

*Nations and Nationalism* 25 (1), 2019, 208–228.

DOI: 10.1111/nana.12399

# Nationality in the open society: Popper versus Hayes and Kohn

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**ABSTRACT.** Popper's attitude to nationalism can be analysed by comparison with the position taken by Hayes and Kohn, who distinguished between a communal, malevolent form of nationalism, and a civic and constitutional variant that could coexist with liberalism. By contrast, Popper welcomes communal affiliations whose diversity he perceives as essential to liberalism, while rejecting sovereignty, whether or not invested in a representative body, as a threat to the liberal open society. This perspective reverses the normative priorities that Hayes and Kohn attribute to liberalism. Its basis is Popper's adherence to a pluralist liberalism, which centres on protecting social ties rather than on representation and state organs. This denotation of liberalism competes with the legalist individualism that Hayes and Kohn identify with liberalism and therefore accommodates nationalism differently.

**KEYWORDS:** civic nationalism, ethnic nationalism, liberalism, pluralism, Popper, K. R.

The complex debate on the relationship between nationalism and liberalism usually measures the first by the benchmark of the second, asking whether nationalism is compatible with liberal tenets. But that benchmark itself is not fixed in conceptual space. Emphases within liberalism vary and change, leading to a plurality of liberal approaches to nationalism. Here, I examine Karl Popper's attitude to nationalism. Popper's reformulation of liberalism as the ideology of the open society is seen as widely influential in defining the political and philosophical identity of the late-twentieth century West (Hacohen 2000: 449–520). I point to features that differentiate Popper's interpretation of nationalism from some contemporary and comparable accounts, so as to highlight aspects of his worldview.

In *The open society and its enemies* and succeeding contributions, Popper (1966) aligned liberalism and democracy with a commitment to unhindered expression, which respects all people equally. This commitment is incompatible with viewing groups as substantially different from each other, making Popper persistently opposed to nationalism. He criticised even such accredited liberals as Woodrow Wilson and Tomáš Masaryk for their espousal of nationality (Popper 1965: 367; 1966 v. II: 50–51). Researchers point out that this

uncompromising stance separates Popper from contemporary observers of nationalism such as Carlton Hayes and Hans Kohn. Hayes and Kohn distinguish an enlightened and civic nationalism that is acceptable to liberalism from a darker variant that appeals to primordial attachments. By contrast, Popper rejects all nationalist schools for placing specific collectivities above individuals and humanity (Agassi 1999; Hacoen 2000: 25; Naraniecki 2014: 10; Parvin 2010: 91–92, 108–109; Simkin 1993: 138–143; Vincent 2005, 2006).

I suggest, however, that Popper disagrees with Hayes and Kohn not only by disallowing all types of nationalism but also by differently accentuating what nationalism is disallowed for. Popper's criticism of nationalism focuses on attributes that by his own account do not exclusively originate in nationalism itself. They derive, instead, from nationalism's alliance with political sovereignty and its investment in state offices that rest on popular mandate, as this alliance legitimizes boundless power. At the same time, Popper values affiliations that evade analytic definitions, as such affiliations constitute a layer of social interaction, which holds back state power and counters sovereignty. By making the porous community an ally and the formally visible institution a threat, Popper changes the normative scale used by Hayes and Kohn. Popper's attitude to nationalism indicates his proximity to a liberal sensibility, which welcomes local culture into a world where no actor is expected to hold sovereignty. The resilience of this perception and the scope of its dissemination are vindicated by later liberals' advocacy of protecting collective identities against the legal discipline imposed by the state. The comparison with Hayes and Kohn made here is meant to gauge the distance between this pluralist outlook and other liberal attempts to address nationalism.

In the next section, I summarize the analyses of nationalism presented by Hayes and Kohn. I then compare Popper's perspective to these analyses, looking first at issues of solidarity, tradition and culture, and then at notions of sovereignty. Next, I place Popper within a broader history of pluralist liberalism, ask how nationalist claims might look if calibrated for acceptance by this liberalism and offer parallels with the political thought of the millennium and its attempts to resolve the tensions between liberalism and nationalism.

To acknowledge some methodological issues, first, I use Popper's work as a single whole and cite texts he wrote throughout several decades in changing contexts as if they illustrate the same set of ideas. Popper did, however, modify his views during this period: he became, for example, more friendly towards the discipline of history and less hostile to Plato (1979: 153–154). Nevertheless, an interpretation based on his output as a single unit may still be warranted by Popper's own retrospective assessment of his work as consisting of different venues for addressing the same cluster of questions, with the need to combat totalitarianism running as a unifying streak through all of them (2008: 275–287).

Second, the disciplinary differences between Popper on the one hand, and Hayes and Kohn on the other, encumber the comparison. As archive-bound historians, Hayes and Kohn provided meticulously documented accounts of specific nationalist movements and placed whatever generalizations they

advanced on the solid basis of these accounts. On the other hand, Popper, as a philosopher of science, had greater speculative freedom to deploy historical figures, texts and concepts as materials for an argument about a relationship between knowledge and society that exceeded any documented case. Popper's descriptions of Socrates, Plato, Rousseau and Hegel do not always match with other scholarship, as these figures provide him with concretizations for a thesis that is independent of any of them (Weinstein and Zakai 2006). As a result, Popper's concept of nationalism is less structured and grounded in data. Where Hayes and Kohn offer well-worked theories with empirical foundations and lists of principles and parameters, Popper provides diffused thoughts on the issue.

The professional distance between these authors is significant and will be raised again. Two points, however, should be emphasized in order to ground the comparison. The first point is that if Popper's analysis of nationalism does not match the rigour displayed by Hayes and Kohn, his preoccupation with it is consistent and recurs throughout his work. It underpins, for example, the refutation Popper offered in the mid-1930 of social studies that attribute holistic personalities to groups (Popper 1960: 17–19). It still appears in the 1980s, when Popper denounced nationalism as a 'dreadful heresy' (1992:120). The issue clearly bothered him, making his attitude to it significant for understanding his broader outlook. Popper's lack of an explicit and methodical theory of nationalism entails difficulty in extracting a rationale from his work. To address this difficulty, I use external, contemporary models of nationalism as comparative measures that lend some perspective to the study of Popper's position.

Following on this is the second point. The overall argument here uses the theories developed by Hayes and Kohn as a backdrop for highlighting what separated Popper's outlook from other attempts to organize liberalism's priorities when addressing nationalism. This involves no judgement on the scholarly merits of the various theories discussed and should not be hampered by the differences in the quality of the sources they use or the logical cohesion of their presentations.

### **Hayes and Kohn on the classification of nationalism**

The unravelling of Wilson's attempt to find the world order in homogeneous democracies generated a reconsideration of nationalism. Hayes and Kohn were prominent in this effort. A largely modern phenomenon, they argued, nationalism was related to the enlightenment. The French Revolution replaced feudalism with a territorial body politic composed of equal citizens and their representative assembly. Its background political theory, as in Jean-Jacques Rousseau, necessitated empowering the sum of equal subjects, thereby amassing them into a collective political actor: a nation. Upholding the individual's worth and claiming no inherent ascendancy for any group, this

nationalism was in principle compatible with liberalism, as Wilson assumed (Kohn 2005: 3–4).

Other forms of nationalism, however, were less hospitable to liberalism. Hayes and Kohn offer different accounts of these variants. Hayes recognizes several types of nationalism, some forward-looking, others more conservative. However, a chasm separates these nationalist ideologies from the integral version, which made nationalism irrevocably aggressive and ultimately developed into fascism (Hayes 1931: 229–230). Integral nationalism, too, was a product of modernity. The enlightened expectation that, as reason deciphers nature, it may also analyse and improve society grounded a positivist managerialism. Positivism cultivated shared beliefs so as to assure stability and cohesion (Hayes 1931: 168–184). This was then given a fatal twist. Maurice Barrès and Charles Maurras turned positivism's cohesion-building beliefs from instruments to ends. The merging of the individual into the group was now lauded as humans' real calling, replacing what Barrès and Maurras saw as the partial and alienated subject of the enlightenment with a radically embedded personality. Individuals were mutually tied by reverence to an environment that conditioned them, composed of their physical surroundings and the previous generations: the land and the dead (Hayes 1931: 188–191; 204–205). The integral nationalists would substitute a syndicalist or corporative polity based on local associations, regional bodies and religious orders for the body politic constituted by anonymous individuals who converge in a representative body (Hayes 1931: 195; 205–206; 209–212). Such nationalism would similarly perpetuate war, as differences between nations could not be mediated. Integral nationalism was a European and global phenomenon, with Johann Fichte and Richard Wagner, for example, performing the transformative function within the trajectory of German nationalism that Barrès and Maurras performed in France (Hayes 1931: 223).

Similarly tracing the dangerous forms of nationalism back to the age of enlightenment and revolution, Kohn (1937: 23–24) sees Immanuel Kant's advocacy of moral self-determination as a significant input. If individuals could be self-defining, so could a collective based on them. As personal interiors were incommunicable, so was the subjectivity of the nation. From such thinking arose an equation of authenticity with opacity, ending in a nationalism that 'glorified the instinct, the unconscious working of the *Volksgeist*, ancient traditions, the roots of which are lost in the dim past' (Kohn 1937: 54). It took hold in the German lands and further east. In France and Britain, individuals formed a civic arena through debating, voting and holding office. As in Ernest Renan's formulation, nationality in the west was a daily plebiscite, a conscious choice by individuals. But in the east jurisdictions intermingled and regimes were authoritarian. Individuals congregated not as voters and representatives, but as members of an ethereal group manifested in language, historical myth, spiritual depths, ancestral landscapes and viscerally sensed affiliations. These objects and their significance cannot be analysed or debated. Nation, in this eastern version, is not constituted by separate individuals. It constitutes them,

making them its expressions and consequently distancing nationalism from liberalism (Kohn 2005: 249–250, 330–334).

If Hayes offers a cross-European typology and Kohn differentiates between west and east, they both concur in identifying liberal nationalism with the perception of nationality as the aggregate of individual citizens deciding their fate through representative bodies. They similarly agree in identifying illiberal forms of nationalism with reliance on preverbal ties, which bind individuals regardless of their discretion: inaccessible to logical argumentation, these connections shore up corporate and communal associations, which together constitute the national public sphere (Hayes 1931: 197; Kohn 2005: 60–63).

Neither Hayes nor Kohn were hostile to the idea of national culture. Both found no overt fault in Johann Herder's concept of nation as a surrounding ambience within which people find their sensibilities reflected: it involved no claims to the supremacy of a single group (Hayes 1927; Kohn 2005: 428–430). However, founding political claims on culture empowered an unaccountable agent, and this unaccountability progressively took over nationalism itself, thereby driving it to despotism and violence. The 'combination of sword and culture', Kohn (1937: 21) warns, paves the way for fascism. As a result, Hayes and Kohn classified nationalist movements by the respective roles that formal representative institutions on the one hand, and cultural, traditional and communal attachments on the other hand, played in them. Their cataloguing of nationalist movements into civic and ethnic, liberal and integral, 'French' and 'German', was to persist as a focus for debate, generating a flow of comments about its normative and analytical features, as well as attempts to transcend its terms (Brubaker 1999; Coakley 2012: 39–41; Haddock 2009: 201–210; Ipperciel 2007; Jaskułowski 2010; Keitner 1999; Kuzio 2002; Lecours 2000; Levy 2000: 84–91; Podoksik 2017; Smith 2001: 39–41).

### **Reason and nation**

Responding to the same world crisis as Hayes and Kohn, Popper addresses the issue of nationalism as part of his broader argument about the struggle between the closed and the open societies. Closed societies are attempts to resurrect the outlook and organization of the archaic tribe, for which habit and hierarchy were mandated by a pervasive cosmos. Trading freedom for cognitive security, the tribe knew neither doubt nor individual discretion. For this outlook, the new ideas and alternative explanations that resulted from expansion and travel were threats. To protect itself from them, tribalism reorganized as erudite philosophy. Its variants were provided through the contributions of Plato, Aristotle, Hegel and Marx. The finality of the Platonic idea, the mutations of Aristotelian telos and the determinism of Hegelian or Marxist dialectic are all variations on the non-negotiable cosmos that limited horizons in the archaic tribe. These philosophies present truth as immune to direct observation or comparison, dividing sage from layperson. They

subjugate individual discretion to holistic vision and to a regime that stands for that vision. Within such regimes, subjects cannot argue or choose. One is either a servant or an enemy of revealed knowledge. Hence, closed societies are oppressive, warlike and isolationist (Popper 1966 v. I: 57–85).

By contrast, the open society cultivates a conversation in which all may participate. It uses that conversation to float new insights that are tested against each other, thus engaging in progressive exploration and self-improvement. To protect egalitarian conversation, the open society finds institutions that ensure the autonomy of each individual. Public office does not embody truth. It is narrowly an instrument for defending the liberties that allow the debate to occur. Power is limited, magistracies rotate, and officeholders are subject to sanction from their subjects. As it recognizes each person's worth regardless of that person's circumstances, the open society is potentially universal and regards its separate state-units as technical arrangements (Popper 1966 v. I: 169–201).

Establishing the link between liberty, knowledge and progress, Popper's concept of the open society accommodates right and left forms of liberalism. A free market in which 'ideas' in the shape of goods and services are offered by competing providers accords with the open society's pattern of unhindered debate. But the market should also be actively countered, as the income differentials it generates threaten the fundamental principle of equal standing for all. The free market and the welfare measures designed to limit its impact are both instruments of a broader liberal vision (Hacohen 2000: 480–503; Popper 2008: 383–393).

For this vision, nationalism is an enemy, an agent of the closed society that lurks on the other side of the philosophical fence. Nationalism places a particular group above all else and thus harms the open society's individualism and universalism (Popper 1966 v. I: 288; v. II: 49–50; 1965: 368). Nationalism is, moreover, arbitrary and irrational, as its reference point is fictitious. Populations are rarely homogenous. Linguistic, denominational and kinship groups flow into each other and cannot be neatly separated. Nationalism is thus a dream about purity and distinction, a 'Platonic-Aristotelian', self-enclosed and rigid outlook that admits no criticism or change (Popper 1966 v. II: 50).

If nationalism could for a time appear as an enlightened phenomenon, its suitability for the closed society was exposed by its subsequent mobilization as a comprehensive illiberal philosophy. In the early nineteenth century, German liberals and patriots appealed to shared language, culture and history in order to rally opposition against both the incursion of Napoleonic France and the oppression of their own princes. Monarchy, for its part, responded by riding the tiger. Prussia, a peripheral and historically Slavic autocracy, claimed that it stood for the German people. Hegel acted as Prussia's philosophical mouthpiece. In his dialectic scheme, nothing is what it is and everything is what it will become. To become, one needs power to assault and transform. Only the armed state has such power. This argument obliged the intangible nation to associate with the solid and hierarchic state and consequently harnessed German aspirations to the Prussian crown and army. The transformation of German nationalism from its earlier liberalism into the

consistently violent agent it was to be from Bismarck to Hitler had thus commenced, reclaiming nationalism for its rightful owner, the closed society (Popper 1966 v. II: 49–58).

Nationalism's characterization as a modern phenomenon and its oscillation between liberalism and repression appear in Hayes and Kohn as they do in Popper. But the balance of blame between community and culture, on the one hand, and state institutions, on the other, is different. The roles of these two elements within Popper's analysis should be compared.

### **Culture and tradition**

Like Kohn, Popper notes early German nationalism's attraction to the intuitive, spiritual and uniquely particular. That movement, Popper writes, embodied 'the mystical experience of community with the other members of the oppressed tribe' (1966 v. II: 55). Popper does not unreservedly condemn this attribute. If a homogeneous and transhistorical Germanism was fiction, the yearning for solidarity was genuine. Tying one's good to the good of others may counter the self-centred outlook of the tribe and its cognitive descendants who put state or class first (Popper 1966 v. I: 102). Striving for community and respecting universal humanity were not far apart: 'early nationalism arose ... as a kind of cloak in which a humanitarian desire for freedom and equality was clad' (Popper 1966 v. II: 55). Its exponents incorporated Edmund Burke's understanding that 'all social entities are products of history; not inventions planned by reason, but formations emerging from the vagaries of historical events, from sufferings and from passion' (Popper 1966 v. II: 60). Attachment to local culture and to immediate associations and groups followed on this universally applicable insight, rather than on supremacism or belligerence.

Such acceptance of community and tradition may initially seem mismatched with Popper's advocacy of rational discussion and his rejection of all particularism. However, it pervades his broader outlook. Popper upholds rational conversation, not because it reaches a final conclusion, but because it does not, as any outcome is vulnerable to falsification by further evidence. Society cannot be completely organized according to reason, as that would negate the perception of reason as admission of fallibility. Liberal utopia is therefore oxymoronic (Popper 1965: 351). Even rational actors should be countered. Elected assemblies, constitutional law and accountable magistrates should be checked and balanced internally and offset by other social forces. Among these, a significant role is reserved for what Popper calls traditions, the persisting shared habits of doing things in a certain way (Parvin 2010: 40–41; Simkin 1993: 149–154).

Traditions, Popper (1966 v. II: 226) maintains, may impact on individuals positively or negatively and should be evaluated accordingly. However, even pernicious traditions are pliable, as every person is an agent of transmitting them and so holds some leverage over them. Beyond traditions' specific

contents, Popper values their very existence. This has four main reasons. First, traditions lend individuals a frame of reference that immunizes them to the wild generalizations and esoteric language in which closed-society thought presents itself. Atomized individuals are less apt to resist demagogues and tyrants (Popper 1965: 350–353). Second, local customs and shared understandings provide the open society's highly abstract principles with concrete, circumstances-appropriate content that assists the implementation of these principles (Popper 1966 v. I: 124). Third, as tradition is impersonal, it creates an arena where no individual is unconditionally placed at the mercy of another. Fourth, the availability of distinct local environments and cultures advances knowledge, as these cultures constitute the nourishing grounds for the competing theories that can be examined against each other (Popper 1966 v. I: 124; 1992: 125). The existence of 'differences among customs and traditional myths', Popper writes, triggered the first attempts at critical thinking, as it drove people to question their mutually incompatible accounts of the world (1992: 123).

While responding to inputs by many individuals, tradition exceeds them, as these inputs have to do with details and practical implementation rather than with the acceptance of the tradition itself. A tradition may actively encourage criticism, but the critical challenge has to appear within an already-familiar setting composed of language and thought habits if it is to make sense: science, too, has this structure (Popper 1965: 120–122). Popper (1965: 132) therefore insists that 'all social criticism ... must refer to a framework of social traditions'.

Popper thus assigns social function to tradition and culture. Rather than merely ornamenting a social fabric made of independent individuals, traditions act as control mechanisms that influence these individuals, stabilize their relationships, hold back political power, and allow for media that are independent of power and transcend its edicts. Popper's lenience towards the communal feature of early German nationalism is therefore not out of key. German nationalists stayed within the bounds of humanism when they appealed to shared practices and sentiments while resisting local autocrats and invading armies.

To place this position in comparative light, Hayes and Kohn were alarmed by the infusion of culture into politics. For Hayes (1931: 188), malevolent nationalism was born when Barrès synthesized positivist management with the cult of the dead. That cult, rather than positivist technocracy, divided integral from enlightened nationalism. Nationalism was now 'founded on emotional exaltation and was to be realized through spiritual intoxication' (Hayes 1935: 202). For Kohn, the encounter between the separately innocuous Rousseau and Herder was made toxic by an element previously dormant in Herder: 'Rousseau's general will found its embodiment in a constitution and its workings, Herder's in something much more intangible, irrational and vague' (Kohn 2005: 429). Intangibility was now armed and on the loose. Popper, by contrast, does not view the communal affiliation pressed into the state's service as the singularly harmful element in nationalism.



### Sovereignty and the state

Instead, the state itself was, for Popper, that element. Hegel turned the earlier, liberal nationalism into a totalizing loyalty to an institution that overrides all else. The move was coldly instrumental, as Popper's Hegel was not a genuine nationalist. He was actually wary of German identity because it transcended Prussia's borders and competed with the state (Popper 1966 v. II: 56–57). Prussia's claim to represent German nationality was insincere, and the strain showed: like the humanist essence of Christianity that broke through the surface even at the height of the Middle Ages when the church was inseparable from authoritarian rule, so the demotic, societal, pre-state component of German nationalism constantly undermined the attempt to impose Hegel's Prussia on it (Popper 1966 v. II: 58).

While independent of national sentiment, Hegel's idea of the state as the definitive social site relied on Rousseau's notion of popular sovereignty. Like his Hegel, Popper's Rousseau was not a nationalist. He was, instead, a modern Platonist. Plato had equated justice with a correct answer to the question 'who should rule', to which he had replied that the philosophers should. Their government stood for eternal ideas and could not be challenged. But in the enlightenment's more egalitarian atmosphere, Rousseau answered the same question with 'the people'. As in Plato, the result was government without appeal. The general will is constituted by all citizens deliberating as equals. There is no agent left outside the general will that can pronounce on it. Government and justice fuse to create the final power that political theory calls sovereignty (Popper 1966 v. II: 52).

For Popper, however, sovereignty is fantasy. Nobody rules alone: even a tyrant relies on henchmen. Hence, asking who *should* hold such a factually impossible capacity serves an ideological rather than a descriptive end. It smuggles in the insinuation that rule carries moral gravity, thus reinstalling the closed-society agenda of equating right with might (Popper 1966 v. I: 121–122; v. II: 45). By introducing sovereignty, Rousseau empowered a particular agent and raised it above ethics and law. The romantic turn in Herder and Fichte followed this lead in an effort to give concrete character to the aggregate people, which Rousseau had made sovereign (Popper 1966 v. II: 52–56).

Hegel carried the combined inputs of Rousseau and Herder to their extremes by grounding them in dialectic. His state is a supreme association that contains all previous theses and antitheses in a unit that monopolizes lethal power and can demand sacrifice like no other association. It embodies an entire society and admits neither division within nor cooperation without (Popper 1966 v. II: 45–46). All associations fulfil themselves through the state. Without the sovereign state, the nation is cast out of history, having no power to assert itself (Popper 1966 v. II: 56). Within the sovereign state, nationalism takes on its violent and exclusive characters. The prioritization of group over individual and the imperative to unconditionally back that group against the rest of the world emanate from Hegel's claim that state interest 'must overrule

all other considerations in the private life of the citizens' and that 'right is what serves ... the state' (Popper 1966 v. II: 62).

If Popper dwells on the interaction between Rousseau and Hegel, he also notes additional inputs, such as Burke's view of tradition as constituting identities and his perception of the state as exceeding other contracts and functioning as 'an object of worship' (Popper 1966 v. I: 112). A stronger emphasis on Burke's contribution could have ended with a view of malevolent nationalism much like the one proposed by Hayes and Kohn: tradition and culture encourage an unchallengeable political commitment. However, while Popper disagrees with Burke's idealization of collectivities, he shares Burke's support for incrementalism and moderation, as well as Burke's analysis of tradition as a stabilizing factor. For Popper, these attributes qualitatively differentiate Burke from the totalistic Hegel and his determined history and sweeping justification of power (Parvin 2010: 104–110). Accordingly, Popper does not relate Burke's separate points on tradition and the state to each other and refrains from using them to explain Hegel's insistence on the supremacy of the state. Instead, Popper (1966 v. II: 60) argues that Hegel distorted both Burke and the German romantics who learned from him by presenting Burke's ideas in an 'exaggerated and untenable form'. Burke and early German romanticism remain subsidiary at most to the more significant sequence linking Rousseau to Hegel. Nationalist aggression came from sovereignty, not from culture and tradition.

Consequently, the criticism that Popper levels at nationalism largely overlaps with what he finds wrong with sovereignty. Both concepts rely on what Popper perceives as descriptively impossible qualities. Both tear apart the universal humanity based on rational individuals. Both place a certain type of association above others. But nationalism acquires those characters when synergized with sovereignty: when the linguistic or historical community demands exclusive jurisdiction and unwavering loyalty. Sovereignty, by contrast, displays these characters on its own. As demonstrated by Hegel's instrumentalist attitude to nationalism, the sovereign does not have to be sincerely nationalist to generate the intolerant and totalitarian streak. Popper's rejection of sovereignty, moreover, extends beyond nationalism. He insists that the democratic system, which is the open society's political expression, should be narrowly a means for deflecting autocracy rather than an investment of sovereignty in the people (Popper 1966 v. I: 124–125). Even the Athens of Pericles understood that democracy 'cannot be exhausted by the meaningless principle that "the people should rule"' (Popper 1966 v. I: 187). Without sovereignty, nationality can be solidarity, culture and tradition. Without nationality, state sovereignty is still a Platonic collapse of virtue into power.

Here, again, the comparison with Hayes and Kohn is indicative. Hayes (1931: 27) grants the idea of popular sovereignty a liberal pedigree by narrating its genealogy back to Locke rather than to Plato. Accordingly, he views popular sovereignty as 'the foundation of democracy' (Hayes 1931: 23). Kohn, for his part, shows an initial agreement with Popper by denouncing

sovereignty, especially as formulated by Carl Schmitt, for authorizing aggression without bounds. But Kohn (1937: 19–21) sees Schmitt's position as a consequence of 'German' nationalism, where, having little occasion for actual collective deliberation, individuals perceived themselves as members of a pre-institutional entity, which may not be comprehended or censured. Popper, by contrast, deprecates sovereignty even when attributed to an egalitarian citizenry and to constitutional venues and understands the romantic turn as its outcome rather than its cause, as in his claim that Herder followed on Rousseau. The culprit is not the combination of culture and sword, but the sword alone: cultures and traditions genuinely exist and function as much-needed social mediators, but power-seeking nations 'were created by states' (Popper 1992: 120).

### **Pluralism as liberalism**

In many respects, Popper's distance from Hayes and Kohn is not overwhelming. All three were mild gradualists who judged totalitarian regimes on right and left as closer to each other than their polarized ideologies suggested. All three hoped for a more integrated world society in which ecumenical ideals would triumph over parochial interests (Allitt 1997: 261–267; Maor 2017). Their accounts overlap both in their characterization of nationalism as historically new and potentially dangerous and in their selection and interpretation of most details. Still, Hayes and Kohn uphold the empowered body politic, frown on the intangible quality of communal belonging and fear the labyrinth of intersecting corporations for its ability to suffocate democracy's civic level, while Popper takes the opposite view of these subjects. He looks forward to the substitution of the people communicating through culture for the individuals assembled as citizens. 'Our hope', Popper writes, 'is that traditions, changing and developing under the influence of critical discussion and in response to the challenge of new problems, may ... take over the functions which public opinion is supposed to fulfil' (1965: 352). His attack on nationalism focuses on institutions that express sovereignty while roughly absolving community and intuitive solidarity. Why are these normative signposts differently placed in the outlooks of authors who are otherwise alike?

The earlier-mentioned disciplinary differences provide part of the explanation. Hayes and Kohn addressed empirical data and avoided prediction, anachronism and the attribution of essential qualities to ideas (Kohn 1937: 72–73). The archives showed that nationalists aligned with or against certain attributes of liberalism, thus making for two detectable nationalist families, with trust in formal democracy arraigned against reliance on the definition-evading social and cultural environment. On the other hand, Popper had more space to explore potentialities within, and relations between, ideas, regardless of documented attempts to expound or implement them. As essentially a closed-society phenomenon, nationalism was related to Plato and Hegel even

when its exponents occasionally sided with liberalism. By contrast, culture and tradition could ally with the open society, as they illustrated the communication people establish without relying on the ruler's arbitration. The fact of culture's association with aggressive nationalism was incidental, a product of manipulation by interested parties. Therefore, the contribution of tradition and culture to the liberal settlement was more apparent to Popper than to Hayes and Kohn.

This explanation may be complemented by another way of analysing Popper's dissimilarities with Hayes and Kohn. This has to do with different denotations of what liberalism means. Popper's concept of the open society is occasionally linked to the notion of value pluralism, according to which social ends cannot be systematically prioritized. The state should remain neutral between them (Müller 2012). However, Popper goes beyond neutrality on values, as his approach suggests that the state should be structurally weakened by additional layers of social interaction that may transcend state boundaries. These priorities correspond to those of a pluralist liberalism whose division from its more individualist and legalistic relative is not always acknowledged. Individualist liberalism emphasizes the rights citizens hold within the state and these rights' operation through the formal devices of representation and law. Pluralist liberalism, by contrast, focuses on associations, which are not part of the state's formal structure (Flathman 2005; Levy 2003).

The two variants are not tidily separate. Canonical liberal philosophers like Montesquieu and Tocqueville upheld the role of local institutions in providing arenas for association and deliberation and in countering the gravitation of power towards a potentially dictatorial centre. However, the state remains the reference point. Individual liberty within the state and the overall health and strength of the state itself are the ends, which plurality serves. But a subtle boundary is crossed when associations begin to be thought of as expressions of a broader civilization in which territorial governments and their citizenries are but one unit of analysis. When the emphasis changes in this way, one is in the presence of a worldview, which perceives plurality not only as an instrument for enhancing liberty within the state but also as an alternative and a parallel to the state. Such an outlook values nationality as a challenge to the state rather than as a cohesive basis for it. This potentiality surfaced in the well-known exchange between John Stuart Mill and John Dalberg-Acton in the early 1860s (Levy 2015: 236–239).

While appreciating individuals' involvement in all associations that train them in shouldering mutual responsibility, Mill (1977: 546–552) thought that the social order ultimately depended on coercive institutions. Access to them by all qualified citizens through the vote was an essential right. National homogeneity was an instrument of this polity, as it facilitated relatively transparent communication and pushed against the tendency of interested parties to harp on differences. Acton, on the other hand, was concerned that the merging of body politic and national identity would reduce society to an armed bureaucracy ruling a collection of isolated individuals. He decried the eclipse of the

'Teutonic' view of society as graded and complex by the 'French' obsession with a unified power centre that abrogates intermediate associations in the name of equality (Acton 1985: 417). To counter this trend, Acton advocated 'the rights of nationality' – the recognition of the cultural and historical community – against 'the theory of nationality', which demanded the overlap of nation and state (1985: 431). Standing in for the now-diminished moderating influence of the church, national affiliations should be cultivated and multiplied so as to form an uneven field, which government would find difficult to traverse (Acton 1985: 425).

Other outlooks, which situated liberty in the framework of parallel communities and cultural rather than primarily political nationalism, displayed comparable themes. Otto von Gierke argued that society depends on multiple arenas within which people operate, rather than on contracts between detached individuals. The culture generated by the network of these sites grounded the demand for constituting a nation-state that would give scope to their particular experiences (Runciman 1997: 58–62). British thinkers like Frederic Maitland and Neville Figgis endorsed some of Gierke's insights, prizing the availability of denominational and collegiate associations that make more immediate sense to people than the distant and impersonal state (Levy 2015: 239–243; Runciman 1997: 89–149). In Austria, Otto Bauer, the socialist reformer to whom some of Popper's ideas are tracked, argued that nationalities could provide in modernity the concrete solidarity and countermeasure to arbitrary power that estates and guilds had provided in the Middle Ages. This necessitated abandoning the Hobbesian concept of the individual as a self-centred will detached from any social context or commitment. The effort to grant 'each nation the power to develop its culture', Bauer writes, contradicts 'the centralist-atomist constitution' (Bauer 2000: 255).

By Popper's time, the British scholar and Labour activist, Harold Laski, envisioned a world settlement consisting of communal and collegiate associations, so as to put 'a hook in ... Leviathan' (1949: 42). Devolved administration and supportive local community would protect national culture from contamination by bureaucracy: 'the purity of that corporate soul we call a nation is only maintained when the forces of the spirit are the masters of its life' (Laski 1938: 239). Laski's rivals on the capitalist right mirrored these ideas. Friedrich Hayek, the Austrian-born advocate of free trade who was sometimes Popper's benefactor, commended tradition for enabling social transaction without resorting to force. Citing Burke, Acton and Gierke, Hayek (2011: 232–236) stated that binding law grows from social practices rather than from codification by the state. National habits make for tolerable consensus on the priorities that a society adheres to, and accordingly stand in the way of schemes for global management that might harm the market. Respect for such customs helps, rather than hinders, cross-border commerce (Hayek 2007: 224–225; 2011: 78–79). While averse to political nationalism and to the notion of sovereignty, Hayek (2011: 527) saw his worldview as 'fully compatible with a deep attachment to national traditions'.

Popper consulted both Hayek and Laski before publishing *The open society* and was gratified by their approval, as for him they represented the two extremities of reasonable opinion (Hacohen 2000: 457). This entire continuum, then, valorized the sub-state and cross-border plains of interaction, and correspondingly disparaged the representatives' claim for final power. Popper meshes in with this pluralism and lends it the additional weight generated by his analysis of knowledge and progress. Like Acton, he accepts some elements of nationalism while rejecting others as incompatible with liberalism. Kohn (1937: 121), who seems to telescope Mill and Acton into the same sequence, overlooked their differing interpretations of nationalism and was likewise oblivious of their dissimilar perceptions of liberalism. When Hayes and Kohn classify nationalist manifestations by their proximity to liberalism, they have a specific liberalism in mind. Popper adheres to another one. Hence, Popper thinks that liberalism should encourage the communitarian elements that Hayes and Kohn blame for nationalism's mutation into totalitarianism.

### **Nation and empire**

Does that, however, alter the assessment that Popper is hostile to nationalism? Even if this hostility is largely exhausted, as I have suggested, by the condemnation of sovereignty, this still denies to nationalism its entry into the open society, as the demand for sovereignty is central to nationalism. Cultures cannot be called 'nations' if they lack political aspiration. On their own, traditions are not nations. They often cross borders and connect groups, as in the professional ethos of scientific debate. Popper, accordingly, is as good as his word in denouncing nationalism of all descriptions, a feature that distinguishes him from Hayes and Kohn and may be seen as overshadowing their disagreement about the precise location of nationalism's illiberal characters.

However, I suggest considering the settlement entailed by avoiding sovereignty while endorsing culture and tradition. An open-society world would recognise no level of governance as definitive, as that would exempt that level from censure and install sovereignty. Popper (1966 v. I: 288–292) proposes instituting international executive, legislative and judiciary branches but refrains from suggesting a matching global electorate. States will transmit their sovereignty to global agencies, which will likewise not be sovereign, as they will derive their legitimation from the member states whose separate electoral systems will provide both the leaderships represented at the global level and the fora for operative public review. Popper's avoidance of a global electorate concurs with his belief that abstract principles should be mediated through concrete and familiar venues. Extending that logic, Popper suggests basing national electorates on local constituencies, so as to make the representatives accountable to specific voters and their grievances rather than to party agendas (2008: 365–366).

The open society's political landscape thus consists of multiple levels for policy-making: local, national, regional, global, economic, legal, administrative and professional, all impacted by the operation of traditions and social practices. The outcome is not a Kantian or Wilsonian system of distinct republics converging in a League of Nations, but a world of parallel and crisscrossing affinities. Popper sometimes summarizes this aspect of his model as 'empire', which references the loosely confederate structure of the Habsburg and British Empires. Like Bauer, Popper saw the Habsburg Empire, in particular, as exemplary (Hacohen 2000: 386–387; Vincent 2005: 51–52). The use of 'old Austria' recurs down to the end of his working life as an affirmative term that associates with the open society (Popper 1992: 120, 124–5). This attribute, again, underlines Popper's closeness to pluralist liberalism, which often cites the historically proven viability of a society organized through intersecting divisions into a complex realm. While admitting the reality of nations' claims on their citizens' obligations, Figgis (1913a: 175–226; 1913b: 74) cherishes the memory of the Holy Roman Empire as a guiding ideal: composed of various overlapping units, the Empire was unified by a set of values embodied in the figures of Pope and Emperor. In similar vein, Laski (1938: 47) bases his otherwise secular and modernist plan for a socialist global settlement on a concept of a civilization held together by ideas rather than by coercive agents, as manifest in the notion of *Respublica Christiana*.

Within the world-order scheme Popper develops in order to flesh out the idea he calls empire, a territorially or demographically based culture is a cohesion-generating environment, which makes possible the day-to-day lives of individuals and stands between them and bureaucratic power. It should accordingly be protected from other social players as well as from the unifying edicts of the state (Hacohen 2000: 426; Popper 1992: 120–121). The cultural group thus gains official standing. This status, obviously, does not resemble the force-wielding sovereignty sought by classical nationalism. However, the denial of sovereignty does not equate with denying national identity. On the contrary, as national groups are intermingled on the ground, granting them complete discretion over territory would mean war between them and the oppression or even extinction of some of them. If nations are to survive, sovereignty has to give way to the global organization based on the principles of the open society. 'The proper aim', Popper writes about nationalities, 'cannot be to "liberate" all of them; rather, it must be to *protect* all of them. *The oppression of national groups is a great evil; but national self-determination is not a feasible remedy*' (1965: 368). As in Acton, nationality is ill-served by the theory of nationality that demands overlap between the political and the ethnic or cultural unit. Nationality is better served by the diffuse, confederate settlement in which government is held away from interfering with both individuals and cultural groups.

Moreover, while denied sovereignty, the status granted to national groups is not essentially inferior to that held by any other association within the open society. The nation's aspiration to public status cannot make sense by

demanding the package that includes a military arm and control of contiguous borders, as that package exists nowhere and its ingredients are no longer seen as necessitating each other. There is no other wholly independent body to imitate or to compete with. The political form nationalism takes is therefore the limited one of demanding recognition for a culture, its values, history, beliefs and practices.

In Popper's own time, notions of national liberation were already framed in the terms of a peaceful local autonomy rather in the language of exclusive self-determination and sovereign power. While Popper was writing *The open society*, Acton's tract on nationality was being used as a form of Allied war propaganda. Responding to the fascist reverence for the homogeneous state, Western democracy emphasized the role of communities and traditions. The hopes it stoked in occupied Europe focused on their nations' future coexistence (Tulloch 1988: 8–9). Following the war, the deliberately haphazard 'integration by stealth' contemplated by Jean Monnet on the initial basis of economic and functional rather than political units could be a feasible project that matched both the interests of the populations involved and liberal values. In the perception of liberal democracy that was taking hold, nations were retained, but sovereignty fizzled out (Majone 2005: 3–5). In that setting, a German nationalist like Friedrich Meinecke (1960) could turn from an earlier Hegelian, state-centred position to pleading for the preservation of the German culture, which he detached from political practice. In the succeeding decades, a liberal like Isaiah Berlin (2008: 107–123, 223–236) could rehabilitate Herder as a champion of a tolerant order composed of parallel cultures, while simultaneously criticizing Rousseau for equating liberty with participation in a coercive agent.

If Popper appears to reject nationalism wholesale, he does allow for the existence of national entities within the open society. The setting in which he was writing identified national fulfilment with giving place within the democratic order to those traditional and communitarian attributes that Popper saw as not only essentially harmless but also as necessary for the open society and as meriting its recognition.

### **Nation as a liberal right**

Further evidence for Popper's ability to absorb nationalism into an increasingly consensual form of liberalism may be gained indirectly from the configurations of liberalism and collective identity elaborated by later authors. The attempt made by Rawls (1971) to define liberalism as a perspective, which is concerned with the mutually dependent liberty and equality that individuals demand when they cannot be sure of their specific vulnerabilities, drew a torrent of criticisms. Underlying much of it was the argument that a system designed for the anonymous and universal individuals Rawls has in mind would benefit no person, as all individuals are conditioned by specific cultures and perceive these cultures as fundamental to their welfare. Ethics, justice and



general well-being exceed abstract law, elected assemblies and rational bureaucracies. They involve recognizing identities, communities and the collective conditioning of individual choice (MacIntyre 1981; Sandel 1982).

Liberals took note of this criticism and in turn endorsed the recognition of group identity, usually understood in cultural terms, into the package of liberal rights. The state is now expected to acknowledge the standing of various communities that do not overlap with its citizen body. Liberalism increasingly numbers the maintenance of heterogeneous cultures among its core values. Relying on Figgis and Laski, William Galston (2002: 23) argues that 'liberalism is about the protection of legitimate diversity'. Without it, atomized persons will identify with the state alone, generating the Spartan ethos idealized by Rousseau, in which all bonds are sacrificed to the requirements of the commonwealth (Galston 2002: 17; Galston 2005: 23–38). The sustenance of cultural enclaves includes granting them a measure of autonomy, if their members' dialogue is to be free from external pressure. Liberalism thus openly approaches the inclusion of nationality, understood as an institutionally recognized and empowered culture, as one of its own components (Gerson and Rubin 2015). 'If autonomous individuals require the context of some sort of freedom-enabling society', Neil MacCormick (1999: 164) writes when addressing the issue of nationalism within a liberal setting, 'then the collective autonomy of the society itself seems a part of the necessary context'. What differentiates one enclave from the next cannot be determined in advance, so as to avoid determinism and exclusion. The nationality endorsed by liberalism accordingly eschews strict definitions and tends to rely, instead, on historical ties and subjective togetherness. This, admittedly, entails tolerating an elusive and apparently primordial strain in national culture. Promoting group identity as a liberal right, Will Kymlicka (1995: 90) suggests that it has psychological and even biological roots embedded 'deep in the human condition'.

While this interpretation of liberalism admits nations, understood as cultures and communities, into the liberal order, fears about nationalist aggression and exclusion still persist. They focus on the equation of the nation with a sovereign body politic. The demand of the civic body, nationally homogeneous or not, for final discretion and obligation, becomes suspect for allowing the group defined by it to place itself above other groups. The notion of sovereignty and its attribution to a body politic is therefore understood as the source of the malevolent features occasionally blamed on ethnic identity. The historical record of national wars, MacCormick (1999: 137–156) argues, has taught Europe to reorganise itself into a non-sovereign combination of non-sovereign nations: the subsidiary levels of interaction and decision-making offered by this arrangement join the empowerment of national culture in a new model of democracy, which is free from the threats of war and internal persecution.

Further arguments echo this effort to evade sovereignty while recognising nationality. As it is a finite group, allowing the electorate to hold final power encourages an excluding attitude that might generate or mask ethnocentrism (Fozdar and Low 2015). As a finite group, moreover, the electorate's demand

for sovereignty is incompatible with its own grounding in democratic principles, which are universal and cannot justify a single agent's ability to exclude others (Abizadeh 2008). Alongside his measured and liberal-grounded support for the standing of culture, Kymlicka (1995: 192; 2007: 185–194) writes that introducing the issues of sovereignty and territorial boundaries derails the discussion from the emphasis on individual rights to the less democratic themes of security and violence. If nationality is an individual right, then the loci where it unfolds should be recognized and protected, whereas the state, having no claim to special loyalty, should be understood as a service provider obliged to cater to both its individual and group constituents (Mostov 2008; Triadafilopoulos 2017).

Broadly interpreted, this outlook further entails that participation in and loyalty to non-state, cross-state or interstate associations can be a form of citizenship, which supplements the formal citizenship expressed through casting votes on the makeup of government (Perczynski 2000). If one may be a citizen of several associations as well as of a state, then various national enclaves may inhabit the same territory, lending credence to the possibility of accommodating nationalist movements to each other through decentralized, power-sharing mechanisms (O'Leary 2003). Nationalist movements may now feasibly present themselves as avoiding the demand for sovereignty as both normatively and descriptively untenable (Jackson 2014).

The pluralist form of liberalism, which recognizes collective as well as individual constituents and is prepared to accommodate nationality as culture while rejecting the idea of sovereignty, has become widespread. It has, Kymlicka (2001: 48) asserts, 'struck an intuitive chord with many people'. This liberal variant shifts the onus for nationalism's pathology from sentiment to institution, from Herder to Rousseau. Its rise may be explained as an adaptation to a globalized environment where multiple groups interconnect (Lawson 2011). However, the liberalism in which the entitlements to community, culture and, ultimately, nationality are possible while sovereignty is criticized preceded the context of postmodernity. Offering a comprehensive rephrasing of liberalism at a time when the external crisis called for such a reformulation, Popper suggested that the open society was compatible with identities based on culture and community while opposing the claims of representative organs to final authority.

## Conclusion

I have described the differences between Popper's attitude to nationalism, on the one hand, and the approach taken by Hayes and Kohn, on the other. For Hayes and Kohn, liberalism could accommodate a civic nationalism registered in representation and constitution. Liberalism could not, Hayes and Kohn thought, associate with the ethnic nationalism that relied on communal sentiment and expressed itself through the web of traditions, local associations and religious orders. Popper, by contrast, is concerned with limiting decision-

making bodies even in their representative forms, as they seek ultimate power and threaten the open society's ideal of continuous debate. Accordingly, he moves the responsibility for nationalism's excesses away from the collective emotion mistrusted by Hayes and Kohn and over to state organs that ostensibly rely on popular mandate. At the same time, he values collective habits and loyalties that connect individuals to each other and mitigate state power. His proposed institutional settlement prioritizes sub-state and cross-border identities and correspondingly detracts from the weight of formal assemblies in an effort to avoid sovereignty.

Popper's attitude to nationalism concurs with a pluralist liberalism that had predecessors in Acton, Maitland and Bauer and was expressed by Popper's time through the otherwise disagreeing Hayek and Laski. Further elaboration by later thinkers made the settlement that this liberalism held out to nationalism more explicit: tradition and cultural identity may be respected, but sovereignty should be shunned. Popper's wide impact may have to do with his ability to phrase a nascent consensus about what liberalism valued. Receptiveness to nationality as culture was one of its constituents.

By contrast, being encumbered by their empirical discipline, Hayes and Kohn were less likely to abandon the opposition of constitutional individualism and romantic communitarianism. Their attempt to classify national movements by their proximity to liberalism may be described as already anachronistic for their own time, as they used the 'wrong' liberalism for its criterion. However, the lens can also be reversed. From a perspective informed by what Hayes and Kohn attribute to liberalism, the open society's approach to nationality might smack of the syndicalist and neo-feudal dreams entertained by the integral nationalists. An observer taking this perspective might fear the empowerment of culture and tradition as a thin edge of a wedge that, like Comte's positivism and Kant's emphasis on individual self-determination, would eventually usher in the legitimation of irrationality and mysticism as markers of authenticity to be held against the arid geometry of constitutional sites. These possibilities should concern the pluralist liberalism of the open society as much as the nationalism it accommodates.

### Acknowledgements

This research was made possible with help from Alon Diamant and the Israel Science Foundation (grant no. 622/15).

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