

ARTICLE

Self-Determination and the Value of Nationality

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Abstract

In this article, I argue that because co-nationals have an intrinsically valuable relationship, they have a presumptive claim against interference in their collective affairs. My argument from the claim that co-nationals have an intrinsically valuable relationship to the presumptive claim against interference is threefold, and I set it out in section “From Intrinsic Value to Self-Determination”: firstly, parties to an intrinsically valuable relationship have a respect-based claim to autonomy. Secondly, the relationship between co-nationals realizes some important goods, and collective autonomy is internally related to these. Finally, the fact that co-nationals have an intrinsically valuable relationship, and affective attachments means that they have a strong interest in carrying out certain activities together, without interference from outsiders. In section “Grounding the Presumptive Claim,” I argue that these three grounds cumulatively amount to a presumptive claim to collective autonomy. I outline the implications for the issue of secession.

Keywords: nationalism; self-determination; secession; autonomy; group rights

1. Introduction

In this article, I argue that because co-nationals have an intrinsically valuable relationship, they have a *presumptive claim* against interference in their collective affairs. I argue that thinking of nations as a group of people who share an important relationship with one another leads us to a different way of thinking about national self-determination, one that contrasts with the usual way of thinking about national self-determination, where both national self-determination and national membership are construed as instrumental to securing certain goods.¹

In Section 2, I clarify what I mean by “self-determination” and what I mean by “nation.” I distinguish between two senses of “a right to self-determination.” The first sense is a right to some form of self-government. The second sense is a claim to *collective autonomy*. A claim to collective autonomy is a stronger notion than self-government; it is a claim against any kind of interference by an outsider individual or group. I will then contrast the usual way of thinking about national self-

¹For sustained discussion of the two main claims that I canvass in this article: that co-nationality is intrinsically valuable and that nations have a strong claim to self-determination, see Moore (2001). Moore, however, tends to treat these two claims in isolation. Although she says at some point that self-determination is a way of giving “expression to moral communities” (165), she does not elaborate on this claim, or expand on the relationship between the two claims. In her later *A Political Theory of Territory* (Moore, 2015), Moore argues that people have relationship-dependent interests in collectively shaping the conditions of their existence (64–65). There are two ways in which my argument differs from Moore’s: first, Moore does not believe that the relevant unit of self-determination is the nation, but rather a “people,” defined as a group with a shared aspiration to collective self-government. Second, my account does not rely on the claims that Moore makes about the relationship between collective and personal autonomy; for an expansion of this point, see n. 56, *infra*. For a critical discussion of Moore’s account of collective autonomy, see Carter (2016).

determination with the account I defend in this article. On what I call the standard view (among theorists who are sympathetic to nationalism), nationality is instrumentally valuable to securing certain goods. Nations (or their members) have, on this view, a *pro tanto* claim to whatever collective rights will allow them to secure these goods (Caney, 1997; Kymlicka, 1995, 82–84; Margalit & Raz, 1990; Nielsen, 1998; Tamir, 1993). I outline the ways in which my account of national self-determination contrasts with the standard view, both in terms of the justificatory account of national self-determination it offers, and in terms of the content of the claim to self-determination. In Section 3, I defend the claim that co-nationality is an intrinsically valuable relationship. My argument is that if we think that familial relationships and friendship can be intrinsically valuable, we have just as much reason to think the same of co-nationality.

My argument from the claim that co-nationals have an intrinsically valuable relationship to the presumptive claim against interference is threefold, and I set it out in Section 4: firstly, parties to an intrinsically valuable relationship have a *respect-based* claim to autonomy. Secondly, the relationship between co-nationals realizes some important goods, and collective autonomy is internally related to these. Finally, the fact that co-nationals have an intrinsically valuable relationship, and affective attachments means that they have a strong interest in carrying out certain activities together, without interference from outsiders. In Section 5, I argue that these three grounds cumulatively amount to a presumptive claim to collective autonomy. I outline the implications for the issue of secession.

2. Nations, Self-Determination, and the Standard Account

2.a. Nations

There is broad agreement among political philosophers and theorists who write on the topic on the following claims about nations:

- (i) They are a kind of human community;
- (ii) They are not identical to either states or ethnic groups (Norman, 2006);
- (iii) A stable desire for self-determination on the part of (at least a large number of) its members is a necessary condition for nationhood;
- (iv) They have some kind of attachment to a territory (a homeland) (Gans, 2003);
- (v) They have a belief in a shared group history (Miller, 1996, 266); and
- (vi) They have a distinct public culture (Miller, 1996).

Now nationalist theorists of self-determination have also characterized nations as “encompassing groups.” Encompassing groups are groups with a “pervasive culture.” Membership shapes individuals’ tastes and habits and provides a source of self-identification (Margalit & Raz, 1990, 448). Nations are a *type* of encompassing group, but not the only type. Other types include indigenous peoples, or certain religious communities, such as the Amish. According to Margalit and Raz, encompassing groups have the following six features:

1. They have a common public culture (443–4).
2. People growing up among members of this group will acquire this culture (444).
3. Members of the group recognize each other as members of the group (445).
4. Membership of these groups has a high social profile—it is one of the “primary facts” that people notice about each other (445–6).
5. Membership is “a matter of belonging, not achievement (445–6).”
6. The groups in question are large and impersonal, not face-to-face (447).

Some or all of these features typically play a role in arguments for national self-determination, so it is important to keep them in mind here. Some of these features will play a role in my arguments. In this article, I am trying in particular to ground the right to collective autonomy for *sub-state* nations, or *national minorities*. Examples of sub-state nations are the Scots and the Quebecois. This does not mean, however, that I think that the account I offer here does not also ground the right to collective autonomy of, for example, the French.

2.b. Self-determination

In this article, self-determination means *collective* self-determination. That is, rights of self-determination are held and exercised by groups, not by individuals (Altman & Wellman, 2011, 11–15).² Now there are two senses of collective self-determination that feature in the literature. The first sense is collective self-determination as *self-government*. What do I mean by this? Self-government means significant *independent* political control by a group at least some of its own affairs (Buchanan, 2004, 206). There are degrees of self-government, and self-government does not require independent statehood (Buchanan, 2004). For example, a group with its own federal unit might exercise political control over cultural and educational policy, but not over foreign policy. In addition, self-government is usually understood to require *territorial jurisdictional rights*; a self-governing group usually has jurisdictional rights within a particular geographical area (Wellman, 2013, 99).

The second sense of collective self-determination is best described as “collective autonomy.” To say that a group has a claim to collective autonomy is just to say that it has a (defeasible) claim to do what it (collectively) wants to do. This entails both a set of liberty rights and a claim *against interference*. For instance, suppose a tennis club decides to serve alcohol in its clubhouse. If the tennis club says that no-one should interfere in its decision, and that others have reason to respect the decision *just because it is the club’s decision*, this is an appeal to the value of collective autonomy (Wellman, 2005, 41–42, 2010). In essence, to say that nations have a claim to collective autonomy is to say that a version of the Millian harm principle applies to them.

These two ways of thinking about self-determination are not just two sides of the same coin. If I say that a group has a claim to some form of self-government, it does not at all follow that I think they have a claim against interference *simpliciter*. Consider: if I say the Scots have a claim to self-government, construed as above, what that entails is that they have a right to certain institutions over which they exercise significant independent control, and that those institutions have jurisdictional rights over some domain. It does not entail that *any* interference by outsiders would be presumptively *pro tanto* wrong. Saying that the Scots have a right to self-government does not specify which areas Scots should have jurisdiction over. The right to self-government might be satisfied without giving Scots jurisdiction over, for example, licensing laws. As such, there is no relation of entailment between the claims that the Scots have the right to self-government and the claim that the central government imposing licensing laws against the opposition of the Scottish people would be *pro tanto* wrong. By contrast, saying that the Scots have a claim to collective autonomy entails that *any* interference whatsoever by outsiders with the Scots’ internal affairs is presumptively wrong.

In this article, I will argue that collective autonomy is the best way to understand national self-determination. Specifically, I will argue that nations have a *presumptive claim* to collective autonomy. This claim is only defeated where the group would violate the rights of either members or non-members. In other words, their claim to collective autonomy is not defeated by the fact that a

²But I do want to claim that the group’s claim to autonomy is “irreducibly collective.” That is, it is not reducible to the claims to autonomy of its individual members.

collective action would setback the interests of others—the action must *wrongfully* harm others. To make this clearer, to say that a group, x , has a *presumptive claim* to collective autonomy entails:

- (P) It is permissible for y to prevent x from ϕ -ing *if and only if* (and because) x 's ϕ -ing would be to commit wrongful harm; and.
 (Q) If y prevents x from ϕ -ing, y wrongs x unless x 's ϕ -ing would be to commit wrongful harm.³

2.c. The standard picture and its alternative

On the standard way of thinking about self-determination, national self-determination is instrumental in protecting the interests that are realized by national membership. Theorists of national self-determination fill in the details of this account in different ways. Will Kymlicka and Margalit and Raz argue that our national culture provides us the range of meaningful options we need to live an autonomous and flourishing life (Kymlicka, 1995, 82–84; Margalit & Raz, 1990). Some theorists, such as Kai Nielsen and Yael Tamir argue that various psychological goods—for example, self-respect, are well-served by the flourishing of our national culture (Nielsen, 1998, 109–110; Tamir, 1993, 73).⁴ The next step of this account is to argue that certain institutional arrangements are necessary to secure these interests (Lee, 2012, 126–128). National cultures are, after all, vulnerable to decay and out-competition by other cultures. Here again, theorists differ. Some, such as Nielsen, argue that independent national statehood is the optimal institutional arrangement from the point of view of protecting people's interests in their national membership (Nielsen, 1998, 120). Others argue that sub-national autonomy, or even group cultural rights, are sufficient to protect these interests (Gans, 2003, 67–96). Painting broad brush strokes, however, we can say that what is common to these accounts is they are committed to at least the weak claim that:

Self-government: Nations have a *pro tanto* claim to the form of self-government that is necessary to protect their members' interest in their national identity.

Now so far we might think this is a fairly natural way to think about national self-determination. After all, it is perfectly consonant with the typical starting point for thinking about group rights in political theory—the Raz-ian theory of group rights. But on further examination, this account generates a puzzling question. To start with, the account makes the actual *content* of a nation's right to self-government contingent on certain empirical facts—facts about which institutional arrangements are necessary to secure the interests in national identity. At first blush, this might not seem to be a problem at all. We should want a theory of self-determination to be sensitive to this kind of empirical fact, we might think. But notice that we do not typically think the same thing about the right to self-determination of *states*, or their “peoples.”⁵ Philosophers and political theorists who write about self-determination who write about states go to great pains to argue that the “peoples” of states have a claim to statehood that is independent of the empirical facts such as whether having their own state is necessary to secure certain important interests, or whether another state could better protect those interests (Fabre, 2016, 130–135; Stilz, 2011, 590–595). Indeed, this claim is so strong that the peoples of states can go to war over it.⁶ So how do we explain this contrast?

³I have distinguished these two claims because (P) does not entail (Q); interfering with x may be impermissible even though it does not wrong x . For instance, it might be impermissible for country A to invade country B even though country B , because it is a serious rights violator, for instance, does not have a claim against interference.

⁴Both cited by Lee (2012, 125).

⁵I am using “peoples” here in a neutral way to describe the collectives of citizens of states, or the collectives of citizens of states that have ceased to exist (such as Germany in 1945).

⁶See for example the essays in Fabre and Lazar (2014), in particular, Fabre (2014) and Stilz (2014). For a dissenting view, see David Rodin's contribution to the volume, Rodin (2014).

There are two possible explanations. The first is to do with territorial rights. States, or their peoples, have a much stronger claim against outside interference because they have rights over territory. But notice that this reply just pushes the question about the normative difference between states and nations back a step: why do states, or their peoples, have these rights—not as a matter of morality—but nations do not? Notice that we are not asking about which entities actually *do* enjoy territorial rights, but about which entities have the moral right to enjoy them. The other explanation is that the rights of states are enshrined in international law. At first sight, we might think this is a simple-minded explanation. But there is a good case for the claim that our normative theorizing about self-determination should run parallel to the morally defensible aspects of international law—those features of it that realize certain important values, such as stability.⁷ The problem with this explanation, however, is that we cannot know whether or not international law in respect of self-determination is morally defensible without doing the normative work of fleshing out a theory of self-determination. There might be a serious moral cost to the current regime, a cost that only becomes apparent to us after we have a worked-out account of self-determination.

So the standard view must either explain the fact that the content and strength of nation's claims to self-determination are sensitive to a particular set of facts, whereas those of states are not, or we should regard it as an *incomplete* account of the collective self-determination. As I have said, I am skeptical that the first option is viable. If we take the second option, we need a separate account of self-determination as it applies to states and their peoples. But whatever explanation this account offers will, I have suggested, probably apply to nations as well, in which case this new account, and not the standard view, will explain the ground of national self-determination.

All this should make us open to an alternative account of the right to national self-determination. On the account I offer, the most important normative fact about nations is that co-nationality is (or can be) an *intrinsically valuable relationship*. This has three implications for self-determination:

Respect-based claim against interference: the value of the co-national relationship entitles nationals to respect *qua* nationals. This gives them a *pro tanto* claim against any interference with their collective affairs.

Internal relationship between the goods realized by the relationship and self-determination: There are certain goods that can only be realized within highly significant or valuable relationships. Nationals have an interest in attaining the goods that are realized by their relationship with their co-nationals. There is an *internal*, or constitutive, relationship between self-determination and these goods.

Personal autonomy and collective actions: when people have an intrinsically valuable relationship with their co-nationals, they have a special interest—grounded in personal autonomy—in being able to carry out certain collective activities with them. They have a claim to carry out these activities with their co-nationals even where the activities themselves are not especially valuable, or where they could carry them out with other people.

I outline and defend these claims in [Section 4](#). Cumulatively, I argue in [Section 5](#), they generate a presumptive claim to *collective autonomy* for nations. So, as well as having a different justificatory structure to the standard account, my account differs with respect to the *content* of the right to national self-determination. The core of my account is therefore the following claim:

⁷Allen Buchanan is the most prominent defender of this view. According to Buchanan, secession is an “inherently institutional concept,” and so a theory of secession should consider the consequences for the morally defensible aspects of existing international institutions (Buchanan, 2004). For example, if a permissive right to secede were institutionalized, this would be incompatible with the principle of territorial integrity of states.

Collective Autonomy: A nation has a presumptive claim to collective autonomy *if and only if*, and because, its members have an intrinsically valuable relationship with one another *qua* co-nationals.

Thinking about nations primarily as groups of people that have valuable relationships with one another *qua* co-nationals allows us both to develop a richer account of the benefits of national identity, and to compare co-nationality with other kinds of valuable relationship, such as friendship, and familial relationships.

3. The Intrinsic Value of Co-Nationality

3.a. Introduction

The first step of my argument for national self-determination is to establish that co-nationality, *qua* co-nationality can be intrinsically valuable.⁸ I say, “can make” and “can go better,” because there might be national identities that have objectionable content. As I note below, we want to rule out the claim that certain relationships with objectionable terms of association or content—between Mafiosi, say, can be a source of value (Miller, 2005, 66). However, I believe that often the co-national relationship is intrinsically valuable.⁹ Now sometimes this claim about co-nationality is taken to mean that the relationship between people who share *a state*, can have intrinsic value. But it can also be understood to mean—and this is the version I want to defend—that the bonds between people who share a *nationality* can be valuable.¹⁰ The two are different. The second version implies that Scots can have a valuable relationship with fellow Scots, one that is different to the relationship they share with English, Welsh, and Northern Irish people (Mason, 1997, 437–438). The first step of this argument is already controversial, so it might not buy me any dialectical advantage. But I think anyone who is already attracted to the nationalist view will be sympathetic to it. In any case, I will argue for this claim.¹¹ How do we establish that the co-national relationship can be intrinsically valuable? First, I argue for the claim that co-nationality shares an important feature with intrinsically valuable relationships such as family and friendship: it involves the production-in-common of goods that contribute to human flourishing.¹² I then introduce grounds for skepticism that having this feature is a sufficient condition for a relationship to have intrinsic value. I conclude the section by arguing for a conditional claim: if you think that friendship and familial relationships can be intrinsically valuable, the burden of proof is on you to explain why co-nationality cannot be. Our reasons for thinking that co-nationality can be intrinsically valuable, I conclude, are about as strong as our reasons for thinking that friendship and familial relationships can be.

⁸If you find this strong claim about intrinsic value implausible, I believe that my arguments in this article can be reformulated such that they begin from the weaker premise that co-nationality makes an intrinsic contribution to *welfare*. I am confident that the substitution of the weaker claim for the stronger claim will make no difference to the arguments of this article because the substitution of the weaker claim for the stronger claim has not been thought to make a difference to the argument that the value of special relationships grounds special (associative) duties.

⁹By “intrinsic value,” I mean “having final value,” or being valuable for its own sake. For an objection to this way of construing intrinsic value, see Korsgaard (1983). But as I noted in Maguire (2023, 62n1), I am following most of the literature on valuable relationships by talking about intrinsic value.

¹⁰This claim can be true even where the nation has no separate, nation-wide political (more exactly, legislative) institutions of its own—as was the case with Scotland and Wales before devolution.

¹¹For an overview of attempts to ground this claim see Moore (2001, Ch. 2).

¹²Of course, to say this is not to say that those who are not particularly active in the production of the goods of nationality—for example, very young children—do not share in the co-national relationship, and do not benefit from it. By the same token, very young members of a family do not share in the co-production of the goods of the familial relationship, yet are still part of it.

3.b. Co-nationality and flourishing

How do we establish that co-nationality can be an intrinsically valuable relationship? One way to get this claim off the ground is to compare co-nationality with other relationships, relationships whose intrinsic value is less controversial. Thomas Hurka pursues this strategy in arguing that co-nationals can permissibly be partial to one another. Let me first say that Hurka might appear to be considering a separate question from mine. But the question of whether a relationship is intrinsically valuable and whether parties to it can be partial to one another are interlinked. The ground of partiality, and of the duties associated with the relationship, for most theorists, is *the value of the relationship* (Lazar, 2016, 30–31).¹³ So, for present purposes, we can treat partiality and intrinsic value as inter-substitutable.¹⁴ Hurka compares national partiality to a widely accepted form of partiality—partiality to one’s family members. He notes that skeptics of the justifiability of national partiality often emphasize the differences between families and nations. Nations do not have the features that justify partiality between family members, they claim. Hurka’s response is to point out that there are other factors that seem to justify partiality on which nations sometimes do as well as families. There are, for Hurka, *two* relevant factors to consider. The first is the “degree of closeness” between the individuals. On this dimension, nations do much worse than families. The second factor is the amount of good the interaction between a group of people produces. The greater the good, the greater the degree to which they can be partial to one another (Hurka, 1997, 153). And, as Hurka, notes, nations do very well on this second dimension:

In the 1960s Canadians created a national health care system that continues to provide high-quality medical care to all citizens regardless of their ability to pay. The benefit this system provides any one citizen is probably less than that provided by his family, but it is still substantial, and it is one Canadians have provided together. Canadians derive equally substantial benefits from many other aspects of their political activity. When these benefits are added together, they constitute a significant counterweight to the weakness of national relations on the first dimension, that of closeness of contact (Hurka, 1997).

Hurka’s example in this passage—a national health care system—is a benefit that is provided by the people of the *state* as a whole. But there are other kinds of benefits that even national minorities can provide to their members. As I sketched out in Maguire (2023, 78) these are intangible benefits such as:

- (i) *The development of valuable capacities and dispositions*: regarding yourself as belong to a nation is a way for you to develop valuable capacities, such as those for reciprocity and fellow-feeling (Mason, 1997, 439–441). One may develop an appreciation for, for example, pieces or genres of music, landscape, and works of art, books, plays, and so on by virtue of regarding them as part of your national heritage, where you would not have appreciated them otherwise.
- (ii) *Providing a secure source of self-respect and esteem*: the achievements and positive features of nations are a source of self-respect and esteem for their members. Because membership is a matter of belonging, not of achievement, national membership is a highly secure source of self-respect and esteem (when things are going reasonably well for

¹³For a more recent example of this strategy in action, see Seglow (2017, 30–43). As Lazar points out, there is a gap between an account of the value of special relationships and the justification of partiality or of associative duties connected to the relationship.

¹⁴That said, I do not want to commit myself to any views about the permissibility of partiality between co-nationals here. My point is that Hurka’s argument is just as good an argument for the intrinsic value of the co-national relationship as for the claim that co-nationals may be partial to one another.

the nation).¹⁵ Whether this is a good thing, of course, depends in part on the *content* of the national identity itself, and the collective achievements in question. We should not think of the pride derived from wars of conquest or subordination of other groups as contributing to individual flourishing.¹⁶

- (iii) *Inter-personal projects and trans-generational value*: a person's relationship to their co-nationals is a way for them to put their lives in the context of a larger project, one that extends across generations (Miller, 2005, 68–69).
- (iv) *Cultural goods*: nationality provides people with cultural goods such as a historical narrative, music, national literature, folk customs, and so forth. Part of the benefit that people derive from having these goods as elements of *their* national culture, as opposed to the common heritage of the world, is dependent on the fact of their relationships with their co-nationals (McMahan, 1997, 130).

To recap, Hurka's strategy has two components: (i) he identifies a shared feature of nationality and family membership, that is, a history of beneficial interaction; and (ii) he argues that this shared feature grounds moral facts about the relationships. I have argued that the relationship between members of sub-state nations, such as between Scots, can also have this feature. But we should stop here to ask what the nature of the grounding relationship is between this feature and the intrinsic value of the relationship. A history of valuable interaction is not a sufficient condition for the intrinsic value of a relationship. My relationship with my bank (or properly put, with the people who work for the bank), or my insurance company is mutually beneficial, but it is only instrumentally valuable (Mason, 1997, 441). Secondly, we do not think that relationships that provide only trivial benefits are, for this reason, intrinsically valuable. Imagine that, not knowing each other beforehand, two people sign a contract where they agree to provide each other an endless list of trivial benefits—for example, the participants will mow one square foot of one another's gardens, will "like" or otherwise promote one another's social media activity, will mildly praise one another's dress-sense to third parties, and so forth. This relationship is at most instrumentally valuable. So there are two questions we must answer: (i) What is the nature of the relationship between the history of valuable interaction and the intrinsic value of the relationship? and (ii) What *kind* of benefits or goods does a relationship have to produce for it to be intrinsically valuable?

3.c. The flourishing condition

To answer (i), a history of valuable interaction is a *necessary* condition for the intrinsic value of a relationship. Why should we think this? For two reasons: one, all the straightforward examples of intrinsically valuable relationships satisfy this condition—friendship and family are both characterized by a history of valuable interaction between members. The second reason is that it is hard to account for the special place that relationships such as friendship and family have in our lives and morality without appealing to our interest in being part of them—in the contribution they make to our *flourishing*. This brings me to (ii): the relationship must promote *core* human interests, such as interests in autonomy, warranted self-respect (WSR), the need for companionship, and so forth. It must, in other words, promote human flourishing. This is a further necessary condition for the intrinsic value of a relationship: the *right kind* of valuable interaction. Let us lump these two conditions together under the label of the *Flourishing Condition*.

Where does this leave co-nationality? Above I listed some benefits (i)–(iv) of nationality. Now at least some of these goods are connected in the right way to human flourishing: cultural goods,

¹⁵To say that membership in a nation is a matter of belonging, not achievement, is not to say that nations are not dependent on their existence for continued patterns of cooperation. Likewise, the existence of a family is dependent on such cooperation, even though membership of a particular family is not a matter of achievement.

¹⁶I am grateful to Christopher Doughty for discussion of this point.

self-respect, and the valuable capacities I identified above all, *inter alia*, plausibly contribute to flourishing. If this is true, then nationality satisfies the *Flourishing Condition*.

But is satisfying the *Flourishing Condition* sufficient for intrinsic value? The following case suggests that it is not:

Ominicorp: Anarchia is a deeply dysfunctional country; its security services are ineffective and corrupt, its schools are overcrowded and understaffed, it has no public health service, and its government is kleptocratic and incompetent. Its citizens are demoralized by its failures and have no real sense of pride in their national identity. The more well-off of them rely on Omnicorp for their services. For a yearly subscription fee, Omnicorps' customers get competent and trustworthy private security, well-run schools for their children and quality health care in Omnicorps' private clinics. Most of its customers own shares in Omnicorp and take an active part in its shareholder meetings.

In this scenario, membership in Omnicorp benefits its members across a range of core human interests: in physical security, in education, and so forth. Is their relationship with Omnicorp intrinsically valuable? Their relationship with Omnicorp, let us stipulate, is not exploitative or coerced. Omnicorp charges a reasonable price for membership, and it looks after its customers well. Furthermore, Omnicorp is not responsible for its members' reliance on its services—it has no role in the state's dysfunction, and actively tries to promote the development of state capacity, against its own interest. Finally, its members, through share-holding, have a say in Omnicorp's running. So there does not seem to be anything that would disqualify the relationship from being intrinsically valuable. But I think most of us would resist saying that the relationship between Omnicorp and its members is intrinsically valuable. It seems like Omnicorps' shareholders would have nothing to regret if the Anarchian government got its act together and set up an inclusive welfare state instead. If we are right about this, then satisfying the *Flourishing Condition* is not sufficient to make a relationship intrinsically valuable. This opens the door for the nationalism-skeptic to say, once again, that co-nationality, despite its contribution to human flourishing, is merely instrumentally valuable. But, *prima facie*, this goes just as well for friendship and family. If the nationalism-skeptic believes that these relationships have intrinsic value they must find some feature of these relationships that both (i) nationality does not have and (ii) could plausibly be, in conjunction with the *Flourishing Condition*, a sufficient condition of intrinsic value. What could this be?

3.d. (Conditionally) reversing the burden of proof

There is one putative difference between co-nationality and friendship and family: friends and relatives have affective ties such as personal love and filial affection. But is it plausible that these could be a ground of intrinsic value? The contribution that these ties make to the value of the relationships seems to be accounted for already. We have said that a necessary condition of the intrinsic value of a relationship is that it contributes to human flourishing. Now being involved in relationship that involve affective ties both contributes to, and is partly constitutive of, human flourishing. This is the contribution it makes to the value of these relationships; what more is there to say? Nationality also has features that contribute to or are partly constitutive of, human flourishing. There is no relevant difference here. Secondly, there is a range of affective ties, appropriate to different kinds of relationships, and some of these are like the attitudes that co-nationals tend to have toward one another. Not all our personal relationships, even the ones with intrinsic value, are characterized by loving affection, or playful camaraderie. Our affective ties to our closest friends are based on our desire to spend time with one another, our enjoyment of each other's company, and our sharing interests, a sense of humor, and so on. Our affective ties to our taciturn and humorless uncles, say, are grounded in loyalty, family solidarity, and gratitude. These are not so different from the attitudes that people tend to have toward their co-nationals.

Subsuming all the different attitudes that friends and close family bear each other under the rubric of “affective ties” obscures more than it enlightens. Once we disaggregate these, we see that some family ties, for example, are more like impersonal relations such as co-nationality than they are like intimate relationships like friendship. This does not mean that they are not valuable.

So, what next? Do we try to find a list of jointly sufficient conditions for the intrinsic value of relationships? Even if there was space here, I doubt this would be a promising strategy. Instead what I will do is to point out a further similarity between co-nationality and other intrinsically valuable relationships. And I will try to show that, conditional on believing that friendship and familial relationships can be intrinsically valuable, the burden of proof is on the nationalism-skeptic to show that co-nationality cannot be intrinsically valuable.¹⁷

One way to get started with this would be to claim that nationality and friendship share another feature: that is, part of what is to be someone’s friend/co-national is to be under certain duties (associative duties) to one another. Although I have not been arguing for the claim that co-nationals have any duties to one another, but for the claim that their relationship is intrinsically valuable, to argue for the intrinsic value of the co-national relationship on the grounds that co-nationals have associative duties would be question-begging. On most accounts of associative duties, the claim about intrinsic value grounds the claim about duties (Lazar, 2016, 30–31). But it is true that both friends and co-nationals typically *believe* themselves to be under certain duties to one another. Indeed, a pattern of beliefs of this sort is partly constitutive of nations, just as it is of friendship. I am not saying that this pattern of beliefs is the sufficient condition for intrinsic value. It does, however, reflect an important difference between the co-national/friend relationship and the relationship between Omnicorp and its customers: that is, that the parties relate to each other in a particular way. Co-nationals and friends tend to treat their relationship as though it had more than just instrumental value, and this typically reflects beliefs about the relationship’s value. That people believe this is (defeasible) evidence of intrinsic value. Indeed, it is the best kind of evidence we can have for the claim that something is intrinsically valuable: that people believe it is and treat it like it is.

To summarize: I have argued that contribution to human flourishing is a necessary condition for the intrinsic value of a relationship. I have argued that co-nationality can, and typically does, satisfy this condition. Secondly, I have argued that co-nationals, like friends and like relatives, typically act as though, and believe that, their relationship has intrinsic value. This, I have said, is evidence that the relationship does have intrinsic value. Where does this leave the case for co-nationality’s intrinsic value? It leaves it about as good as the case for the intrinsic value of friendship or family. As I have said, proponents of the claim that family and friendship are intrinsically valuable almost uniformly appeal to the contribution that these relationships make to human flourishing. Co-nationality, I have argued, also contributes to human flourishing. And even if contribution to human flourishing is only a necessary and not a sufficient condition of intrinsic value, this leaves nationality no worse off than friendship or family. If we think that friendship and family can be intrinsically valuable, we should think the same of co-nationality.

Of course, establishing that co-nationality can be intrinsically valuable does not straightforwardly have any bearing on the other central issue of this article: the justification of national self-determination. In the next section, I demonstrate the link between the value of the co-national relationship and the right to self-determination.

4. From Intrinsic Value to Self-Determination

Let us grant that members of a nation, like the Scots, have an intrinsically valuable relationship with one another. How does this bear on their claim to self-determination? In this section, I outline the three implications of the claim that co-nationality is intrinsically valuable.

¹⁷Once again, it is not true that *all* friendships or familial relationships are intrinsically valuable. Some friendships are mutually destructive, or are based on a shared enjoyment of the suffering of others.

4.a. Self-determination and respect

People are entitled to respect in virtue of their standing as free and equal persons. To fail to treat them in a way that accords with this is to wrong them. As Christopher Wellman points out, however, sometimes we are owed respect in virtue of our occupying particular roles, or in virtue of our achievements (Wellman, 2005, 56–57). Sometimes, too, we are owed respect for *collective achievements*. For example, suppose I am part of a crew of workmen that skillfully restores an old country house. The restoration of the country house is something for which I, *qua* member of the crew, deserve respect. If someone disparages the job my crew did on the house, they disrespect me *qua* crew member.

The fact that the co-nationals have an intrinsically valuable relationship to each other is a collective achievement. Through their social practices, and through a history of cooperation, they have created and sustained a relationship that contributes to the flourishing of its participants, one that its members value non-instrumentally, and that is characterized by affective ties. Relationships such as this, like great works of art or beautiful landscapes, have a special place in the world of value. They are properly valued for their own sake. To create and sustain something like this is an achievement. Nationals, *qua* nationals, are owed respect for this achievement.

But what exactly is the link between self-determination and respect? After all, there are lots of ways to respect people's nationality. Imagine a case where a member of a sub-state nation (a Scot, say), is complaining that the central government interferes in its internal affairs, and that this expresses a lack of respect. The central government might respond that it shows respect for the sub-state nationality in other ways. It might invest significant amounts of money in conserving the group's heritage, give over airtime on the national broadcasting service to programs about the group and its culture, or give symbolic recognition of the nation in various other ways. If there are other ways to demonstrate respect, it is hard to see the necessary connection between respect for achievement and self-determination.

To answer this challenge, consider the following cases:

Overbearing Conductor: Tina is the conductor of a brass band. She is a gifted but authoritarian bandleader. The members of the brass band have no say in what music they perform, because Tina selects all the music herself. The members all have an excellent musical sensibility, and would be well-able to choose their own music. Thanks both to Tina's skill as a conductor, and to their natural talent, the brass band becomes one of the best marching bands in the country, and is selected to perform at many official occasions and concerts. The members of the brass band have earned a certain standing in virtue of their achievements. Tina praises the group and acknowledges their talents, but continues to deny them any input into the choice of music.

Tyrannical Teacher: Tom is a science teacher. Last year, a group of his students won the first prize in a national science competition. Tom chose the subject of their entry, gave them access to the school's labs, and helped the students with their project outside of normal school hours. Most of the work, however, was done by the students independently. Tom acknowledges this and praises the students for their success. This year, the same group of students wants to enter the competition again and have come up with their own idea for an entry. They also want another student, who was not involved last year, to join their team. Their idea is promising, and the students are clearly competent to carry it out. The new student they have selected would be a good addition to the team. Tom refuses to help out in any way unless he chooses the entry for the competition and refuses to allow the new student to participate.

Let me first clear up some things about these cases. In each case, we feel that the person who prevents the group or individual from acting autonomously is acting wrongly. But why? The science group has no claim to Tom's help or time, beyond his normal obligations as a teacher. The members of the band, likewise, have consented to join the band. They could easily ditch Tina and set up their own

band without her. So we must account for the wrongness of these cases: respect seems like it will do the job. The second thing to note is that the disrespect does not lie in wrongly denying that the wronged party has a valuable capacity. Tom and Tina both acknowledge the talents and capacities of the wronged parties; they do not deny that the groups are able to do the things they want to do. The disrespect lies in failing to treat the wronged parties in a way that befits their standing. The two groups have *earned* a right to run things their way, and *with whom they choose*. And the fact that Tom and Tina voluntarily benefit their respective groups in lots of different ways does not change that. This pair of cases illustrates the connection between achievements, respect, and autonomy.

Does the same thing apply to nations? One common feature of the groups in the examples above: they have the capacity to exercise their autonomy. If they did not, we would not think that not respecting their autonomy was disrespectful. So let us say that a necessary condition for a group to have a claim to autonomy is that it have the relevant capacities—that is, to govern, and to do in a satisfactory way.¹⁸

Let me now put the argument from moral bonds to national self-determination more formally:

P1. That co-nationals have an intrinsically valuable relationship *qua* co-nationals is a collective achievement.

P2. People are entitled to respect, *qua* group members, for collective achievements and to disrespect them *qua* group members is to wrong them.

P3. In some contexts, the appropriate way to respond to people's achievements (collective or individual) is to respect their autonomy (collective or individual) regarding their internal affairs. To fail to do so is to wrongfully disrespect them.

P4. In the context of a sub-state nation, if the nation has the capacity to run its own affairs in a satisfactory way, the appropriate way to respond to the nation's collective achievements is to respect the autonomy of the sub-state nation regarding its internal affairs.

C. To fail to respect the autonomy of a sub-state nation in matters connected to its achievements, where the members of that nation have an intrinsically valuable relationship *qua* co-nationals and where they are able to govern themselves in a satisfactory way, is to wrongfully disrespect the members of that nation.

One thing to note here is that “internal affairs,” mentioned in P4, does not refer solely to the group's *cultural* life. Territorially concentrated national groups are not merely cultural groups—they are *societies*. The Quebecois, for example, are not merely a cultural group, but are the major part of a society—a large group of people sharing a territory, and with a distinctive economic, administrative, and cultural life. To construe “internal affairs,” therefore, as involving merely the cultural life of a national group would be too narrow.¹⁹ An objection at this point might be to point out that societies typically have minority groups who do not share the majority nationality, and as such that the claim that national groups have a claim to non-interference against outsiders with respect to the management of their society entails the disenfranchisement of minority groups. Of course, it does not entail that. National majorities are not permitted to disenfranchise minority groups, or deprive them of any of the political rights they need to participate politically. To say that national groups have a claim to govern the collective life of their society does not mean that they are entitled to

¹⁸For an elaboration of this point see Wellman (2005, 57–58). Unlike Wellman, however, on my account, it is not the fact that the group has the *capacity* to govern in a satisfactory way that grounds its claim to self-determination. My claim is that it is the value of the relationship between members of the group that grounds its claim to respect, not the mere fact of having a capacity. Having a capacity for governing in a satisfactory way is a necessary but not sufficient condition for having a respect-based claim to autonomy. For two critical overviews of Wellman's capacity-based account of the right to self-determination see Cavallero (2017) and Weimer (2013).

¹⁹For a similar point, see Lee (2014, 212). Lee makes a distinction between cultural and political affairs. Territorially-concentrated groups, she argues, have an interest in controlling their political affairs.

deprive minorities of an equal say. Just as the Quebecois have a claim against interference with their internal affairs, minorities in Quebec have a claim to equal civic rights. The way to reconcile these two claims is to say that the Quebecois are entitled that the people of Quebec as a whole are entitled to non-interference, and that minorities in Quebec are entitled to fully participate in Quebec's collective decision-making.

Let me briefly illustrate this with an example. Suppose there is a majority Italian-speaking city in an English-speaking region. The Italian-speaking city comprises three regions, North, Mid, and South. North and South are almost exclusively Italian-speaking, while Mid, which is fully enclosed by North and South, is majority English-speaking. There are obvious good reasons—administrative, political, and so on—to give the city as a whole local self-determination from the wider region. The reasons for this are connected to the interests of the Italian-speaking population. To say that the city should be given self-determination for these reasons, however, does not entail that the English-speaking residents should be deprived of political right. The obvious solution is to say that the primary unit of self-determination should be the city as a whole, with the English-speaking population enjoying full political rights and possibly some degree of local self-determination within the city.

Summing up, this argument generates a *pro tanto* claim against interference. In this argument, it is the fact that co-nationals have an intrinsically valuable relationship, together with the fact that they have the capacity to govern themselves, that grounds their claim to collective autonomy.

4.b. Self-determination and societal excellence

People have an interest in achieving certain kinds of excellence: creating works of art, carrying out certain sporting feats, becoming a Chess grand master. They also have an interest in seeing people with whom they have important relationships achieve excellence. Parents, for example, do not just have an interest in their child learning to read and write. They have an interest—a morally weighty one—in their child achieving excellence, learning the guitar, excelling at sport, mastering a craft.

The same thing, I claim, goes for our co-nationals. We can have an interest in seeing our co-nationals achieve excellence in sport, culture, or science.²⁰ If co-nationality is an intrinsically valuable relationship, then how our lives go for us is affected by how the lives of our co-nationals go. We have an interest in seeing our co-nationals live flourishing lives, just as we do our children, or our close friends.

Not only, however, can people have an interest in seeing their co-nationals achieve great things, they have an interest in having some share of *responsibility* for these achievements. The parenthood example is useful again here: parents do not just have an interest in their children achieving excellence—they have an interest in being (partly) *responsible* for their children's achievements.²¹

This is where national self-determination comes into the picture. Contrast the following three hypothetical societies:

Culture Vultures: The Culture Vultures tend to have strong cultural interests—in music, painting, sculpture, literature, and so forth. They collectively decide to invest heavily in cultural education and promotion. The Culture-Vultures are aware of the opportunity cost

²⁰I do not want to commit myself to any *particular* explanation or justification of this claim. It is meant to be free-standing. One possible explanation, however, is that this interest is an interest in WSR. Matthew Kramer develops an account of states' duties to promote "societal excellence"—cultural and scientific achievements, and so on—that is grounded in our interest in warranted self-respect. He claims that our WSR is related to the achievements of people with whom we share "sundry relationships" (Kramer, 2017, Ch. 8).

²¹Of course, parents also have an interest in their child achieving excellence through their own efforts and talents. This is quite compatible, however, with what I have said so far.

of these policies. Over time, the policies succeed in promoting cultural activity, and their society produces many fine musicians, artists, novelists, and so on.

Talentia: In 1970, Talentians began putting a new chemical in their water supply that, unbeknownst to them, causes genetic mutations in unborn children when drunk by pregnant women. This genetic mutation causes the children, when grown, to be much stronger and physically fitter than they would be otherwise. Talentia begins to produce an unusually large number of gifted athletes, with its footballers, gymnasts, boxers, swimmers, and so all, frequently winning international competitions and achieving worldwide fame. Talentia, although it is an affluent society, under-invests, both publicly and privately, in sporting facilities and the promotion of sport compared to other countries. The Talentians prioritize social services over the promotion of sport, and its world-famous athletes are given little recognition in their own country—doctors and teachers enjoy much more social prestige.

Provincia: *Provincia* is a small, comparatively poor region of a large and wealthy state, Affluentia. The Provincians are a national minority of Affluentia. To stave off the Provincial demands for autonomy, the central government begins to subsidize the promotion of Provincial culture. It sets up literary prizes in the Provincial language, sets up a state-funded TV channel in the Provincial language and funds various cultural associations. These policies help bring about a resurgence in Provincial culture, and the following decades see many Provincians achieve excellence in the arts.

The Culture-Vultures can claim a greater degree of responsibility for the achievements of their co-nationals than the Provincians or the Talentians. They choose to invest in the promotion of art and culture, even at the opportunity cost of pursuing other social goals, and they executed their policies without outside interference. If nationals have an interest in being responsible for promoting excellence in their national societies, the Culture-Vultures are better off with respect to this interest than the Provincians or the Talentians. This is parallel to the parenthood case again. A parent who invests time and resources into their child and sees that child become a great musician, is better-off with respect to this interest than a parent whose child just happens to become a great musician, or where someone else deserves the credit for this. There are several things that follow from this—parents have a claim not only to assistance in developing their children's talents, but also *against* interference by outsiders with respect to the rearing of their children. They have a claim to rear their children in a way that allows them to claim a share of responsibility for their children's success; and not just because, for instance, they contribute through their taxes to the child's education and the like. They have an interest in playing a *specific* role in the development of these talents. Likewise, nationals can have a claim to the collective autonomy and to the institutional arrangements that allow them to claim their share of responsibility for the achievements of their co-nationals.

A possible objection here is that members of national minorities already do have access to institutional arrangements that allow them to claim their share of collective responsibility for the achievements of their co-nationals—they have equal political rights to participate in the governing institutions of their state as a whole. To see the problem with this objection, imagine a group of people—say some other close relatives—usurp many parental functions from two competent parents. The parents still have some role in the child's upbringing, but it is fair to say that the child, rather than having two parents, has some kind of parenting committee. The parents claim that they are being deprived of their ability to control the child's upbringing, and in shaping her or her future trajectory. The usurpers respond that the parents still have some role in the child's upbringing, just in tandem with others. The parents could justifiably claim that they are entitled to play a *special* role in their child's life. They have an interest in the goods realized by fulfilling the role of parent in the child's life, not the role of member of the parental committee. The case of the national minority is analogous here. Members of national minorities have an interest in playing a *specific* role with respect to the achievements of their co-nationals, one that gives them a claim to a

degree of exclusive control over their societies. Parents and co-nationals want to claim responsibility for their co-nationals' achievements *qua* parent, or *qua* co-national, not merely as participants to some broader co-operative scheme.

But does this generate a claim to national self-determination? There are many ways for a society to be responsible for cultural achievement. One way is for its government to co-ordinate things and provide money to artists, writers, and so forth. Another way is for individuals and smaller groups within the society to put their own time and effort into promoting cultural achievement—running classes, setting up competitions, and so on. Self-determination is not needed for this. But some forms of cultural excellence *do* require self-determination, because it is expensive to promote them, and they need a lot of co-ordination. Scientific research is one example. And even if self-determination is not necessary, it certainly helps. The Culture Vultures are in a much better position to promote excellence with certain institutions behind them than if they had to rely just on individual effort and initiative, just as a parent with greater control and involvement in her child's life is in a better position to develop the child's talents and abilities.

The general point is this; there are some goods that people either (i) derive directly from their relationships with others or (ii) can derive because they are related to others in a particular way. For some of these goods, there is a strong connection between the enjoyment of these goods and the absence of outside interference in the relationship. In other words, there is an internal, or *constitutive*, connection between these goods and autonomy or self-determination. Many of the other goods realized by the parent–child relationship, such as spontaneous affection and trust between parents and children, simply cannot be realized unless parents are sufficiently free from outside interference or monitoring. Parents have an interest in playing a special role in their children's lives, and interference by outsiders undermines this. Likewise, co-nationals have an interest in playing a certain role in their co-national's lives—in having a share of responsibility for creating the conditions for them to flourish. And to be able to do this, they must enjoy significant freedom from interference from outsiders.

4.c. Self-determination and personal autonomy

There are some activities and options such that, because of personal history and our psychology, to pursue them is part of what it means for us to live a life on our own terms. Imagine a talented young violinist who has spent years practicing and wants to pursue a professional career in music. If this option is closed off for her—by an accident, or by someone else's malicious behavior—this comes at a cost to her personal autonomy. We have a special interest in pursuing these options *because they are important to us*, over and above our interest in pursuing them because they are valuable. Following Steven Wall, we can call such options *vital options* (Wall, 2007, 254–256).²²

Now sometimes our vital options are options to do things *with particular people*—people with whom we have valuable relationships.²³ Imagine a group of close friends who meet every Friday evening to play carpet bowls. Taken by itself, playing carpet bowls might not mean very much to them, or might not be the kind of thing that can be a vital option. But it is fact that they do this activity together that gives it significance. Moreover, even if they could pursue carpet bowls with other people, they have a special interest—a personal autonomy-based interest—playing with one another.

²²Wall gives a very detailed account of the relationship between options and personal autonomy—on his view, we need a large and varied number of options to be personally autonomous, even where only some of those options are individually necessary for personal autonomy. See also Wall (1998, 140–144).

²³We might worry here that it is our affective attachments to those people, and not the value of our relationship with them, that ties our ability to do things with them to our personal autonomy. Taking this line would end us up in problems, however. We do not want to be committed to the claim that stalkers are less personally autonomous because they cannot pursue certain options with the objects of their obsessions, or that I set back my elderly aunt's personal autonomy when I foil her wedding to a greedy conman. Whether or not our ability to pursue things with other people ties in with our personal autonomy should track the value of that relationship.

As I have already indicated, some of our vital options our options that we pursue with other people. Some of these options are what we call *joint options*. Joint options are options to pursue ends that require coordinated action with other individuals (Wall, 2007, 245–250). Put another way, a joint option is an option to undertake a joint activity, such as going on a walk with another person. A necessary condition of an undertaking being a joint activity in the sense that Wall means is that it be “guided” by a shared intention (Wall, 2007, 246).

Some of our vital options are joint options. To give an example: imagine a group of people who have a strong personal investment in building a church in their village. It is not only that they have an interest in having a place to worship, but the activity of building the church together is very important to them; they see it adding to the significance of their lives, and as fulfilling some of their religious obligations. None of them can build the church on their own. This is something that requires coordinated group activity. There must be someone to design the church, or to outsource this work to someone reliable. Funds must be collected. Now it might be the case that in order to successfully build the church, the villagers need to vest some individual, or a group of people with the authority to co-ordinate their activities. In this case, the villagers have an autonomy-based interest in having an institution that can do this. Another way of putting this is that the villagers have an interest in creating an institution that allows them to exercise *collective rights* with respect to their activities.²⁴

This is a small-scale example. Are there any examples of joint-options that can be undertaken by much larger groups, such as by nations? Language revival movements, such as those in Israel and Wales, movements to modernize agriculture or other important sectors of the economy, like the Danish co-operative movement of the 19th century, and movements for national self-determination are good examples. In each case, people act together in a coordinated way, not just to achieve some social goal, but because *they have an interest in so acting*. People who are involved in mass movements of this type are typically not solely interested in the social goal they have in mind. They also believe that participating in these movements gives their life meaning and purpose. Further than that, they often have a further interest in acting together *with a particular group of people*: people with whom they have a special relationship.

So we can see that members of a national minority can have an interest, grounded in personal autonomy, in pursuing certain joint-options together. Even if they could pursue those options with another group of people—the people of the state as a whole, for instance—they still have a claim to pursue them with their co-nationals. Moreover, as we have seen, even activities that are not valuable in themselves can become so by being activities that we do with certain people.

Even an option as coarse-grained as exercising national self-determination together can be a vital option (Wall, 2007, 253). Often, however, people will have finer-grained options they want to pursue with their co-nationals: language revival and agricultural modernization are good examples. Where people have special relationships, they can have a special interest in acting together, an interest grounded in personal autonomy. When they cannot do this, it is a blow to their personal autonomy.

Let me put the point another way. Part of what it is for us to live a life on our own terms is for us to do things with people with whom we have significant relationships. Co-nationality is a significant relationship, and there are things that we can do, not just with a handful of our co-nationals, but as a nation. Even if none of these activities themselves are particularly valuable, or if they do not relate to our other interests, acting *together* is important to us. This is another parallel with friendship and family. What this means is that when we are weighing up people’s interests in being able to carry out certain activities, we do not just need to ask what their interest is in doing the thing itself, we need to ask whether there are any special relationships involved. Even if there is no independent interest in

²⁴By saying this, I am committing myself to an *individualist* grounding of the collective rights. The rights possessed by the group are ultimately grounded in the interests and claims of its individual members. See Wellman (2010).

carrying out the activity itself, or the interest in carrying out the activity itself is already satisfied, we have a separate interest in carrying out the activity with particular people.

When a nation, whether self-governing or not, decides to do something, we can see this as either the outcome of the aggregation of a set of preferences, or we can see it as a group of people with a significant relationship committing to undertake a joint option. Even where the decision is a trivial one—for example, a decision to beautify roundabouts—it can still be important to nationals that they carry out the decision together. If we look at this in a coarser-grained way, people typically have some desire to engage in joint activities, and in doing so with people with whom they share significant relationships.²⁵ To reiterate part of what it is to live a life on one's own terms is not merely to do things that are important to us, but to do things with the people that are important to us. The fact that we have an intrinsically valuable relationship with someone, or with a group of people, gives us a claim to do things together, even when we have no interest in doing those things that are independent of the relationship.²⁶

5. Grounding the Presumptive Claim

So far, I have argued that co-nationals have an intrinsically valuable relationship, and I have outlined the implications that this has for national self-determination. I said in [Section 2.c](#) that focusing on this aspect of nationality—the valuable of the co-national relationship—leads us to a different way of thinking about national self-determination than the standard account. On this line of thinking, nations, insofar as their members have valuable relationships with one another *qua* co-national, have a presumptive claim to collective autonomy. But what difference does this make to nations' claims to self-determination? And how, exactly, does the claim about the intrinsic value of co-nationality motivate the claim that nations have a presumptive claim to collective autonomy. On the first question, let us start with the following case:

Freedonia: The Freedonians are a national minority of Centralia. They make up an overwhelming majority of one of Centralia's provinces. They have little cause for complaint about Centralia's treatment of them—Centralia is a liberal democracy, they have the gamut of minority cultural rights, and a devolved legislature with limited jurisdictional rights over certain aspects of domestic policy. However, they have a strong sense of national identity, with a separate language, cultural traditions, national historical narratives, and so on. They also have the capacity to run a successful state—Freedonia is a relatively wealthy province, and would certainly be viable as an independent country. An independent Freedonia would, all observers agree, be impeccably liberal and democratic—there would be no threat to minority rights from Freedonian statehood. Eventually, the Freedonians decide that their separate nationality entitles them to international statehood and vote overwhelmingly to secede and set up their own state, without the consent of the Centralian government. After 3 years of

²⁵It is important to note, here, however, that the relationship between personal autonomy and joint activities is not one of *extension*: that is to so, this account does not rely on a claim about individuals having greater control over collective conditions in virtue of group membership, unlike, for example, Margaret Moore's or Daniel Philpott's accounts of collective self-determination (Moore, 2015, 62–65; Philpott, 1995).

²⁶I do not deny that there are circumstances where a group of people who do not have valuable relationships with one another has an interest in self-determination. David Miller gives the example of the residents of a street (Miller, 2020, 33–36). This kind of case is explained by the standard account I described in [Section 2](#), without the emphasis on national identity. There are two important differences between this kind of case and national self-determination, however: (i) the content of the claim to self-determination will be fact-sensitive in a way that, I argue, is not true for nations, and (ii) members of groups like the street residents have no claim against, for example, residents of part of another street being formally included in their decision-making process for reasons of administrative efficiency, in a way that, for example, the Scots would have a complaint if the people of the North-East of England were allowed to vote in elections to the Scottish Parliament.

political gridlock, the Freedomians vote again on secession, and once again affirm their desire for independence.

If we think about national self-determination along the lines of the standard view, we might be unsympathetic to the Freedomian cause. We can concede that the Freedomians have an interest in self-determination (in the sense of self-government), but we might say that this interest can just be satisfied by the devolution of powers to a federal sub-unit, or by some other institutional arrangement that falls short of statehood. If we think, however, that the Freedomians have a presumptive claim to collective autonomy, we will say that the Freedomians should be allowed to secede, provided that by doing so they do not commit wrongful harm. So the claim that the Freedomians have a presumptive claim to collective autonomy does not entail that they have the right to secede unilaterally—there is still the question of whether they would wrong anyone by doing so. This is true even where Freedomian statehood is viable—the Freedomians themselves would not be deprived of the rights-protecting functions of a functional state—and where minority rights would be secure in an independent Freedomia. The Freedomians might wrong the people of the rest Centralia by taking territory over which they have rights, or by leaving without coming to agreement on fair division of the national debt. These questions about territorial rights, and about fair terms of exit, are separate from questions about the value of self-determination. If the Freedomians do not have a right to secede, it will not be because they do not have a compelling enough interest in independence, or because their political aspirations could be satisfied by alternative arrangements. It will be because, by seceding, they would be committing wrongful harm.

So much for the implications of the collective autonomy view. But why should we think about national self-determination in this way at all? Throughout this article, I have been making analogies between the co-national relationship and other kinds of intrinsically valuable relationship, such as the parent–child relationship. Now if we were to think about parents’ rights in the way that theorists think about national self-determination, we would start by describing the interests that both parents and children have in the parent–child relationship, and then demonstrate how parental autonomy is instrumental to realizing those interests. Then, however, we would get into arguments about the arrangements this requires. Parents, some would argue, do not need any say in which schools their child attends, or what type of clothing their child wears, or what food to serve them. Some would go further: parents do not even have any claim that their child live with them—the interests that the parent–child relationship realizes would be perfectly well-served by weekend access, or visits for a few hours every evening. This whole approach, we would think, gets things backward. Here we seem to think that there is a *presumption* in favor of parental (or familial) autonomy. We do not expect parents to settle for just whatever arrangements will minimally protect their interests in the goods realized by the relationship, or that express an adequate degree of respect of their parenting abilities.²⁷ And this is not because, either we suspect that, more often than not, interference by a third party will make things worse for the child, or because we think the costs of alternative arrangements would be too great.²⁸ We think that parents and children are *wronged* by interference from third parties, except in a narrow range of circumstances. We should start, not by asking where parent’s rights begin, but where they end. This is not just an evidential claim—the direction of our

²⁷ *Contra* Brighouse and Swift (2006). Insofar as the purpose of parental rights is to protect the parental interest in having and maintaining a relationship of that kind, parental rights are justified only insofar as they are required for protecting that relationship (102). In spite of their saying this, I do not think there is any deep contradiction between what I go on to say and their view of parental rights—they claim that the relationship, and the goods it involves, is one that parents have a fundamental right to, and that this right requires “associational rights,” such as the right to live with their child, to determine whether they will attend a church or mosque, and so on, and to share and pass on hobbies and interest. They have these rights, “because these are what is required to protect that relationship” (Brighouse & Swift, 2006). It is implausible that the set of rights they defend is the *minimum* required to protect the relationship.

²⁸ Of course, there are critics of the approach to parents’ rights that I take for granted here; see, for example, Gheaus (2018).

theorizing reflects the nature of parents' relationship with their children.²⁹ This is because we think that there are important costs to the relationship between parents and children resulting from outside interference and supervision, even in cases where parents have no fundamental right to control some aspect of their children's lives.³⁰

Now, why should not we think the same thing of nations? There are of course differences between the parent–child case and the co-national case. But there are important similarities too. Most importantly, as I have suggested throughout Section 4, the considerations I canvassed in Section 4 are the same, when described in a more general way, as those that ground the claim to parental autonomy. Respect for both parental autonomy and national self-determination is about recognizing the value of the relevant relationships, and of the status of individuals *qua* participant in them. Autonomy is internally related to many of the goods realized by both the parent–child and the co-national relationship. And finally, the value of our relationship with both our children and with our co-nationals, means we have a special interest—an interest grounded in personal autonomy—in pursuing certain options with them. In other words, there is a shared justificatory structure to parental rights and the right to collective autonomy as it concerns nations. That fact that we think about parental rights in terms of a presumptive claim to autonomy should motivate us to think the same of national self-determination.

To put the point in more general terms, when a group of people has an intrinsically valuable relationship, we should not think about self-determination in terms of coming up with institutional arrangements to protect some shared interest of theirs. We should think about self-determination in terms of a claim against any kind of outside interference. When we think about what follows from the fact that co-nationals have an intrinsically valuable relationship—that co-nationals have a respect-based claim against interference, that collective autonomy is internally related to the goods produced by the relationship, and that co-nationals have a content-independent interest in acting together—we see that, just as in the case of parents, there is always some moral cost to interference with a nation's internal affairs. And given the importance of the co-national relationship, and the goods it realizes, we should set a high bar to accepting these costs. What this amounts to, I suggest, is a presumptive claim against interference. As in the parent–child case, this gets the direction of our theorizing the right way around. Parties to a valuable relationship have a presumption in their favor. They do not need to establish that they have relationship-independent interests that can only be satisfied by whatever it is that they would like to do.

It might be objected at this point that the contrast between the collective autonomy and the self-government interpretation of self-determination is really about the distinction between what we might call “internal” and “external” self-determination, where external self-determination is really just about a group's freedom from external interference, and the former concerns the group's actual ability to collectively achieve the things it wants. Remaining part of a larger state might make a group better off in this respect—local self-determination, short of statehood, combined with the benefits of being sheltered within larger state, might be superior to full independence. But by the

²⁹If we look at the purported limits of parents' rights over their children—for example, parents' rights to pass on their values to their children—we can see that the pattern of the arguments against parents having certain rights—say, to indoctrinate their children—is that theorists try to identify some serious harm that will come to children or others if parents are allowed to exercise unlimited parental prerogative. In the case of passing on values, for instance, some theorists claim that children have an interest in personal autonomy that is incompatible with indoctrination; see Brighouse and Swift (2006, 104) and Seglow (2017, 65–67). Matthew Clayton argues that parental power is analogous to state coercion and as such, is subject to the same requirements of liberal legitimacy. As Rawlsian, he therefore believes that parental conduct may not suppose the truth of any comprehensive doctrine (Clayton, 2006). In another case, the purported beneficiary of restrictions on parents' rights with respect with their children is not the children themselves, but third parties—this is the case of conferring advantages on children. For discussion see Brighouse and Swift (2014, Ch. 5).

³⁰As Brighouse and Swift put it: “there is no way to respect parents' right to do the things with their children that they do indeed have the right to do without also affording them the opportunity to do things that they have no right to do” (Brighouse & Swift, 2014, 120).

same token, the same can be said of all sorts of associations and groups—including families. A family might be better able to direct its own affairs by forming marriage or adoptive ties with another, wealthier family. But it does not follow that it does not have a strong claim against external interference in its affairs.

As I mentioned in Section 3.a, the presumptive claim to collective autonomy does not concern only a national group's *cultural* affairs. As I said there, territorially concentrated national minorities are (the major part of) *societies*. They are not merely cultural groups, any more than the people of Canada or of New Zealand are. Their internal affairs are the sum total of the economic, social, administrative, cultural, and political life of the society. But having a presumptive claim to non-interference from outsiders with respect to these matters, as I have said, does not mean that they can disenfranchise minorities—those who live amongst them, but who do not share their nationality. They are under a duty to extend full political rights and equal opportunity for participation to minorities. None of this vitiates the claim to national self-determination.

A final point: some might think it odd to emphasize the external non-interference aspect of national self-determination and to disregard the internal conditions that might be necessary for a group to exercise its agency. I have not said much, in this article, about how a group must be internally constituted, or what resources it requires, for it to exercise genuine collective agency. But I believe that what I have said here is compatible with most accounts of what a group requires in terms of resources and internal structure to exercise its agency. What I have tried to argue here is that respect for self-determination, *whatever else it requires*, requires non-interference.

6. Conclusion

In this article, I have argued that co-nationals can have an intrinsically valuable relationship *qua* co-nationals, and that the value of the co-national relationship gives nations a claim to self-determination. I have further argued that this claim should not be understood merely in terms of a claim to a set of governing institutions, but, primarily, in terms of a presumptive claim to collective autonomy, which I have distinguished from other forms of self-determination. I have also argued that thinking of the right to national self-determination as a presumptive claim to collective autonomy means that we can avoid the difficulties associated with the standard account. Thinking about nations in terms of groups of people who share a special relationship with each other, *qua* conationals, leads us to a richer account of the value of national self-determination.

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