at Gettysburg, Sumner appealed to the Declaration of Independence as the egalitarian foundation of American nationhood: “In one word, the Declaration of Independence must be recognized as a fundamental law, and State Rights, in all their denationalizing pretensions, must be trampled out forever, to the end that we may be in reality as in name, a Nation.” This rhetorical mainstay of democratic nationalism would surface again during the Second Reconstruction, when Martin Luther King,

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1 Sumner, “‘Are We A Nation?’ (Address Before the New York Young Men’s Republican Union at the Cooper Institute, November 19, 1867),” 3.
2 Sumner, 5.
3 Sumner, 5–6.
4 Sumner, 35.
5 Sumner, 35.
6 Sumner, 35.
7 Sumner, 3.
Jr. described the “unalienable rights of life, liberty, and the pursuit of happiness” as “a promissory note to which every American was to fall heir.”

As Sumner noted, the Confederacy, by contrast, had been premised a straightforward denial of the Declaration of Independence’s proclamation of human equality. Although it had been defeated on the battlefield, Americans had to go further in order to “complete the good work” and achieve “final victory”: “You must encounter this denial [of equality],” or else “You do not extinguish Slavery; you do not trample out the Rebellion.”

Writing four years later, in the wake of the ratification of the Reconstruction amendments, Walt Whitman sounded a similarly anxious note. Although Whitman lived in an era of far-reaching constitutional reform, he nonetheless worried for American democracy, which he believed would be insecure unless it took root in the public mind and in everyday life. “Did you, too, O friend, suppose democracy was only for elections, for politics, and for a party name? I say democracy is only of use there that it may pass on and come to its flower and fruits in manners, in the highest forms of interaction between men, and their beliefs—in religion, literature, colleges, and schools—democracy in all public and private life.”

Whitman’s attempt to explain the flowering of this ethos reached beyond democracy’s institutional and legal dimensions:

For not only is it not enough that the new blood, new frame of democracy shall be vivified and held together merely by political means, superficial suffrage, legislation, &c., but it is clear to me that, unless it goes deeper, gets at least as firm and as warm a hold in men’s hearts, emotions and belief, as, in their days, feudalism or ecclesiasticism, and inaugurates its own perennial sources, welling from the centre forever, its strength will be defective, its growth doubtful, and its main charm wanting.

What could serve as these perennial sources of democratic attachment? Whitman imagined “two or three really original American poets, (perhaps artists or lecturers) […] fusing contributions, races, far localities, &c.,” and giving “more compaction and more moral identity, (the quality to-day most needed,) to these States, than all its Constitutions, legislative and judicial ties, and all its hitherto political, warlike, or materialistic experiences.”

Such “national expressers, comprehending and effusing for the men and women of the States, what is universal, native, common to all, inland and seaboard, northern and southern,” would prevent the ossification of “conflicting and irreconcilable interiors.” For as Whitman admitted,

the lack of a common skeleton, knitting all close, continually haunts me […] the true nationality of the States, the genuine union, when we come to a mortal crisis, is, and is to be, after all, neither the written law, nor, (as is generally supposed,) either self-interest, or

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9 Sumner, “‘Are We A Nation?’ (Address Before the New York Young Men’s Republican Union at the Cooper Institute, November 19, 1867),” 35.
11 Whitman, 459.
12 Whitman, 459.
13 Whitman, 460.
common pecuniary or material objects—but the fervid and tremendous IDEA, melting everything else with resistless heat, and solving all lesser and definite distinctions in vast, indefinite, spiritual, emotional power.”

Sumner, Whitman, and King envisioned nothing less than a reconstitution of the American polity, yet none of them understood reconstitution in purely legal terms. Their thought drew on two senses of “constitution” to which Hanna Pitkin has drawn attention. Sometimes, the term is used to describe an individual’s temperament; or, in the context of a community, “a characteristic way of life, the national character of a people, their ethos or fundamental nature as a people, a product of their particular history and social conditions”—in short, “less something we have than something we are.” At other times, “constitution” functions as “a verbal noun pointing to the action or activity of constituting—that is, of founding, framing, shaping something anew [...] neither something we have nor something we are so much as something we do—or at any rate can do.”

These two senses of constitution are interrelated. There is gravity in the collective act of constituting: It is not, as Pitkin notes, “just doing whatever one pleases, the expression in action of just any impulse or appetite,” but rather an attempt to “establish something that lasts, which, in human affairs, inevitably means something that will enlist and be carried forward by others,” something that is “lasting, inclusive, principled, and fundamental.” To create something lasting (along with certain others); to be inclusive (of some specific groups); to be principled (according to some community’s principles); to be fundamental (to some group’s shared life): All these presume a form of collective self-knowledge that could express the nature of that group, its principles, its shared life. “So, although constituting is always a free action,” Pitkin concludes, “how we are able to constitute ourselves is profoundly tied to how we are already constituted by our own distinctive history. Thus there is a sense, after all, in which our constitution is sacred and demands our respectful acknowledgement. If we mistake who we are, our efforts at constitutive action will fail.” Or, as Ralph Ellison suggested: “if we [Americans] learn more of what has happened and why it happened, we will learn more of who we really are, and [...] we won’t be so vulnerable to the capriciousness of events as we are today.”

The first and second Reconstructions were attempts to create what Pitkin calls “something lasting, inclusive, principled, and fundamental,” attempts which required Americans to come to a new understanding of their “distinctive history,” or (in Ellison’s terms) to “learn more of who we really are.” Democratic nationalists believed that a reconstituted political order, one directed toward new, more expansive interpretations of freedom and equality, required a corresponding narrative of peoplehood. Taking stock of the crises facing American democracy in the twenty-first century, hopeful observers have often modeled their aspirations on these earlier periods of reform: The U.S., they contend, requires nothing less than a “Third Reconstruction.”

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14 Whitman, 460.
16 Pitkin, 168.
17 Pitkin, 168–69.
18 Pitkin, 169.
19 Ellison, “Going to the Territory,” 612.
Unfortunately, as that historical allusion suggests, there is another, much darker possibility. The democratic thinkers of the first Reconstruction did not have an uncontested claim to American nationality. Sumner had declared, for example, that determining “the ‘qualification’ of a voter” based on “color, whether of the hair or of the skin,” or “any other unchangeable circumstance of natural condition,” was “shocking to the moral sense” and “preposterous,” and that Americans’ failure to guarantee equal political rights for all citizens represented a “piteful failure to perform a National duty.”21 Scarcely a decade earlier, in his debates with Lincoln, Stephen A. Douglas had given a popular defense of the opposite view: “I hold that this Government was made on the white basis; made by the white men, for the benefit of white men and their posterity forever, and should be administered by white men and none others.”22 In the 1870s, white “redeemers,” acting in the spirit of Douglas’s vision, violently rebelled against (and ultimately ended) the first Reconstruction.

Today, the intellectual descendants of these white supremacists are in increasingly open rebellion against the Second Reconstruction. They, and not the heirs of democratic nationalism, seem politically ascendant in the United States. A measure of subtlety has at times allowed this rebellion to operate in plain sight, but both subtlety and pretense were shed in 2017 by the white supremacists who marched on Charlottesville. With unmistakable symbolic intent, they gathered to oppose the removal of a statue of Robert E. Lee, chanting, “You will not replace us” and “Jews will not replace us.”23

While no single political movement may have the power to arrest demographic change, determined factions—often claiming the mantle of American nationhood—have long proven able to subvert democracy through other means. With the meaning of American nationhood radically up for grabs, and democratic nationalism in retreat, our next era could be one of reaction, not reconstitution. Rather than a Third Reconstruction, we may well be living through a Second Redemption.24

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21 Sumner, “Are We A Nation?” (Address Before the New York Young Men’s Republican Union at the Cooper Institute, November 19, 1867), 34.
Detecting Democratic Decay

The Second Reconstruction of the 1960s was only a partial reconstitution of the American polity. At nearly the exact moment it achieved historic gains in formal democratization, the tradition of democratic nationalism that had emerged around the first period of Reconstruction entered into a period of crisis and, ultimately, decline. In reflecting on the timing of that decline, Richard Rorty approvingly cited Todd Gitlin’s estimate of August 1964, the month in which “the Mississippi Freedom Democratic Party was denied seats at the Democratic Convention in Atlantic City, and […] Congress passed the Tonkin Gulf Resolution.” Regardless of the exact dating, Rorty continued, “it is certainly the case that the mid-Sixties saw the beginning of the end of a tradition of leftist reformism which dated back to the Progressive Era.”25 As I have argued, that tradition’s intellectual roots—in particular, its distinctive deployment of American nationhood—stretch back even further, intimately linking both of America’s periods of Reconstruction. The theoretical resources afforded by that tradition, in combination with the framework of holistic democratic citizenship, allow us to approach key moments of American political development with greater analytical precision. In particular, these concepts help explain why the achievement of long sought-after democratic reforms coincided with the onset of a protracted period of democratic decay.

Because political scientists’ empirical understanding of “democratization” is generally inattentive to these informal components of citizenship, it tends to be insensitive to the decay I have catalogued here. When political scientists assert that the United States only democratized after 1965, they mean that American democratization was achieved through the polity-wide extension of civil rights coupled with (nearly) universal suffrage.26 This definition of democratization—which includes only the components of participation, rights, and (formal) equality—may be required for the purposes of empirical analysis, but it should not be taken to indicate that democratic ideals have been achieved because the laws guarantee the right to vote. “Democratization” in this sense refers to something much narrower than an ongoing practice of collective sovereignty characterized by free, egalitarian interaction among members of the demos. It does not imply the existence of either identification or perpetuation. Indeed, a fully-enfranchised citizenry whose rights are protected may nonetheless experience pervasive mutual alienation, a withered civic imagination, deliberative breakdown, high levels of socioeconomic inequality, dangerously short-sighted or scorched-earth approaches to politics, and so on. A purely formal definition of citizenship is inattentive to these important dimensions of democratic politics, which are no less significant for being difficult to measure.

Disaggregated Citizenship and Globalization

The holistic framework cautions against the tendency to associate democracy’s realization with the achievement of only some of citizenship’s components. This applies not only to the idea that a state has “fully” democratized when it extends rights and suffrage, but also to

the idea that globalized politics simulates or replicates democratic citizenship above the nation-state.

When, at the turn of the 21st century, Linda Bosniak asked whether citizenship was “inextricably bound up with the nation-state,” she cited not only the increasingly transterritorial quality of political and social life, but also the rise of “multiple and overlapping” experiences of citizenship. Bosniak noted that neither the organization of formal status, the protection of rights, the practice of political participation, nor the experience of collective identities or solidarities are entirely confined to the territory or community of the nation-state (if they ever were), but are sometimes, and now increasingly, enacted beyond it. This discussion accurately observes that under globalized conditions, many components of citizenship are experienced in a diverse range of settings above or outside the bounded states in which individuals can claim legal membership. It does not follow, however, that citizenship (understood as a composite status) is replicated into those new settings.

In particular, from the perspective of perpetuation, the question is not whether politics is taking on a transnational character, but whether the political collectivities which arise in correspondence with globalization are stably or episodically constituted. Discrete experiences of participation, rights, equality, and identification in multiple, episodic settings, among shifting populations of individuals, neither signify the achievement of collective autonomy nor offer a satisfactory alternative to it. What is still required—both to satisfy the epistemological and psychological preconditions of collective sovereignty, and to support civic reciprocity—is a bounded form of political association whose members identify each other as participants in an ongoing project of democracy. Postnationalization may, by upending this boundedness and temporal continuity, gradually erode these preconditions and iterative structures. The experience of postnational politics should not be confused with the ascent of postnational democracy.

In this way, globalization (depending on the form it takes) might create new problems which are every bit as challenging to democracy as those created by the older system which some theorists hope to overcome. In particular, certain forms of globalization could make it difficult to ground what Stephen Macedo has called those “powerful obligations of mutual justification and justice” which are explained by “the complex relations shared by members of political communities.” The reasonableness of locating such obligations within shared citizenship is connected to citizens’ responsibility (and, one hastens to add, their empowerment) to share in governance. The same people who are responsible for discharging an extensive set of shared obligations are also responsible for crafting the broader conditions of society which shape the distribution of powers, resources, opportunities, and advantages in the first place. Therefore, Macedo argues,

Transplanting domestic principles of justice and the responsibilities they entail to the global level makes little sense without a commensurate transfer of governing authority, that is, absent a cosmopolitan state and a cosmopolitan political community that hardly anyone seriously argues for. Citizens have powerful obligations of mutual concern and respect, and mutual justification, to one another because the political institutions for

28 Bosniak, 488.
which they are co-responsible determine patterns of opportunities and rewards for all. This could not simultaneously be true of the international society, and it is not.\textsuperscript{30}

The “patterns of opportunities and rewards” for which citizens are “co-responsible” unfold only against a background theory of purposes and ideals which is continually reformed through public processes of interpretation. To the extent that the roster of participants in this process becomes shifting and episodic, its ability to define and ground strong ties of mutual responsibility is weakened. The obligations which characterize normative ideals of modern democratic citizenship rely on bounded forums of interpretation populated by a loosely stable set of co-participants—a model of civic life that postnationalizing trends could destabilize.

Against Fatalism

The decline of democratic nationalism was not inevitable and is not irreversible. Although globalization has inflamed exclusionary ethnic revanchism across the world, it is not inconceivable that many elements of globalization could have unfolded alongside peaceful, creative attempts by bounded polities to maintain their shared internal, political ties while adjusting to the other kinds of crossnational imbrication common in the 21st century. Nor was it foreordained that the unmasking of false universalisms by twentieth-century social movements would culminate in a general skepticism of associational ties at the level of the nation-state. It is still the promise and the challenge of egalitarians and democrats to pursue these goals—to realize a form of political belonging that cultivates the boundaries democracy requires without collapsing into chauvinistic exclusion. The multicultural and multiracial United States of the 21st century remains a critical site for experimentation in this project, a project for which democratic nationalists like Lincoln, Douglass, Whitman, and Ellison laid the groundwork.

Democratic citizenship in the United States is likely to advance only if today’s egalitarians, in the spirit of these predecessors, tie their aspirations to an imagined form of democratic peoplehood coextensive with the boundaries of the national state. Belief in a national demos provides a coherent account of our associative duties, and it stabilizes our fragile steps toward democratization—by underwriting reciprocity among citizens and preventing the kind of scorched earth politics that the possibility of secession always leaves open.

If egalitarians divorce their normative aspirations from this kind of democratic vision, democratic citizenship is less likely to flourish. The voices that would oppose formalizing a metic class of subcitizen migrants, that would renew a push for democratic justice through racial integration, that would speak to the civic dimensions of inequality and push for a democratization of the economy, would abandon a valuable rhetorical and intellectual tradition that links those imperatives under a powerful vision of democratic belonging. I have used the term democratic nationalism to describe this orientation not only because American democrats embraced national democracy against localist hierarchy, but because the existence of a nation is fundamentally a matter of belief. This belief is not inevitable. What is inevitable, so long as there are democratic states, is that citizens will, through politics, exercise power over each other’s lives. Whether that power is exercised in egalitarian and reciprocal fashion depends, in large part, on whether citizens see each other as fellow members of a democratic people.

\textsuperscript{30} Macedo, 313.
In 2018, two years into the presidency of Donald J. Trump, the political scientists Steven Levitsky and Daniel Ziblatt reached the best-seller list with the starkly titled *How Democracies Die*. The book opens with the scholars’ candid admission of astonished at finding themselves, as experts in democratic breakdown, studying their home country. Since 2016, they wrote, they had become sensitive to the emergence, in the United States, of the same “precursors of democratic crisis” they had studied in the history of Europe and Latin America.\(^{31}\) The two scholars stressed that although the election of an “extremist demagogue”\(^{32}\) in 2016 was a clear sign that American democracy was entering newly dangerous territory, a path had been cleared by the “erosion of our democratic norms” since the 1980s. They summarized the trend in this way: “America’s efforts to achieve racial equality as our society grows increasingly diverse have fueled an insidious reaction and intensifying polarization. And if one thing is clear from studying breakdowns through history, it’s that extreme polarization can kill democracies.”\(^{33}\) In effect, Ziblatt and Levitsky were arguing that America, facing the choice between racial hierarchy and democracy, was opting for the former.

That choice would not be unprecedented. Nor is it unprecedented for the supporters of racial hierarchy to claim the mantle of American nationality. When we recoil against neo-Confederate visions of America as a white ethnostate, our reaction signals our understanding that conceptions of the demos have grave political consequences. They may begin abstractly, but they can lead swiftly to concrete forms of cruelty and injustice. It has become common to treat all invocations of nationhood as similarly suspect, but might there be alternative conceptions of the demos that, although beginning abstractly, would promote concrete forms of freedom and equality?

What might those alternatives be? On one approach, the United States could pursue with renewed energy an agenda of decentralization—a turn to localism not merely as a pragmatic approach to administration, but as a locus for political identity within a radically pluralistic federal republic. The American experience of decentralization has been decidedly mixed: It has sometimes witnessed democratic experimentation in the laboratories of the states, but it has also, as Herbert Croly put it, helped to “make local and individual rights an excuse for national irresponsibility.”\(^{34}\) The case for neo-localism, then, can at best be made on a case-by-case basis, as a pragmatic matter of governance, and not as a principled approach to theorizing democratic membership. Another approach, which turns in the opposite direction toward a supranational political future, regards national identity as increasingly unimportant. In a future where politics increasingly occurs above the nation-state, new forms of postnational identity could emerge that would not be so closely tied to historical legacies of exclusion. This is not an impossible development, but as I have argued, there are strong reasons to be skeptical that the current extent of globalization has put in place even the minimal conditions for establishing holistic democratic citizenship at a supranational level—which would require, at minimum, a substantial redrawing of civic boundaries and corresponding relocation of governing authority. Absent this drastic

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\(^{31}\) Levitsky and Ziblatt, *How Democracies Die*, 1.
\(^{32}\) Levitsky and Ziblatt, 8.
\(^{33}\) Levitsky and Ziblatt, 9.
\(^{34}\) Croly, *The Promise of American Life*, 106.
restructuring of political life, one which goes far beyond even the achievements of the EU, we are far from being able to regard national identity as an anachronism beneath our concern.

Simply put, in no foreseeable future can we safely disregard the question of how Americans understand the meaning of membership in their (aspirationally) democratic nation. The question is not anachronistic, but inescapable.

Citizens must take responsibility for how they define and imagine their polity. As Rogers Smith has noted, our ordinary use of language often obscures this fact. Although nations are, as Smith writes, “endlessly contested and contesting human creations that dramatically and often coercively affect how people live,” our “standard analogies” for them “are all ‘de-politicizing’ devices. They direct us to associations we do not ordinarily think of as chiefly political.” Just as the metaphor of a national “family” obscures the political character of nationhood, common invocations of American nationhood often function to soothe and sedate citizens, instead of provoking them. Democratic nationalists, in looking to American history for a useful civic vocabulary, engaged in a form of argument designed to shake citizens out of such dull complacency. In a rhetorical technique that is now often dismissed as naïve triumphalism, they put superficially-revered elements of American political culture to a radical use. To many white listeners, Lincoln’s mobilization of American nationality to argue for multiracial democratic equality was anathema—just as it was a century later, when Martin Luther King, Jr. invoked the Declaration as a promissory note, yet to be paid. It is easy to invoke the icons of Americana in favor of the status quo, but this usage seriously misunderstands the radical demandingness of their claims. Taking those claims seriously has always been controversial.

In their concluding chapter, entitled “Saving Democracy,” Levitsky and Ziblatt imagine three possible futures for a “post-Trump America.” First, they describe a “swift democratic recovery” in which Trump “fails politically” (either through failed reelection, impeachment, or resignation), Democrats reverse his policies, and a chastened Republican Party decides to end its “flirtation with extremist politics.” In this scenario, the Trump era turns out to be an “interlude,” during which “tragic mistakes” were made but “catastrophe was avoided and American democracy saved.” Ultimately, they deem this future “unlikely,” since our era of democratic breakdown precedes Trump and will persist after his political defeat.

A second scenario, which “isn’t likely” but “isn’t inconceivable,” involves the GOP turning into an explicitly “white nationalist” party which entrenches itself through “measures to reengineer the electorate” and changes to legislative rules that allow Republicans to take untrammelled advantage of their representational advantage in the Senate. This “profoundly antidemocratic” attempt to institute a permanent minority government would meet intense resistance and could even lead to political violence, which could in turn be used to justify further crackdowns against nonwhites.

The third and “most likely” scenario, in their view, is a “democracy without solid guardrails,” following the model of North Carolina, where the state GOP has recently (among other things) engaged in aggressive racial gerrymandering, changed the rules to block Democratic-leaning groups from voting, refused to concede elections in a timely manner, and

35 Smith, Civic Ideals, 490.
36 Levitsky and Ziblatt, How Democracies Die, 206.
37 Levitsky and Ziblatt, 207.
38 Levitsky and Ziblatt, 207–8.
39 Levitsky and Ziblatt, 208.
used special legislative sessions to strip powers from an incoming Democratic governor.\textsuperscript{40} Some of these steps were later overturned by the courts, but together they signify “a system hovering constantly on the brink of crisis.”\textsuperscript{41}

The analysis of democratic decay I have proposed here suggests that the first scenario is by far the least likely. It also treats the difference between the second and third scenarios as one of degree, not kind. The attempt by a mostly-white political party which increasingly embraces overtly racialized visions of the demos to disenfranchise voters and engage in electoral and demographic reengineering amounts to a denial that the American demos includes all of their fellow citizens. Countering that denial demands making the forthright case that such a definition of the demos is incompatible with an acceptable vision of our common democratic life. If public debate lacks such a vision of Americans’ common national life, democratic politics will not merely be “without guardrails”; it will be without a lodestar.

It is within the power of citizens to provide that guidance. In fact, it is within their power alone, for democratic citizenship is not self-executing. Democracy requires members of the demos to understand themselves as an association, to extend that understanding throughout the whole polity, and to orient themselves accordingly when determining the course of their collective life. This basic foundation of democracy, easily overlooked and often rejected, cannot be legislated into existence. Citizens must commit themselves to its achievement, and in so doing take responsibility for their freedom and equality.

\textsuperscript{40} Levitsky and Ziblatt, 209–11.
\textsuperscript{41} Levitsky and Ziblatt, 212.
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