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Reworking the neo-republican sense of belonging

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Abstract

The paper focuses on neo-republicans' emphasis on the national sense of belonging which is often judged as being crucial for political legitimacy. It argues that, however legitimate this claim may be, neo-republicans' definition of the sense of belonging is worryingly indeterminate and still likely to foster exclusive national identities, even if they explicitly support value pluralism.

Key-words: Citizenship – Identity – Immigration – Multiculturalism – Nationalism – Patriotism – Pluralism -Republicanism.

Résumé

L'article examine l'importance que revêt le sentiment d'appartenance nationale pour les auteurs néo-républicains, lequel est souvent considéré comme une condition cruciale de la légitimité politique. Il fait valoir que bien que cette revendication puisse être légitime, la définition néo-républicaine du sentiment d'appartenance est trop indéterminée, au point de favoriser la formation d'identités nationales exclusives, même lorsque celles-ci sont favorables au pluralisme des valeurs.

Mots-clés: Citoyenneté - Identité - Immigration - Multiculturalisme - Nationalisme - Patriotisme - Pluralisme-Républicanisme.

1. Introduction

In his paper “Reworking Sandel’s republicanism”, Philip Pettit addresses one of the main problems that the revival of republican thought has to face, namely the problem of value pluralism. In order to elaborate a convincing theory of modern republicanism, he insists on the necessity to adapt this venerable tradition to the “fact of pluralism” that exists in liberal societies, and to justify why political liberalism is not the good answer.¹ This is precisely what Sandel intends to do when he accuses liberal “public philosophy” of being responsible for the “democracy’s discontent” experienced by American citizens, and pleads for a revival of American republican traditions (Sandel, 1996). However, as Pettit points out, “Sandel’s claims (...) are worryingly indeterminate about the precise nature of America’s lost republican ideals, about what those ideals would require of us as citizens, and about where they would lead governmental policy” (Pettit, 1998: 73). Such indeterminacy is problematic since nothing proves that reintroducing some public concern for the common good – rather than restricting politics to fair procedures - would not lead to intolerance. Therefore, Sandel’s republicanism needs to be “reworked” in order to specify the nature of its political ideal. By replacing the “no-value neutralism” of liberals by a “shared-value neutralism”, founded on the value of freedom as non-domination, Pettit aims to defend the possibility of a tolerant republicanism.²

In this paper, drawing on Pettit’s initiative, I will focus on another indeterminacy of the “democracy’s discontent” diagnosis. Not only does Sandel blame liberalism for its inability to acknowledge the need for a common good, he also considers that such public philosophy fails to express the “sense of belonging” without which self-government cannot happen, thus reinforcing the citizens’ feeling of disempowerment. “Deliberating well about the common good requires more than the

1 In this paper, I will use the term “neo-republicanism” and “neo-republicans” simply to refer to modern republicanism, which means a liberal form of republicanism, an understanding of republican ideals - such as self-governement, civic virtues, patriotism, etc. - adapted to the fact of pluralism. My use of this term is not as specific as in Pettit’s works for example, where neo-republicanism specifically refers to the neo-Roman model of republicanism by contrast to the neo-Athenian model.

2 “While republicanism rejects no-value neutralism, it does this because of explicitly giving one overall value –freedom as non-domination- a guiding role for law and government, not because of wanting to let loose the dogs of moralistic enthusiasm.” (Pettit, 1998: 90)

capacity to choose one's ends and to respect other's rights to do the same. It requires some knowledge of public affairs and also a sense of belonging, a concern for the whole, a moral bond with the community whose fate is at stake" (Sandel, 1996: 5). In his objection, Sandel obviously thinks of the national community; yet he does not examine this aspect precisely and maintains an indeterminacy about which true neo-republicans should worry. The "sense of belonging" issue differs slightly from the "common good" issue because it raises the problem not only of value pluralism but also of cultural pluralism, two aspects that overlap in many ways but are nevertheless distinct. It is not enough to say that the ideal of non-domination is the common value upon which all citizens can and should agree, because shared identities are somehow independent from shared political values. As Will Kymlicka points out, "the boundary between Sweden and Norway does not mark a boundary in conceptions of justice, nor the boundary between Belgium and Holland, or Spain and Portugal, or Australia and New Zealand" (Kymlicka, 2002: 255). These countries think of themselves as distinct ethical communities while sharing the same range of principles of justice. So if political values cannot be confused with political identities, the "shared-value neutralism" is not enough to solve the problem of ethnocultural pluralism in democratic nations. To put it differently, just as republicans should worry about the intolerant shift of any public discourse about the common good, they ought to be cautious about the exclusive cultural shape that the political sense of belonging might take.

To be sure, such risk is a real concern for liberal democracies which are more and more conscious of their ethnic diversity and looking for legitimate ways to deal with it. This is why some neo-republicans have already tried to "rework" the republican tradition in this second sense, in order to specify how the political "sense of belonging" could include citizens of different cultural backgrounds. Hence, there has been a growing literature aiming at updating patriotism, a traditional republican concept that seems likely to reconcile the commitment to universal political values with the allegiance to particularistic national identities. In these debates, two main positions can be identified which I propose to label post-national republicanism and neo-republican nationalism.³

³ I coin this expression on the model provided by Yael Tamir's "liberal nationalism". In no way does republican nationalism refer to ethno-nationalism. Rather, it is a justification of national

On the one hand, some theorists, especially those following Jürgen Habermas, have theorized post-national forms of citizenship, considering in particular a kind of citizenship that gained salience within the institutions of the European Community. Through various interpretations of “constitutional patriotism”, they argue that the republican sense of belonging should be fostered by abstract and universal principles and consequently be disconnected from the traditional national bonds.⁴ On the other hand, some theorists still acknowledge the intimate links between national cultures and moral universalism. For example, introducing concepts such as the “principle of nationality” (Miller, 1995) and “civic patriotism” (Laborde, 2002), they suggest that “citizens strive to sustain their political culture and institutions because these represent their way of collectively realizing universalist ideals” (Laborde, 2002: 599).⁵ Agreeing with David Miller on the fact that “politics remains overwhelmingly national in character” (Miller, 2008: 154) and taking into account that Euro-republicanism is still an ideal to be worked out, in this paper, I will concentrate on the second position, namely neo-republican nationalism.

I will argue that neo-republicans, and in particular neo-republican nationalists, have not sufficiently reworked the national “sense of belonging” in order to prove its ability to welcome cultural differences. A more precise apprehension of this concept is particularly important if neo-republicans hope to offer a convincing alternative to liberal multiculturalism (Carens, 2000; Kymlicka, 1995; 2007; Raz, 1998). As I will show, my scepticism stems from the observation that, although explicitly liberal, neo-republican nationalism, do not necessarily support an

solidarity on the grounds of republican principles. Therefore, just as liberal nationalists, republican nationalists envision the national identity as a dynamic and inclusive focus of identification, able to let people from different cultural backgrounds feel “at home” in the nation.

4 “The social bond in a liberal-democratic state should be, in the words of one of Habermas’ followers, ‘juridical, moral and political, rather than cultural, geographical and historical’ (Laborde, 2002: 593).

5 David Miller and Cecile Laborde are the neo-republicans who clearly defend nations as ethical communities. However, when discussing the problem of the connection between political identity and national identity, I will also draw on the works of other neo-republicans like Philip Pettit or John Maynor who do not address this issue explicitly but who nevertheless assume that nation-states empirically remain the basic units of politics. It is also partly the case in Iseult Honohan’s *Civic Republicanism* that I will mention, though she insists more than other neo-republicans on the logical disconnection between citizenship and nationality and on the merge of post-national forms of political solidarity (Honohan, 2002: 273 sq.).

inclusive political identity. My argument will proceed as follows: in the first section of this paper, I will briefly review the communitarian dimension of the republican polity, which is still at the heart of liberal versions of neo-republicanism. Thereby, I intend to identify a particular paradox that neo-republicans have to face when dealing with the issue of shared identity, and especially when they aim to address the problem of ethno-cultural justice. In the second section of this paper, I will show how neo-republicans have tried to overcome that paradox by drawing on the concept of patriotism. I will also discuss the difficulties that this proposition raises in the context of cultural pluralism. In the third and fourth sections of the paper, I will raise doubts about the deliberative solution that national neo-republicans often propose to solve these difficulties.

2. Neo-Republicanism and Communitarianism

The link between republicanism and communitarianism is somehow confusing. Some republicans like Sandel are labelled as “communitarians” and suspected of as political conservatism, while others following Skinner and Pettit clearly uphold their liberal commitment. Despite this variety, there is an essential link between republican thought and the concept of community which derives from its consequentialist perspective. Indeed, insofar as republicans consider freedom as a common good to be promoted, rather than as an individual right to be secured through fair procedures, they ground the sense of justice on the very existence of the political community. This appears clearly in the reworking of key republican concepts by modern theorists, such as citizenship and self-government. In the same way as republicans such as Aristotle maintained that there is no freedom except for citizens living under the rule of fair laws, Pettit insists on the constitutive link between institutions and freedom: freedom is not a individual power but a social good which exists insofar as the members of a community share the common sense of security created by democratic institutions, namely the feeling that these juridical protections “immunize” them against arbitrary powers (Pettit 1997: 71). Similarly, just as traditional civic humanists considered political participation as the only way to control one’s life, Habermas still sees the internal relation between private and public forms of autonomy

as the essential feature of political legitimacy: ⁶ rights are worthless if they are granted in a paternalistic way, i.e. if the individuals submitted to the laws are not able to see themselves, at least partly, as the authors of these laws (Habermas 1998: chap. 10).

These two famous references underscore that neo-republicanism still depends upon a social ontology (Pettit 1993, Habermas 1993) which does not infer justice from the vantage point of rational individuals but from the type of political community within which they are socialized. To this extent, the concept of community plays a greater part in the neo-republican thought than in the liberal one. Even if it is now widely acknowledged that liberalism is not deemed to foster social atomism and that many liberals admit the value of membership (whether cultural, civic or national), the liberal account of community remains essentially instrumental and would not go as far as asserting that individual rights ontologically depend on political membership.⁷

Given its close connection with the concept of community, one can easily understand the trend to associate republican ideals with communitarianism, as in Sandel's case. However, some qualifications are needed in order to see how neo-republicanism can be both communitarian and liberal. First, the neo-republican emphasis on community should not be understood as a form of traditionalism (Pettit 1997: 96): contrary to thinkers like MacIntyre, neo-republicans - Sandel included - do not think that "the way to think about justice or rights is simply to base them on the prevailing values of any given community, for the obvious reason that those values may be wrong or oppressive" (Sandel, 2003: 179-180). Sandel therefore suggests to distinguish traditionalism and perfectionism and accepts to be labelled a communitarian in this second sense, i.e. in as much as "the principles of justice that define our rights cannot

6 Habermas does not label his own theoretical position as neo-republican, since he criticizes American neo-republicans such as I. Michelmann for unduly reducing political deliberation to ethical issues (i.e. concerning common identity) and for missing the universalist dynamics of the moral point of view. However, even if his deliberative model tries to elaborate a third way between political liberalism and neo-republicanism, he still attributes more importance to the concept of public autonomy than liberals do. Like theorists such as Skinner and Pettit, he considers that individual rights are not normatively independent, since they rest ultimately on a certain kind of political community and depend on a certain quality of public deliberation. (Habermas, 1999).

7 See for example Kymlicka's discussion of the Sandel and Rorty's conception of moral reasoning (Kymlicka 1989).

be detached from conceptions of the good life” (Ibid.). Yet, according to Pettit, perfectionist communitarianism remains inadequate, not because it preserves directly the traditional conceptions of the good, but because it might do so indirectly. Pettit criticizes the skepticism expressed by some communitarians towards the ideal of neutrality, because such attitudes lead to a dangerously elusive kind of consequentialism. As such, Sandel is wrong to argue that the public debate is necessarily loaded with conceptions of the good without specifying which one should be politically promoted; unless neutrality is publicly upheld as a “shared value”, there is no guarantee that perfectionist republicanism would not “let loose the dogs of moralistic enthusiasm” (Pettit 1998: 90).

As such, neo-republicanism pleads to be a genuinely liberal conception of political legitimacy and thus differs from more radical contemporary versions which strive to update the ancient conception of freedom, based on active citizenry and robust civic virtues, and therefore go back to the classical position of civic humanism (Oldfield, 1990). In Pettit’s work, such political perfectionism, where the state uses its coercive power to publicly promote a specific conception of the good is a form of imperium, i.e. a domination originating from the state that is as illegitimate as the one originating from society, the one republicans call dominium.

Nevertheless, if the neo-republican account of community is specified as non-traditionalist and non-perfectionist, it becomes all the more paradoxical since it calls for a sense of belonging which should be at the same time very tight and very loose. Very tight since, for neo-republicans, being included in the political community and the subsequent feeling of such inclusion provide individuals’ rights with meaning. But the sense of belonging should also be very loose so far as it should only be produced by a “shared value neutralism”. In other words, the need to “thin” the normative substance of the common good, in order to adapt neo-republicanism to value pluralism, is flanked by the simultaneous need to produce a “thick” sense of solidarity, i.e. to foster a strongly experienced common identity. This distinction raises a specific challenge for neo-republicanism: while it is likely to be inclusive from a value point of view, it may at the same time remain exclusive from an identity point of view.

Given the communitarian basis of neo-republicanism, one can easily see why immigration is a difficult topic for neo-republicans. While

the focus on individual rights allows political liberalism to adapt its principles to the immigrants' case, the neo-republican emphasis on the political community is likely to downplay the interests of those who don't initially belong to it. If citizenship is intimately linked with the status of national membership, what happens to immigrants or strangers who don't possess such status but nevertheless participate in the social life of their host country? As immigrants are not citizens from the start, they initially have civil and social rights but no political standing, which tends to undermine the structural co-originary of the private and the public dimensions of autonomy stressed by neo-republicans.⁸

Consequently, I consider immigration as a good test to reveal the internal risk that structures the neo-republican paradox mentioned above. Indeed, since in modern republics social solidarity cannot stem anymore from any substantial conception of the good, it depends all the more upon signs of political inclusion. To put it differently, the less people can gather around shared morals, the more they need to identify with their political membership. But what kind of common identity this political membership implies remains unclear.

3. Patriotism neutral or biased?

To shed light on the political culture that should be promoted in culturally diverse societies, neo-republican nationalists draw on the old theme of patriotism. Traditionally, republicans have emphasized the need for civility in order to promote individual freedom. They considered that laws could not be effective unless they were based on something more than the fear of repression. According to Machiavelli, "just as goods morals, if they are to be maintained, have need of the laws, so the laws, if they are to be observed, have need of good morals" (Machiavelli 1965: 241): laws are not merely devices made to regulate individuals' behaviours from the outside; rather, their authority depends on the internalized norms that they produce within the population, norms which make citizens comply somewhat spontaneously. As Pettit has clearly shown, such processes of internalization create a dynamics of self-reinforcement through reciprocal forms of control between individuals that he

⁸ This situation is not only a matter of temporary transition, since the status of outsider may last a long time when immigrants cannot or do not want to become naturalized.

describes as a “fire-alarm mode of oversight”. According to him, the virtue of civility remains a plausible requirement in modern democracies, because it does not depend on any naive confidence about people’s altruism but more basically on a process of identification that is essentially unintentional - “something that comes to people as naturally as breathing” (Pettit 1997: 256). Identification explains why people sometimes feel personally obliged to repress their egoistic tendencies in order to sacrifice themselves for a collective cause without assuming they have any extraordinary moral powers (Ibid.: 259-260).

Pettit’s defence of civility is of great interest because it explicitly connects the “common good” issue to the “common identity” issue. As he writes, “civility involves not just internalising values, but also identifying with the group whose interests are associated with those values” (Pettit, 1997: 257). This connexion between values and identities explain why republicans have traditionally linked civic virtue with “love of country” (Viroli, 1995). Accordingly, Pettit believes that neo-republicans should still value “patriotism”, understood as citizens’ identification with the political institutions that render them free in contrast to nationalism which binds people to an exclusive ethnic community.⁹

Following Pettit, neo-republican nationalists like Miller or Laborde consider that the paradox mentioned before can be superseded through patriotism: indeed, if the common identity is essentially political, i.e. based on civic principles and democratic institutions, it can be thick (i.e. referring to a strong commitment to a specific political culture) while staying thin on an axiological level. However, they both stress a fact that Pettit tends to neglect, namely that the venerable theme of patriotism cannot easily be transposed from the old republican cities to modern nation-states. Indeed, scholarship about the nation-building has shown that no democratic state can ever be neutral from an ethno-cultural point of view. As demonstrated by the choice of an official language, a national flag or anthem, or religiously motivated public holidays, no democratic nation is purely civic and always involves some ethnic features. This is not to say that patriotism is a sham that only refers to a form of ethnic solidarity. Rather, it suggests that in modern republics, “nationalism can provide the fuel for patriotism” (Taylor, 1997: 40),

⁹ “If we cherish our own citizenship and our own freedom, we have to cherish at the same time the social body in the membership of which that status consists” (Pettit, 1997: 260).

because pre-political elements provide a strong motivational basis for people to gather around political principles.

However, the tight interconnection between patriotism and nationalism remains highly problematic. Therefore, unless neo-republicanism clearly specifies how the ethnic orientation of the political identity can be reconciled with patriotism, the possibility of a biased form of civility which is likely to be counter-productive remains, i.e. it will produce domination instead of preventing it. Indeed, if people's civility is pre-conditioned by a process of collective identification, then they can feel like acting as responsible citizens when judging or denouncing others according to an exclusive view of their national identity. Think for example about the consequences of Pettit's fire-alarm mode of oversight in a democratic nation dominated by a Christian culture like France. As it appeared in the debates surrounding the Islamic scarf affair in 2004, many French people felt that it was right to condemn harshly the sexist habits of their Muslim neighbours - which were allegedly demonstrated by Muslim women's obligation to wear a veil - while being much more indulgent towards the sexist behaviours performed in their own cultural background.¹⁰ Obviously, the partiality of their moral sensitivity originated in a collective identification which was not purely political; their asymmetric reaction did not only express their pride to be citizens of "le pays des droits de l'homme" - and to free Muslim girls from the grip of sexist traditions - but also suggested that they unconsciously perceived themselves as heirs of an old nation, characterized by its Christian culture. Therefore, when culturally biased, national identification encourages both majority chauvinism and a suspicion towards ethnic minorities on issues about which the majority considers itself as more civilized than minority cultures.¹¹

10 This asymmetry originates in cultural habits of a society which is at the same time modern, secularised and still deeply influenced by its Catholic culture. This context partly explains why the wearing of the Islamic scarf hurts the French public opinion more than the hyper sexualisation of women's bodies in advertisements for instance or than the public funding of catholic traditional schools which do not all respect sexual mixity and sometimes still praise patriarchal values, very similar to those condemned by French republicans about Muslims.

11 This was one of the problems raised by the Islamic scarf affair in France in 2003 and 2004, i.e. not only a conflict between irreducible values (gender equality Vs submission of women) but also the monopoly imposed by the cultural majority on the embodiment of political values, a contestation which was formulated especially through the debate between the feminists of the minorities (Macé and Guéniff-Souilamas, 2004) and the feminists of the majority (for example, Elisabeth Badinter).

Generally, such hostility against multicultural claims is seen as a proof that French republicanism is a strong form of communitarianism. But this diagnosis is misleading. French republicanism is neither traditionalist, since it clearly endorses the value of individual autonomy, nor perfectionist, at least in terms of cultural identity. When French republicans address the question of national identity, most of them agree with liberal nationalists: for instance, in her influential works on this issue, Dominique Schnapper does not argue that national integration is necessary because the French culture is intrinsically good but rather because a certain form of cultural assimilation is “the price to pay” in order to realize the civic project (Schnapper 1998: 487). She does not reject cultural diversity per se but rather contends, like Brian Barry, that it should not be politicized. In her opinion, there cannot be any political sense of belonging, unless individuals are able to transcend their particularism, even if, by doing so, they ultimately adopt the majority/national culture. Hence, French republicanism can be interpreted as a paradigmatic case of the paradox at work in the neo-republican sense of belonging. In fact, the alleged French communitarianism rather refers to the biased form of patriotism that I have analyzed above. There, republican principles are more preventing the majority of the citizens to identify with the minority causes than encouraging them to do so.

What is worrying from a neo-republican perspective is the fact that biased patriotism makes the fight against non-domination counter-productive: being exclusive, the collective identification of the majority distorts the meaning of cultural differences and tends to evilize them, a process which intensifies racist clichés and prejudices instead of preventing them. As a consequence, rather than maximizing non-domination for all citizens, biased patriotism paradoxically fosters unexpected forms of domination of cultural minorities.

4. Is deliberation a good answer?

The problem described above can be summed up as follows: if republicanism puts the emphasis on political membership more than liberals do and if political membership is ethnically oriented, there is a structural risk that fostering patriotism will enhance the division between

insiders and outsiders, which in this case boils down to the division between nationals and non-nationals.

In general, neo-republicans suggest avoiding the risk of an exclusive and partial political identity by insisting on the virtue of deliberative politics (Honohan 2002: 257 and sq., Laborde 2006: 372-373, Maynor, 2003). Thereby, they hope to envision the co-originary of the private and public dimensions of autonomy in a larger way than civic humanists do, thus allowing collective deliberation to include the point of view of those who are considered as outsiders of the national community, whether for juridical or symbolical reasons. For instance, when Pettit adds a “contestatory standing” to the electoral-decision model of democracy (Pettit 2000) or when Habermas stresses the communicative power originating in the anonymous and informal chains of the “public sphere” (Habermas 1998: 251-252), they both add to the traditional community of citizens the opinions originating within civil society, i.e. they emphasize the agendas of associations, NGO and the like. As such, the mobilizations of illegal migrants and of their supporters, for example, can be interpreted as civic movements which contribute to political deliberation to the same extent as the programs defended by political parties or the decisions voted by citizens at the local, regional or national levels.

Accordingly, Miller and Laborde consider political deliberation as the privileged way to render patriotism more inclusive, by enriching the political culture of one republic with new points of views expressed by outsiders. *Contra* conservative nationalists, Miller outlines that “national identities are not cast in stone” (Miller, 1995: 127). While Miller agrees with them that a common nationality is needed for a well functioning state, he contests the fact of regarding nations as sacred things to be protected against the danger of cultural differences. Rather, he outlines that the different life styles and values carried by newcomers are the source of an evolution that happens through collective deliberation:

“Ideally, the process of change should consist in a collective conversation in which many voices can join. No voice has a privileged status: those who seek to defend traditional interpretations enter the conversation on an equal footing with those who want to propose changes. The conversation will usually be about specific issues : which language or languages should be given official status; which version of national history should

be taught in schools; what changes, if any, should be made to the constitutional arrangements; and so forth. But behind these lies the wider question: what kind of people are we?" (Miller, 1995: 127; my emphasis)

By referring to a "collective conversation", Miller can assert at the same time that nations are ethical communities whose public culture should be promoted and that this public culture is not exclusive, as long as its content remains open to discussion. As Habermas has shown, from a pragmatic point of view, discussion is based on a universalist dynamics, since it necessarily requires to include all possible arguments. Accordingly, Miller considers that, in order to define the national identity, a discussion should be carried on, within which no point of view should be given any privilege, neither the one expressing the majoritarian and traditional culture, nor the one related to the minorities' diverse cultural backgrounds. By "all points of view", Miller does not refer only to citizens who are members of cultural minorities but also to immigrants:

"Because nationality does not require deference to established institutions or the myths that sustain them, it need not outlaw dissent or select as new members only those who already share the existing national identity. All it needs to ask of immigrants is a willingness to accept current political structures and to engage in dialogue with the host community so that a new common identity can be forged" (Miller, 1995: 129-130).

In sum, in Miller's view, the exclusiveness of the national identity is but a contingent and temporary bias to be corrected by political deliberation. In Laborde's "civic patriotism", the deliberative understanding of the political culture is even clearer than in Miller's "principle of nationality", since she assimilates the political culture with the context within which political deliberation is carried on: "Political culture can be defined as the loose and malleable framework which sustains our political conversation over time (...). We value our country because we value the particular character of its public debate." (Laborde, 2002: 609). Like Miller, she praises the virtue of deliberation to render this framework hospitable to cultural differences, since "civic patriotism (...) insists that the political culture itself be one of the objects of democratic deliberation" (2002: 610). For example, she estimates that during the Islamic scarf affair in 2003-2004, the French state failed to carry on a proper deliberation, likely to include all relevant points of view. Indeed,

the Stasi Commission¹² charged to assess the compatibility between the wearing of the Islamic scarf and the French principle of *laïcité* - i. e., religious neutrality- refused to interview hijab-wearing Muslim women, “on the grounds that the Consultative Commission would ‘not be sensitive to their arguments’” (Laborde, 2006: 373).

However, whatever promises of inclusion political deliberation might make, for several reasons, I consider them as too fragile to be able to avoid the risk of an exclusive political identity. I will outline these reasons in the remainder of this paper. First, though enriched by a “contestatory standing” (Pettit) or a “collective conversation” (Miller, Laborde), neo-republican understanding of political deliberation does not offer any warrant to individuals whose point of view is not juridically secured. In modern nation-states, political membership still largely depends on the owning of a specific status, namely that of national citizenship. Consequently, there is no guarantee that non-nationals’ points of view will be taken seriously and that deliberation will enforce a minority’s point of view about political identity. David Miller’s recent paper on immigration even suggests the contrary. In fact, we can observe conservative turn in Miller’s scholarship, particularly if we compare his earlier account of “the principle of nationality” to his recent writings about immigration. While *On Nationality* pleads in favour an inclusive national identity under the influence of a collective conversation between the majority and minorities, Miller’s article “The Case for Limits” develops an argument in favour of cultural preservation which tends to undermine his earlier position. According to him, cultural preservation, i.e. the protection of the language and of the “physical shape” - i.e. “[their] public and religious buildings, the way [their] town and villages are laid out, the patterns of the landscape, and so forth” (Miller 2005: 200-201) - is a legitimate claim that nationals can make against some immigrants willing to join them. However, if one or several national languages can be publicly promoted as ethical requirements for political deliberation, the physical shape’s argument is worryingly restrictive. It clearly allows the majority to impose its cultural domination, for example by discrimi-

12 The Commission Stasi was convened by President Jacques Chirac in the summer 2003 to give advice on whether Muslim schoolgirls should be allowed to wear headscarves in state schools. It was composed of twenty experts (mostly academics and lawyers) whom interviewed, between September and December 2003, a number of political, religious, educational and associational representatives.

nating against immigrants whose religious practices would disturb the national landscape.¹³

Moreover, the issue of membership that immigration raises is not strictly juridical. Being an outsider of the “community of citizens” does not only concern people who do not possess citizenship. It also implies naturalized immigrants who are symbolically excluded from the national community, according to cultural prejudices. Consequently, if nationals are justified in refusing access to immigrants whose cultural differences are seen as disturbing, what would prevent them for acting in the same way towards naturalized or even longstanding ethnic minorities living in the country?¹⁴ Even if these people’s points of view would be juridically secured, since they are formulated by members of the political community, they would nevertheless remain marginalized. That a different point of view is acknowledged (because it can be heard in public forums) does not imply that it will be authorized, i.e. that it will be taken seriously (Honohan, 2002: 260-263).

Then, the cultural preservation’s argument shows the limits of Miller’s principle of nationality and suggests that the pre-political identity - which is needed, in his opinion, to foster citizenship and the commitment to social justice will unfairly favour the cultural majority. This is an outcome that severely jeopardizes the project of a multicultural society.

Second, the emphasis on political deliberation tends to focus on value pluralism, thus minimizing the problem of collective identification. Consider for instance Maynor’s answer to Kymlicka’s objection about the “dictatorship of the articulate” (Maynor, 2003: 76-87). For Maynor, it is wrong to argue that cultural rights should not depend upon the political deliberation, given that the political sphere is culturally biased and therefore silences or twists the points of view of minorities that do not fit into the dominant framework. On the contrary, in his view, the cultural bias of the public sphere can be justified through

13 See the debates concerning the ban of minarets in Switzerland.

14 Since the nationals’ decisions are expressed through classic electoral processes, it is more than likely that the cultural majority will systematically outvote ethnic minorities. Recall, for example, that in France, naturalization did not automatically grant the same political rights to nationals and naturalized immigrants, i.e. former non-nationals. The delay in acquisition of political rights imposed on the latter clearly shows that the juridical exclusion of “strangers” point of view is reproduced within the political community itself. See G. Noiriel, *Le creuset français. Histoire de l’immigration en France XIXe-XXe siècles*, Paris, Seuil, 1989.

the promotion of minimal civic virtues by the republican state. Without this promotion citizens may be unable to cast their ends in a non-dominating way.¹⁵ Promoting these virtues goes along with a “formative project” (Sandel, 1996: 6), which is not only instrumental but also substantial, since it intends to enrich the citizens’ life. However, according to Maynor, such “quasi-perfectionism” of the republican state remains legitimate in a pluralist society because it serves the common good “albeit in an individual manner”, i.e. it still allows for a large variety of ways of life (Maynor, 2003: 76).

Yet, as such debates focus on the issue of “state perfectionism”, they inevitably tend to conflate the axiological and the cultural dimensions of neutrality. The cultural bias of the public sphere, however, is not only a matter of political values but rather of political identity. Minorities can be silenced not only because their specific values are neglected but also because they do not recognize the political life of the country in which they live as theirs.¹⁶ This is often the case for national minorities whose language is not officially recognized, and it remains true for ethnic minorities whose members, once they have become citizens of the country, may feel like strangers anyway because of the cultural stigmatization they suffer from. I therefore maintain that neo-republicans should say more about the implications of the state quasi-perfectionism in terms of identity, if they wish to give a convincing answer to the following question: how does a political deliberation centred on the value of non-domination allow for an inclusive conception of political identity?

15 “Where state intervention in a system characterized by liberal neutrality stops at regulating how individuals and groups behave, the republican state continues by challenging how individuals or groups cast their ends” (Maynor, 2003: 87).

16 The example Maynor uses to illustrate the superiority of republicanism over political liberalism when dealing with minority claims is typical of the inadequate focus I criticize here: the Mozart’s case evoked by Maynor deals with Christian fundamentalists who wished to exempt their children from civic education, arguing that civic education promoted values going against their deep moral beliefs (Maynor, 2003: 188). However, the conflict at stake here may have nothing to do with cultural identification. People genuinely considering themselves as “Americans” - as it was probably the case for the people involved in the Mozart’s case - can have radically differing moral values. By contrast, people sharing very similar conceptions of the good life, may display very strong differences in terms of ethnic identifications. For instance, sociologists have shown that for many French Muslim girls who wear the Islamic scarf, acting as such was more a way to express their solidarity to their cultural group than a will to adopt a Muslim fundamentalist way of life and that, by many ways, their way of life was very similar to that of other young French people. Thus, the Islamic scarf often functions as a strong identity marker without implying any significant valuedistance.

5. Deliberation and contestation

Finally, I wish to argue that if the deliberative solution that neo-republicans mobilize in order to solve the paradox of a multicultural form of patriotism appears imprecise, it is essentially because this deliberative approach does not sufficiently clarify the relations between deliberation and contestation.

According to Pettit, contestation is one of the key-concepts to understand political legitimacy in republicanism. Founded on consequentialism, neo-republican ideals are not contract-based, in the sense that they do not derive from the agreement on rational and formal moral principles. Rather, republican ideals are realized when members of a community have access to the institutional means to contest the domination they suffer from and when they make use of this means.

It is worth noticing that Pettit considers domination as an identity-carrying concept. Indeed, he does not limit the identification process to the political community, as shown above with the virtue of patriotism, but he also applies the identification process to the groups who seek for non-domination, in particular to ethnic groups. Non-domination is a common good precisely because domination often depends on collective forms of identification. Arguably, a racist insult is not only a private damage offending the insulted person; rather it has an impact on any person who can identify with her because of certain racial traits. Domination is not about effective interference and actual threat of someone's freedom; rather it creates "classes of vulnerability" within which individuals share the common experience of a potential threat. As Pettit says, "those of you in each class sink or swim together; your fortunes in the non-domination stakes are intimately interconnected." (Pettit, 1997: 122). Eventually, he concludes that the negative solidarity stemming from any kind of stigmatization justifies what Young has called a "politics of difference" where stigmatized groups are encouraged to denounce the situation of domination they experience collectively (Young, 1990).

However, the problem lies in the fact that, when Pettit refers to the politics of difference, he implicitly assumes that the negative processes of identification will be reconciled with a positive one, namely the one previously described about patriotism. He sees the politics of difference as likely to foster a "group-centred civility", i.e. a dynamic process

through which all citizens will ultimately identify with each dominated group's fight, because domination is an evil that anyone should reject. I consider that Pettit's optimism requires more justification here. That a "politics of difference" will promote a shared form of civility uniting the majority and the minorities within a single political shared identity is far from being obvious. Indeed, if we acknowledge the fact that patriotism cannot be purely civic but that it is likely to be culturally biased, it is hard to see how the members of the cultural majority can easily identify with the contesting ethnic groups.

In my opinion, Pettit's mistake is to assume that political deliberation is likely to foster a "group-centred civility", as if the universalist dynamic of discussion would automatically give access to the contesting groups' points of view. Such assumption is questionable because contestation should not be confused with a kind of deliberation, namely a deliberation initiated by minorities about the situations of domination they suffer from. Deliberation is ultimately a matter of arguments, of points of view. As such, it refers to the "abstract and ethereal" dimension of cultures (Kymlicka, 1995: 76), i.e. to the beliefs, values and world-visions they carry. By contrast, contestation promotes the identities of groups sharing a common experience. This experience-based shared identity, whatever cultural features it carries, is essentially reshaped by the "social perspective" of marginalization (Williams 1998: 171). As such, contestatory movements build direct and affective ties between people who are used to relate their specific way of living to their collective identity, because this way of life is despised, neglected or aggressively rejected by the majority. Consequently, direct identification goes along with a fair amount of hostility or at least of suspicion, both felt by minorities towards the majority and by the majority towards minorities. In her scholarship on marginalized groups, Melissa Williams has shown why the cause of women or Afro-Americans has been mostly promoted through self-representation in the history of the United States. Underlining the specific "voices" and "memories" of these groups and the subsequent difficulties for their members to "trust" the people who do not share them, she strongly suggests that political contestation cannot easily include people who remain strangers to the specific experience of marginalization. Then, while deliberation is structurally orientated towards the universal point of view - and therefore inclusive - minority

contestation happens through direct and affective ties that tend to be exclusive, hard to reconcile with the dominant culture.

I am not saying that political contestation cannot lead to an argument-based deliberation. Rather I am saying that it primarily exists through an experience-based identification and that such identification tends to undermine the dialogue between minorities and the majority. This point is well-known and not original. But it raises a specific difficulty here. That politics have an agonistic dimension is not a real problem as long as citizens fight about divergent interests but still identify with each other as members of the same political community. However, when contestation concerns cultural minorities, and more particularly ethnic minorities, oppositions are not about interests but about identities. Therefore, one can ask how a common political identity can arise if the contestation follows ethnic lines.¹⁷

6. Conclusion

In this paper, I have argued that neo-republicans, and in particular national republicans, face specific difficulties when they try to adapt republicanism to the fact of pluralism in modern societies. To succeed, they need to prove that republicanism is friendly not only to value pluralism but also to cultural pluralism. Unless they do so, the paradox will remain that liberal forms of republicanism do not automatically support inclusive political identities. Given its communitarian basis, republicanism intimately connects freedom with political membership, which empirically implies many cultural features. However, so far, the emphasis neo-republicans place on political struggles and deliberation has not done

¹⁷ This problem is conspicuous from the perspective of the French republican experience, where the strong value granted to political solidarity - defined through the historical commitment of French people to universal citizenship - works precisely against the recognition of any form of ethnic contestation (Guérard de Latour, 2008). It appeared clearly during the year 2005, when, for the first time, two ethnic and racial groups, the Indigenous of the Republic and the Representative Council of Black Associations (CRAN), took a stand in the political scene in order to contest discrimination. Both of them put "the duty of memory" at the core of their fight, arguing that the marginalization of racial and ethnic minorities is greatly an effect of past injustices, namely slavery and colonialism. These groups were harshly criticized, especially by republican intellectuals (Lindgaard, 2007) who condemned their ethnic claims as being inspired by "victimization" and reproached them for weakening the national solidarity, whether by pushing the public opinion into the "tyranny of penitence" (Bruckner 2006) or by undermining the coherence of the national history (Rioux, 2006).

enough work to warrant that their renewed understandings of patriotism and nationality would be hospitable to cultural differences.

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