

LORD ACTON

FOREWORD BY CHANDRAN KUKATHAS



NATIONALITY

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Foreword

It is often said that history shows that different peoples or races - or, in another idiom, nations - cannot long co-exist in the same society without deep division, and often bloody conflict, resulting. Wars in the Balkans, inter-tribal conflicts in Africa, and the racial problems of the United States, are among the examples most commonly cited as evidence of the truth of this proposition. For a society to survive, the claim goes, it requires a considerable measure of homogeneity, so difference must be assimilated and diversity limited. The problem is not that some races or peoples are superior, but rather that they cannot live together peacefully. And for that reason they had better live separately.

Such claims are often found at the heart of arguments against immigration, and against the welcoming of cultural diversity.

Yet how sound is the assumption that history teaches us that diversity poses a danger? Few have considered this question more seriously than the English historian, Lord Acton, in his essay, 'Nationality'. And none have argued more vigorously that diversity, far from being a problem, was in fact a vital condition of civilised life, and highly desirable in any state which hoped to remain free.

John Emerich Edward Dalberg-Acton was born in Naples on 10 January 1834 to a distinguished aristocratic family. He studied at the University of Munich (1850-1857) before eventually returning to England, where he became a prominent spokesman for Liberal Catholicism, first as editor, essayist and reviewer, and later, briefly, as a Liberal M.P. (1859-1865). He was also, however, a vigorous critic of the doctrine of Papal Infallibility, but the failure of his efforts to prevent its promulgation at the Vatican Council in 1869-70, and the demise of the Liberal Catholic movement, saw him turn to private historical study. Much of his life, until his death in 1902, was devoted to studies of the history of freedom, though his *History of Liberty* was never to go beyond the stage of research and planning. His influence was most felt in his essays, and lectures, which had led to his being appointed Regius Professor at Cambridge University in 1895, and had also seen his coming to be regarded as 'the most learned Englishman now alive.'

Acton's essay, *Nationality*, was the second of two articles he wrote largely in response to John Stuart Mill's *Considerations on Representative Government* (1861). Mill had presented a defence of nationalism as a new phase in the progress of freedom, and had also averred that

freedom required that the boundaries of the state should coincide with those of nationalities. For Acton, however, this was a profound error. Far from being likely to preserve free institutions, such a condition would jeopardise liberty. A state marked by homogeneity would also turn out to be one whose power was most difficult to limit. A state of a diversity of peoples, however, contained an important check on that power in the form of associations independent of central power. 'Liberty provokes diversity, and diversity preserves liberty by supplying the means of organisation.'

For Acton, the theory of nationality represented not progress but a retrograde step in the history of liberty. 'If we take the establishment of liberty for the realisation of moral duties to be the end of civil society, we must conclude that those states are substantially the most perfect which, like the British and Austrian Empires, include various distinct nationalities, without oppressing them.' Indeed, he argued that those states with no mixture of races were imperfect, while those in which the effects of that mixture had disappeared were decrepit. And the state 'which is incompetent to satisfy different races condemns itself,' and one which 'labours to neutralise, to absorb, or to expel them, destroys its own vitality.'

Nearly 140 years on, Acton's views remain as topical as they were when first expressed. And they are anything but uncontroversial. Yet his arguments are surely worth careful examination at a time when immigration, and cultural diversity, are becoming, once again, prominent issues in political debate.

Chandran Kukathas

Editorial note

'Nationality' was first published in *Home and Foreign Review*, I (1862). The essay reprinted here is a slightly abridged version of the text found in *The Selected Writings of Lord Acton. Volume 1: Essays in the History of Liberty*, ed. Rufus Fears, Liberty Classics, Indianapolis, 1985. Footnotes have been added to explain references which are no longer common knowledge, and some of Acton's longer paragraphs have been broken up for ease of reading. The Centre for Independent Studies is grateful to Liberty Fund, Inc., for permission to reproduce the essay as an Occasional Paper.

Nationality

Lord Acton

In the old European system, the rights of nationalities were neither recognised by governments nor asserted by the people. The interest of the reigning families, not those of the nations, regulated the frontiers; and the administration was conducted generally without any reference to popular desires. Where all liberties were suppressed, the claims of national independence were necessarily ignored, and a princess, in the words of Fénelon,¹ carried a monarchy in her wedding portion.

The eighteenth century acquiesced in this oblivion of corporate rights on the Continent, for the absolutists cared only for the State, and the liberals only for the individual. The Church, the nobles, and the nation had no place in the popular theories of the age; and they devised none in their own defence, for they were not openly attacked. The aristocracy retained its privileges, and the Church her property; and the dynastic interest, which overruled the natural inclination of the nations and destroyed their independence, nevertheless maintained their integrity. The national sentiment was not wounded in its most sensitive part. To dispossess a sovereign of his hereditary crown, and to annex his dominions, would have been held to inflict an injury upon all monarchies, and to furnish their subjects with a dangerous example, by depriving royalty of its inviolable character.

In time of war, as there was no national cause at stake, there was no attempt to rouse national feeling. The courtesy of the rulers towards each other was proportionate to the contempt for the lower orders. Compliments passed between the commanders of hostile armies; there was no bitterness, and no excitement; battles were fought with the pomp and pride of a parade. The art of war became a slow and learned game. The monarchies were united not only by a natural community of interests, but by family alliances. A marriage contract sometimes became the signal for an interminable war, whilst family connections often set a barrier to ambition.

After the wars of religion came to an end in 1648, the only wars were those which were waged for an inheritance or a dependency, or against countries whose system of government exempted them from the common law of dynastic States, and made them not only unpro-

1 [Fénelon (1651-1715), French bishop and political philosopher.]

tected but obnoxious. These countries were England and Holland, until Holland ceased to be a republic, and until, in England, the defeat of the Jacobites in the forty-five terminated the struggle for the Crown. There was one country, however, which still continued to be an exception; one monarch whose place was not admitted in the comity of kings.

Poland did not possess those securities for stability which were supplied by dynastic connections and the theory of legitimacy, wherever a crown could be obtained by marriage or inheritance.² A monarch without royal blood, a crown bestowed by the nation, were an anomaly and an outrage in that age of dynastic absolutism. The country was excluded from the European system by the nature of its institutions. It excited a cupidity which could not be satisfied. It gave the reigning families of Europe no hope of permanently strengthening themselves by intermarriage with its rulers, or of obtaining it by bequest or by inheritance. The Habsburgs had contested the possession of Spain and the Indies with the French Bourbons, of Italy with the Spanish Bourbons, of the empire with the house of Wittelsbach,³ of Silesia with the house of Hohenzollern.⁴ There had been wars between rival houses for half the territories of Italy and Germany. But none could hope to redeem their losses or increase their power in a country to which marriage and descent gave no claim.

Where they could not permanently inherit they endeavoured, by intrigues, to prevail at each election, and after contending in support of candidates who were their partisans, the neighbours at last appointed an instrument for the final demolition of the Polish State.⁵ Till then no nation had been deprived of its political existence by the Christian Powers, and whatever disregard had been shown for national interests and sympathies, some care had been taken to conceal the wrong by a hypocritical perversion of law. But the partition of Poland was an act of wanton violence, committed in open defiance not only of popular feeling but of public law. For the first time in modern history a great State was suppressed, and a whole nation divided among its enemies.

This famous measure, the most revolutionary act of the old absolutism, awakened the theory of nationality in Europe, converting a dormant right into an aspiration, and a sentiment into a political claim. 'No

2 [By the 18th century Poland was the only European country with an elective monarchy.]

3 [Hereditary rulers of Bavaria.]

4 [Hereditary rulers of Brandenburg-Prussia.]

5 [The third and final partition of Poland between Prussia, Russia and Austria took place in 1795.]

wise or honest man,' wrote Edmund Burke, 'can approve of that partition, or can contemplate it without prognosticating great mischief from it to all countries at some future time.' Thenceforward there was a nation demanding to be united in a State - a soul, as it were, wandering in search of a body in which to begin life over again; and, for the first time, a cry was heard that the arrangement of States was unjust - that their limits were unnatural, and that a whole people was deprived of its right to constitute an independent community.

Before that claim could be efficiently asserted against the overwhelming power of its opponents - before it gained energy, after the last partition, to overcome the influence of long habits of submission, and of the contempt which previous disorders had brought upon Poland - the ancient European system was in ruins, and a new world was rising in its place.

The old despotic policy which made the Poles its prey had two adversaries - the spirit of English liberty, and the doctrines of that revolution which destroyed the French monarchy with its own weapons; and these two contradicted in contrary ways the theory that nations have no collective rights. At the present day, the theory of nationality is not only the most powerful auxiliary of revolution, but its actual substance in the movements of the last three years.⁶ This, however, is a recent alliance, unknown to the first French Revolution. The modern theory of nationality arose partly as a legitimate consequence, partly as a reaction against it.

As the system which overlooked national division was opposed by liberalism in two forms, the French and the English, so the system which insists upon them proceeds from two distinct sources, and exhibits the character either of 1688 or of 1789. When the French people abolished the authorities under which it lived, and became its own master, France was in danger of dissolution: for the common will is difficult to ascertain, and does not readily agree. 'The laws,' said Vergniaud,⁷ in the debate on the sentence of the king, 'are obligatory only as the presumptive will of the people, which retains the right of approving or condemning them. The instant it manifests its wish the work of the national representation, the law, must disappear.'

This doctrine resolved society into its natural elements, and threatened to break up the country into as many republics as there were communes. For true republicanism is the principle of self-government in the whole and in all the parts. In an extensive country, it can prevail

6 [I.e. the time of the unification of Italy in 1859-61.]

7 [Vergniaud (1753-1793), Girondist leader during the French Revolution.]

only by the union of several independent communities in a single confederacy, as in Greece, in Switzerland, in the Netherlands, and in America; so that a large republic not founded on the federal principle must result in the government of a single city, like Rome and Paris, and, in a less degree, Athens, Berne, and Amsterdam; or, in other words, a great democracy must either sacrifice self-government to unity, or preserve it by federalism.

The France of history fell together with the French State, which was the growth of centuries. The old sovereignty was destroyed. The local authorities were looked upon with aversion and alarm. The new central authority needed to be established on a new principle of unity. The state of nature, which was the ideal of society, was made the basis of the nation; descent was put in the place of tradition, and the French people was regarded as a physical product: an ethnological, not historic, unit. It was assumed that a unity existed separate from the representation and the government, wholly independent of the past, and capable at any moment of expressing or of changing its mind. In the words of Sieyès, it was no longer France, but some unknown country to which the nation was transported.

The central power possessed authority, inasmuch as it obeyed the whole, and no divergence was permitted from the universal sentiment. This power, endowed with volition, was personified in the Republic One and Indivisible. The title signified that a part could not speak or act for the whole – that there was a power supreme over the State, distinct from, and independent of, its members; and it expressed, for the first time in history, the notion of an abstract nationality. In this manner the idea of the sovereignty of the people, uncontrolled by the past, gave birth to the idea of nationality independent of the political influence of history. It sprang from the rejection of the two authorities of the State and of the past.

The kingdom of France was, geographically as well as politically, the product of a long series of events, and the same influences which built up the State formed the territory. The revolution repudiated alike the agencies to which France owed her boundaries and those to which she owed her government. Every effaceable trace and relic of national history was carefully wiped away – the system of administration, the physical divisions of the country, the classes of society, the corporations, the weights and measures, the calendar. France was no longer bounded by the limits she had received from the condemned influence of her history; she could recognise only those which were set by nature. The definition of the nation was borrowed from the material world,

and, in order to avoid a loss of territory, it became not only an abstraction but a fiction.

There was a principle of nationality in the ethnological character of the movement, which is the source of the common observation that revolution is more frequent in Catholic than in Protestant countries. It is, in fact, more frequent in the Latin than in the Teutonic world, because it depends partly on a national impulse, which is only awakened where there is an alien element, the vestige of a foreign dominion, to expel. Western Europe has undergone two conquests - one by the Romans and one by the Germans, and twice received laws from the invaders. Each time it rose again against the victorious race; and the two great reactions, while they differ according to the different characters of the two conquests, have the phenomenon of imperialism in common.

The Roman republic laboured to crush the subjugated nations into a homogeneous and obedient mass; but the increase which the proconsular authority obtained in the process subverted the republican government, and the reaction of the provinces against Rome assisted in establishing the empire. The Caesarean system gave an unprecedented freedom to the dependencies, and raised them to a civil equality which put an end to the dominion of race over race and of class over class. The monarchy was hailed as a refuge from the pride and cupidity of the Roman people; and the love of equality, the hatred of nobility, and the tolerance of despotism implanted by Rome became, at least in Gaul, the chief feature of the national character.

But among the nations whose vitality had been broken down by the stern republic, not one retained the materials necessary to enjoy independence, or to develop a new history. The political faculty which organises states and finds society in a moral order was exhausted, and the Christian doctors looked in vain over the waste of ruins for a people by whose aid the Church might survive the decay of Rome. A new element of national life was brought to that declining world by the enemies who destroyed it. The flood of barbarians settled over it for a season, and then subsided; and when the landmarks of civilisation appeared once more, it was found that the soil had been impregnated with a fertilising and regenerating influence, and that the inundation had laid the germs of future states and of a new society.

The political sense and energy came with the new blood, and was exhibited in the power exercised by the younger race upon the old, and in the establishment of a graduated freedom. Instead of universal equal rights, the actual enjoyment of which is necessarily contingent on, and commensurate with, power, the rights of the people were made

dependent on a variety of conditions, the first of which was the distribution of property. Civil society became a classified organism instead of a formless combination of atoms, and the feudal system gradually arose.

Roman Gaul had so thoroughly adopted the ideas of absolute authority and undistinguished equality during the five centuries between Caesar and Clovis, that the people could never be reconciled to the new system. Feudalism remained a foreign importation, and the feudal aristocracy an alien race, and the common people of France sought protection against both in the Roman jurisprudence and the power of the crown. The development of absolute monarchy by the help of democracy is the one constant character of French history. The royal power, feudal at first, and limited by the immunities and the great vassals, became more popular as it grew more absolute; while the suppression of aristocracy, the removal of the intermediate authorities, was so particularly the object of the nation, that it was more energetically accomplished after the fall of the throne. The monarchy which had been engaged from the thirteenth century in curbing the nobles, was at last thrust aside by the democracy, because it was too dilatory in the work, and was unable to deny its own origin and effectually ruin the class from which it sprang.

All those things which constitute the peculiar character of the French Revolution - the demand for equality, the hatred of nobility and feudalism, and of the Church which was connected with them, the constant reference to pagan examples, the suppression of monarchy, the new code of law, the breach with tradition, and the substitution of an ideal system for everything that had proceeded from the mixture and mutual action of the races - all these exhibit the common type of a reaction against the effects of the Frankish invasion. The hatred of royalty was less than the hatred of aristocracy; privileges were more detested than tyranny; and the king perished because of the origin of his authority rather than because of its abuse. Monarchy unconnected with aristocracy became popular in France, even when most uncontrolled; whilst the attempt to reconstitute the throne, and to limit and fence it with its peers, broke down, because the old Teutonic elements on which it relied - hereditary nobility, primogeniture, and privilege - were no longer tolerated.

The substance of the ideas of 1789 is not the limitation of the sovereign power, but the abrogation of intermediate powers. These powers, and the classes which enjoyed them, come in Latin Europe from a barbarian origin; and the movement which calls itself liberal is essentially national. If liberty were its object, its means would be the

establishment of great independent authorities not derived from the State, and its model would be England. But its object is equality; and it seeks, like France in 1789, to cast out the elements of inequality which were introduced by the Teutonic race. This is the object which Italy and Spain have had in common with France, and herein consists the natural league of the Latin nations.

This national element in the movement was not understood by the revolutionary leaders. At first, their doctrine appeared entirely contrary to the idea of nationality. They taught that certain general principles of government were absolutely right in all States; and they asserted in theory the unrestricted freedom of the individual, and the supremacy of the will over every external necessity or obligation. This is in apparent contradiction to the national theory, that certain natural forces ought to determine the character, the form, and the policy of the State, by which a kind of fate is put in the place of freedom. Accordingly the national sentiment was not developed directly out of the revolution in which it was involved, but was exhibited first in resistance to it, when the attempt to emancipate had been absorbed in the desire to subjugate, and the republic had been succeeded by the empire.

Napoleon called a new power into existence by attacking nationality in Russia, by delivering it in Italy, by governing in defiance of it in Germany and Spain. The sovereigns of these countries were deposed or degraded; and a system of administration was introduced which was French in its origin, its spirit, and its instruments. The people resisted the change. The movement against it was popular and spontaneous, because the rulers were absent or helpless; and it was national, because it was directed against foreign institutions. In Tyrol, in Spain, and afterwards in Prussia, the people did not receive the impulse from the government, but undertook of their own accord to cast out the armies and the ideas of revolutionised France. Men were made conscious of the national element of the revolution by its conquests, not in its rise.

The three things which the Empire most openly oppressed - religion, national independence, and political liberty - united in a short-lived league to animate the great uprising by which Napoleon fell. Under the influence of that memorable alliance a political spirit was called forth on the Continent, which clung to freedom and abhorred revolution, and sought to restore, to develop, and to reform the decayed national institutions.

...

But the new aspirations for national and popular rights were crushed at the restoration. The liberals of those days cared for freedom,

not in the shape of national independence, but of French institutions; and they combined against the nations with the ambition of the governments. They were as ready to sacrifice nationality to their ideal as the Holy Alliance⁸ was to the interests of absolutism. Talleyrand indeed declared at Vienna⁹ that the Polish question ought to have precedence over all other questions, because the partition of Poland had been one of the first and greatest causes of the evils which Europe had suffered; but dynastic interests prevailed.

All the sovereigns represented at Vienna recovered their dominions, except the King of Saxony, who was punished for his fidelity to Napoleon; but the States that were unrepresented in the reigning families – Poland, Venice, and Genoa – were not revived, and even the Pope had great difficulty in recovering the Legations from the grasp of Austria. Nationality, which the old régime had ignored, which had been outraged by the revolution and the empire, received, after its first open demonstration, the hardest blow at the Congress of Vienna. The principle which the first partition had generated, to which the revolution had given a basis of theory, which had been lashed by the empire into a momentary convulsive effort, was matured by the long error of the restoration into a consistent doctrine, nourished and justified by the situation of Europe.

The governments of the Holy Alliance devoted themselves to suppress with equal care the revolutionary spirit by which they had been threatened, and the national spirit by which they had been restored. Austria, which owed nothing to the national movement, and had prevented its revival after 1809, naturally took the lead in repressing it. Every disturbance of the final settlements of 1815, every aspiration for changes or reforms, was condemned as sedition. This system repressed the good with the evil tendencies of the age; and the resistance which it provoked, during the generation that passed away from the restoration to the fall of Metternich, and again under the reaction which commenced with Schwarzenberg¹⁰ and ended with the administrations of Bach¹¹ and Manteuffel,¹² proceeded from various combinations of the opposite forms of liberalism. In the successive phases of that struggle, the idea that national claims are above all other rights gradually rose to the

8 [The reactionary alliance of the monarchies of Russia, Prussia and Austria.]

9 [At the Peace conference of 1814-15.]

10 [Austrian Prime Minister, 1848 - 59]

11 [Austrian Minister of the Interior, 1849 - 59]

12 [Prussian Foreign Minister, 1850 - 58]

supremacy which it now possesses among the revolutionary agencies.

The first liberal movement, that of the Carbonari¹³ in the south of Europe, had no specific national character, but was supported by the Bonapartists both in Spain and Italy. In the following years the opposite ideas of 1813 came to the front, and a revolutionary movement, in many respects hostile to the principles of revolution, began in defence of liberty, religion, and nationality. All these causes were united in the Irish agitation, and in the Greek, Belgian, and Polish revolutions. Those sentiments which had been insulted by Napoleon, and had risen against him, rose against the governments of the restoration. They had been oppressed by the sword, and then by the treaties.

The national principle added force, but not justice, to this movement, which, in every case but Poland, was successful. A period followed in which it degenerated into a purely national idea, as the agitation for repeal [of the Act of Union between Great Britain and Ireland] succeeded [Roman Catholic] emancipation, and Pan Slavism and Panhellenism arose under the auspices of the Eastern Church. This was the third phase of the resistance to the settlement of Vienna, which was weak, because it failed to satisfy national or constitutional aspirations, either of which would have been a safeguard against the other, by a moral if not by a popular justification.

At first, in 1813, the people rose against their conquerors, in defence of their legitimate rulers. They refused to be governed by usurpers. In the period between 1825 and 1831, they resolved that they would not be misgoverned by strangers. The French administration was often better than that which it displaced, but there were prior claimants for the authority exercised by the French, and at first the national contest was a contest for legitimacy. In the second period this element was wanting. No dispossessed princes led the Greeks, the Belgians, or the Poles. The Turks, the Dutch, and the Russians were attacked, not as usurpers but as oppressors - because they misgoverned, not because they were of a different race.

Then began a time when the text simply was, that nations would not be governed by foreigners. Power legitimately obtained, and exercised with moderation, was declared invalid. National rights, like religion, had borne part in the previous combinations and had been auxiliaries in the struggles for freedom, but now nationality became a paramount claim, which was to assert itself alone, which might put forward as pretexts the rights of rulers, the liberties of the people, the safety of

13 [The Carbonari ("charcoal burners") were a revolutionary society in southern Italy in the early 19th century, and a model for similar groups in Spain and Greece.]

religion, but which, if no such union could be formed, was to prevail at the expense of every other cause for which nations make sacrifices.

Metternich is, next to Napoleon, the chief promoter of this theory; for the anti-national character of the restoration was most distinct in Austria, and it is in opposition to the Austrian Government that nationality grew into a system. Napoleon, who, trusting to his armies, despised moral forces in politics, was overthrown by their rising. Austria committed the same fault in the government of her Italian provinces. The kingdom of Italy had united all the northern part of the Peninsula in a single State; and the national feelings, which the French repressed elsewhere, were encouraged as a safeguard of their power in Italy and in Poland. When the tide of victory turned, Austria invoked against the French the aid of the new sentiment they had fostered. Nugent¹⁴ announced, in his proclamation to the Italians, that they should become an independent nation.

The same spirit served different masters, and contributed first to the destruction of the old States, then to the expulsion of the French, and again, under Charles Albert,¹⁵ to a new revolution. It was appealed to in the name of the most contradictory principles of government, and served all parties in succession, because it was one in which all could unite. Beginning by a protest against the dominion of race over race, its mildest and least developed form, it grew into a condemnation of every State that included different races, and finally became the complete and consistent theory, that the State and the nation must be co-extensive. 'It is,' says Mr. [John Stuart] Mill [in his *Considerations on Representative Government*], 'in general a necessary condition of free institutions, that the boundaries of governments should coincide in the main with those of nationalities.'

The outward historical progress of this idea from an indefinite aspiration to be the keystone of a political system, may be traced in the life of the man who gave to it the element in which its strength resides - Giuseppe Mazzini. He found Carbonarism impotent against the measures of the governments, and resolved to give new life to the liberal movement by transferring it to the ground of nationality. Exile is the nursery of nationality, as oppression is the school of liberalism; and Mazzini conceived the idea of Young Italy when he was a refugee at Marseilles. In the same way, the Polish exiles are the champions of every national movement; for to them all political rights are absorbed in the idea of independence, which, however they may differ with each other,

14 [Austrian General.]

15 [King of Sardinia, overthrown by the revolution of 1848.]

is the one aspiration common to them all.

Towards the year 1830 literature also contributed to the national idea. 'It was the time,' says Mazzini, 'of the great conflict between the romantic and the classical school, which might with equal truth be called a conflict between the partisans of freedom and of authority.' The romantic school was infidel in Italy, and Catholic in Germany; but in both it had the common effect of encouraging national history and literature, and Dante was as great an authority with the Italian democrats as with the leaders of the mediaeval revival at Vienna, Munich, and Berlin.

But neither the influence of the exiles, nor that of the poets and critics of the new party, extended over the masses. It was a sect without popular sympathy or encouragement, a conspiracy founded not on a grievance, but on a doctrine; and when the attempt to rise was made in Savoy, in 1834, under a banner with the motto 'Unity, Independence, God and Humanity,' the people were puzzled at its object, and indifferent to its failure. But Mazzini continued his propaganda, developed his *Giovine Italia* into a *Giovine Europa*, and established in 1847 the international league of nations. 'The people,' he said, in his opening address, 'is penetrated with only one idea, that of unity and nationality ... There is no international question as to forms of government, but only a national question.'

The revolution of 1848, unsuccessful in its national purpose, prepared the subsequent victories of nationality in two ways. The first of these was the restoration of the Austrian power in Italy, with a new and more energetic centralisation, which gave no promise of freedom. Whilst that system prevailed, the right was on the side of the national aspirations, and they were revived in a more complete and cultivated form by Manin.¹⁶ The policy of the Austrian Government, which failed during the ten years of the reaction to convert the tenure by force into a tenure by right, and to establish with free institutions the condition of allegiance, gave a negative encouragement to the theory. It deprived Francis Joseph of all active support and sympathy in 1859, for he was more clearly wrong in his conduct than his enemies in their doctrines.

The real cause of the energy which the national theory has acquired is, however, the triumph of the democratic principle in France, and its recognition by the European Powers. The theory of nationality is involved in the democratic theory of the sovereignty of the general will. 'One hardly knows what any division of the human race should be free to do, if not to determine with which of the various collective

16 [Daniele Manin (1804 - 1857), Venetian leader and spokesman for Italian liberation.]

bodies of human beings they choose to associate themselves.¹⁷ It is by this act that a nation constitutes itself. To have a collective will, unity is necessary, and independence is requisite in order to assert it.

Unity and nationality are still more essential to the notion of the sovereignty of the people than the cashiering of monarchs, or the revocation of laws. Arbitrary acts of this kind may be prevented by the happiness of the people or the popularity of the king, but a nation inspired by the democratic idea cannot with consistency allow a part of itself to belong to a foreign State, or the whole to be divided into several native States. The theory of nationality therefore proceeds from both the principles which divide the political world - from legitimacy, which ignores its claims, and from the revolution, which assumes them; and for the same reason it is the chief weapon of the last against the first.

In pursuing the outward and visible growth of the national theory we are prepared for an examination of its political character and value. The absolutism which has created it denies equally that absolute right of national unity which is a product of democracy, and that claim of national liberty which belongs to the theory of freedom. These two views of nationality, corresponding to the French and to the English systems, are connected in name only, and are in reality the opposite extremes of political thought.

In one case, nationality is founded on the perpetual supremacy of the collective will, of which the unity of the nation is the necessary condition, to which every other influence must defer, and against which no obligation enjoys authority, and all resistance is tyrannical. The nation is here an ideal unit founded on the race, in defiance of the modifying action of external causes, of tradition, and of existing rights. It overrules the rights and wishes of the inhabitants, absorbing their divergent interests in a fictitious unity; sacrifices their several inclinations and duties to the higher claim of nationality, and crushes all natural rights and all established liberties for the purpose of vindicating itself.

Whenever a single definite object is made the supreme end of the State, be it the advantage of a class, the safety or the power of the country, the greatest happiness of the greatest number, or the support of any speculative idea, the State becomes for the time inevitably absolute. Liberty alone demands for its realisation the limitation of the public authority, for liberty is the only object which benefits all alike, and provokes no sincere opposition. In supporting the claims of national unity, governments must be subverted in whose title there is no flaw, and

17 Mill's *Considerations*, p. 296 [Acton's note].

whose policy is beneficent and equitable, and subjects must be compelled to transfer their allegiance to an authority for which they have no attachment, and which may be practically a foreign domination.

Connected with this theory in nothing except in the common enmity of the absolute state, is the theory which represents nationality as an essential, but not a supreme element in determining the forms of the State. It is distinguished from the other, because it tends to diversity and not to uniformity, to harmony and not to unity; because it aims not at an arbitrary change, but at careful respect for the existing conditions of political life, and because it obeys the laws and results of history, not the aspirations of an ideal future. While the theory of unity makes the nation a source of despotism and revolution, the theory of liberty regards it as the bulwark of self-government, and the foremost limit to the excessive power of the State.

Private rights, which are sacrificed to the unity, are preserved by the union of nations. No power can so efficiently resist the tendencies of centralisation, of corruption, and of absolutism, as that community which is the vastest that can be included in a State, which imposes on its members a consistent similarity of character, interest, and opinion, and which arrests the action of the sovereign by the influence of a divided patriotism. The presence of different nations under the same sovereignty is similar in its effect to the independence of the Church in the State. It provides against the servility which flourishes under the shadow of a single authority, by balancing interests, multiplying associations, and giving to the subject the restraint and support of a combined opinion.

In the same way it promotes independence by forming definite groups of public opinion, and by affording a great source and centre of political sentiments, and of notions of duty not derived from the sovereign will. Liberty provokes diversity, and diversity preserves liberty by supplying the means of organisation. All those portions of law which govern the relations of men with each other, and regulate social life, are the varying result of national custom and the creation of private society. In these things, therefore, the several nations will differ from each other; for they themselves have produced them, and they do not owe them to the State which rules them all.

This diversity in the same State is a firm barrier against the intrusion of the government beyond the political sphere which is common to all into the social department which escapes legislation and is ruled by spontaneous laws. This sort of interference is characteristic of an absolute government, and is sure to provoke a reaction, and finally a

remedy. That intolerance of social freedom which is natural to absolutism is sure to find a corrective in the national diversities, which no other force could so efficiently provide. The co-existence of several nations under the same State is a test, as well as the best security of its freedom. It is also one of the chief instruments of civilisation; and, as such, it is in the natural and providential order, and indicates a state of greater advancement than the national unity which is the ideal of modern liberalism.

The combination of different nations in one State is as necessary a condition of civilised life as the combination of men in society. Inferior races are raised by living in political union with races intellectually superior. Exhausted and decaying nations are revived by the contact of a younger vitality. Nations in which the elements of organisation and the capacity for government have been lost, either through the demoralising influence of despotism, or the disintegrating action of democracy, are restored and educated anew under the discipline of a stronger and less corrupted race.

This fertilising and regenerating process can only be obtained by living under one government. It is in the cauldron of the State that the fusion takes place by which the vigour, the knowledge, and the capacity of one portion of mankind may be communicated to another. Where political and national boundaries coincide, society ceases to advance, and nations relapse into a condition corresponding to that of men who renounce intercourse with their fellow-men. The difference between the two unites mankind not only by the benefits it confers on those who live together, but because it connects society either by a political or a national bond, gives to every people an interest in its neighbours, either because they are under the same government or because they are of the same race, and thus promotes the interests of humanity, of civilisation, and of religion.

Christianity rejoices at the mixture of races, as paganism identifies itself with their differences, because truth is universal, and errors various and particular. In the ancient world idolatry and nationality went together, and the same term is applied in Scripture to both. It was the mission of the Church to overcome national differences. The period of her undisputed supremacy was that in which all Western Europe obeyed the same laws, all literature was contained in one language, and the political unity of Christendom was personified in a single potentate, while its intellectual unity was represented in one university.

As the ancient Romans concluded their conquests by carrying away the gods of the conquered people, Charlemagne overcame the

national resistance of the Saxons only by the forcible destruction of their pagan rites. Out of the mediaeval period, and the combined action of the German race and the Church, came forth a new system of nations and a new conception of nationality. Nature was overcome in the nation as well as in the individual. In pagan and uncultivated times, nations were distinguished from each other by the widest diversity, not only in religion, but in customs, language, and character.

Under the new law they had many things in common; the old barriers which separated them were removed, and the new principle of selfgovernment, which Christianity imposed, enabled them to live together under the same authority, without necessarily losing their cherished habits, their customs, or their laws. The new idea of freedom made room for different races in one State. A nation was no longer what it had been to the ancient world - the progeny of a common ancestor, or the aboriginal product of a particular region - a result of merely physical and material causes - but a moral and political being; not the creation of geographical or physiological unity, but developed in the course of history by the action of the State. It is derived from the State, not supreme over it. A State may in course of time produce a nationality; but that a nationality should constitute a State is contrary to the nature of modern civilisation. The nation derives its rights and its power from the memory of a former independence.

The Church has agreed in this respect with the tendency of political progress, and discouraged wherever she could the isolation of nations; admonishing them of their duties to each other, and regarding conquest and feudal investiture as the natural means of raising barbarous or sunken nations to a higher level. But though she has never attributed to national independence an immunity from the accidental consequences of feudal law, of hereditary claims, or of testamentary arrangements, she defends national liberty against uniformity and centralisation with an energy inspired by perfect community of interests. For the same enemy threatens both; and the State which is reluctant to tolerate differences, and to do justice to the peculiar character of various races, must from the same cause interfere in the internal government of religion.

The connection of religious liberty with the emancipation of Poland or Ireland is not merely the accidental result of local causes; and the failure of the Concordat to unite the subjects of Austria is the natural consequence of a policy which did not desire to protect the provinces in their diversity and autonomy, and sought to bribe the Church by favours instead of strengthening her by independence. From this

influence of religion in modern history has proceeded a new definition of patriotism.

The difference between nationality and the State is exhibited in the nature of patriotic attachment. Our connection with the race is merely natural or physical, whilst our duties to the political nation are ethical. One is a community of affections and instincts infinitely important and powerful in savage life, but pertaining more to the animal than to the civilised man; the other is an authority governing by laws, imposing obligations, and giving a moral sanction and character to the natural relations of society. Patriotism is in political life what faith is in religion, and it stands to the domestic feelings and to homesickness as faith to fanaticism and to superstition. It has one aspect derived from private life and nature, for it is an extension of the family affections, as the tribe is an extension of the family. But in its real political character, patriotism consists in the development of the instinct of self-preservation into a moral duty which may involve self-sacrifice.

Self-preservation is both an instinct and a duty, natural and involuntary in one respect, and at the same time a moral obligation. By the first it produces the family; by the last the State. If the nation could exist without the State, subject only to the instinct of self-preservation, it would be incapable of denying, controlling, or sacrificing itself; it would be an end and a rule to itself. But in the political order moral purposes are realised and public ends are pursued to which private interests and even existence must be sacrificed. The great sign of true patriotism, the development of selfishness into sacrifice, is the product of political life. That sense of duty which is supplied by race is not entirely separated from its selfish and instinctive basis; and the love of country, like married love, stands at the same time on a material and a moral foundation. The patriot must distinguish between the two causes or objects of his devotion. The attachment which is given only to the country is like obedience given only to the State – a submission to physical influences. The man who prefers his country before every other duty shows the same spirit as the man who surrenders every right to the State. They both deny that right is superior to authority.

...

The nationality formed by the State, then, is the only one to which we owe political duties, and it is, therefore, the only one which has political rights. The Swiss are ethnologically either French, Italian, or German; but no nationality has the slightest claim upon them, except the purely political nationality of Switzerland. The Tuscan or the Neapolitan State has formed a nationality, but the citizens of Florence

and of Naples have no political community with each other. There are other States which have neither succeeded in absorbing distinct races in a political nationality, nor in separating a particular district from a larger nation. Austria and Mexico are instances on the one hand, Parma and Baden on the other.

The progress of civilisation deals hardly with the last description of States. In order to maintain their integrity they must attach themselves by confederations, or family alliances, to greater Powers, and thus lose something of their independence. Their tendency is to isolate and shut off their inhabitants, to narrow the horizon of their views, and to dwarf in some degree the proportions of their ideas. Public opinion cannot maintain its liberty and purity in such small dimensions, and the currents that come from larger communities sweep over a contracted territory. In a small and homogeneous population there is hardly room for a natural classification of society, or for inner groups of interests that set bounds to sovereign power. The government and the subjects contend with borrowed weapons. The resources of the one and the aspirations of the other are derived from some external source, and the consequence is that the country becomes the instrument and the scene of contests in which it is not interested. These States, like the minuter communities of the Middle Ages, serve a purpose, by constituting partitions and securities of self-government in the larger States; but they are impediments to the progress of society, which depends on the mixture of races under the same governments.

The vanity and peril of national claims founded on no political tradition, but on race alone, appear in Mexico. There the races are divided by blood, without being grouped together in different regions. It is, therefore, neither possible to unite them nor to convert them into the elements of an organised State. They are fluid, shapeless, and unconnected, and cannot be precipitated, or formed into the basis of political institutions. As they cannot be used by the State, they cannot be recognised by it; and their peculiar qualities, capabilities, passions, and attachments are of no service, and therefore obtain no regard. They are necessarily ignored, and are therefore perpetually outraged.

From this difficulty of races with political pretensions, but without political position, the Eastern world escaped by the institution of castes. Where there are only two races there is the resource of slavery; but when different races inhabit the different territories of one Empire composed of several smaller States, it is of all possible combinations the most favourable to the establishment of a highly developed system of freedom. In Austria there are two circumstances which add to the

difficulty of the problem, but also increase its importance. The several nationalities are at very unequal degrees of advancement, and there is no single nation which is so predominant as to overwhelm or absorb the others.

These are the conditions necessary for the very highest degree of organisation which government is capable of receiving. They supply the greatest variety of intellectual resource; the perpetual incentive to progress, which is afforded not merely by competition, but by the spectacle of a more advanced people; the most abundant elements of self-government, combined with the impossibility for the State to rule all by its own will; and the fullest security for the preservation of local customs and ancient rights. In such a country as this, liberty would achieve its most glorious results, while centralisation and absolutism would be destruction.

The problem presented to the government of Austria is higher than that which is solved in England, because of the necessity of admitting the national claims. The parliamentary system fails to provide for them, as it presupposes the unity of the people. Hence in those countries in which different races dwell together, it has not satisfied their desires and is regarded as an imperfect form of freedom. It brings out more clearly than before the differences it does not recognise, and thus continues the work of the old absolutism, and appears as a new phase of centralisation. In those countries, therefore, the power of the imperial parliament must be limited as jealously as the power of the crown, and many of its functions must be discharged by provincial diets, and a descending series of local authorities.

The great importance of nationality in the State consists in the fact that it is the basis of political capacity. The character of a nation determines in great measure the form and vitality of the State. Certain political habits and ideas belong to particular nations, and they vary with the course of the national history. A people just emerging from barbarism, a people effete from the excesses of a luxurious civilisation, cannot possess the means of governing itself; a people devoted to equality, or to absolute monarchy, is incapable of producing an aristocracy; a people averse to the institution of private property is without the first element of freedom. Each of these can be converted into efficient members of a free community only by the contact of a superior race, in whose power will lie the future prospects of the State. A system which ignores these things, and does not rely for its support on the character and aptitude of the people, does not intend that they should administer their own affairs, but that they should simply be obedient to the su-

preme command. The denial of nationality, therefore, implies the denial of political liberty.

The greatest adversary of the rights of nationality is the modern theory of nationality. By making the State and the nation commensurate with each other in theory, it reduces practically to a subject condition all other nationalities that may be within the boundary. It cannot admit them to an equality with the ruling nation which constitutes the State, because the State would then cease to be national, which would be a contradiction of the principle of its existence. According, therefore, to the degree of humanity and civilisation in that dominant body which claims all the rights of the community, the inferior races are exterminated, or reduced to servitude, or outlawed, or put in a condition of dependence.

If we take the establishment of liberty for the realisation of moral duties to be the end of civil society, we must conclude that those states are substantially the most perfect which, like the British and Austrian Empires, include various distinct nationalities without oppressing them. Those in which no mixture of races has occurred are imperfect; and those in which its effects have disappeared are decrepit. A State which is incompetent to satisfy different races condemns itself; a State which labours to neutralise, to absorb, or to expel them, destroys its own vitality; a State which does not include them is destitute of the chief basis of self-government. The theory of nationality, therefore, is a retrograde step in history. It is the most advanced form of the revolution, and must retain its power to the end of the revolutionary period, of which it announces the approach. Its great historical importance depends on two chief causes.

First, it is a chimera. The settlement at which it aims is impossible. As it can never be satisfied and exhausted, and always continues to assert itself, it prevents the government from ever relapsing into the condition which provoked its rise. The danger is too threatening, and the power over men's minds too great, to allow any system to endure which justifies the resistance of nationality. It must contribute, therefore, to obtain that which in theory it condemns - the liberty of different nationalities as members of one sovereign community. This is a service which no other force could accomplish; for it is a corrective alike of absolute monarchy, of democracy, and of constitutionalism, as well as of the centralisation which is common to all three. Neither the monarchical, nor the revolutionary, nor the parliamentary system can do this; and all the ideas which have excited enthusiasm in past times are impotent for the purpose except nationality alone.

And secondly, the national theory marks the end of the revolutionary doctrine and its logical exhaustion. In proclaiming the supremacy of the rights of nationality, the system of democratic equality goes beyond its own extreme boundary, and falls into contradiction with itself.

Between the democratic and the national phase of the revolution, socialism had intervened, and had already carried the consequences of the principle to an absurdity. But that phase was passed. The revolution survived its offspring, and produced another further result. Nationality is more advanced than socialism, because it is a more arbitrary system. The social theory endeavours to provide for the existence of the individual beneath the terrible burdens which modern society heaps upon labour. It is not merely a development of the notion of equality, but a refuge from real misery and starvation. However false the solution, it was a reasonable demand that the poor should be saved from destruction; and if the freedom of the State was sacrificed to the safety of the individual, the more immediate object was, at least in theory, attained.

But nationality does not aim either at liberty or prosperity, both of which it sacrifices to the imperative necessity of making the nation the mould and measure of the State. Its course will be marked with material as well as moral ruin, in order that a new invention may prevail over the works of God and the interests of mankind. There is no principle of change, no phase of political speculation conceivable, more comprehensive, more subversive, or more arbitrary than this. It is a confutation of democracy, because it sets limits to the exercise of the popular will, and substitutes for it a higher principle. It prevents not only the division, but the extension of the State, and forbids to terminate war by conquest, and to obtain a security for peace. Thus, after surrendering the individual to the collective will, the revolutionary system makes the collective will subject to conditions which are independent of it, and rejects all law, only to be controlled by an accident.

Although, therefore, the theory of nationality is more absurd and more criminal than the theory of socialism, it has an important mission in the world, and marks the final conflict, and therefore the end, of two forces which are the worst enemies of civil freedom - the absolute monarchy and the revolution.

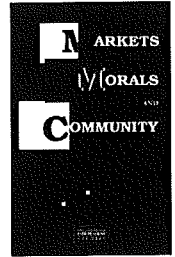
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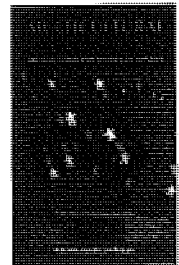
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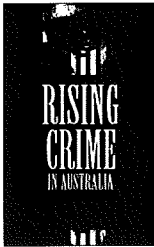
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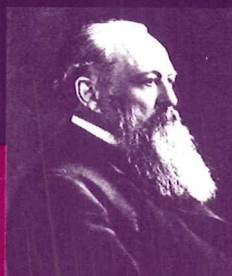
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Acton was sympathetic to nationalist aspirations, but he believed that an exclusive form of nationalism was a threat to liberal values and played into the hands of its reactionary opponents. In this essay he draws on his rich knowledge of European history to support the claims of multinational (or, as we would say, multi-ethnic) states. At a time when cultural diversity is increasingly under attack, the Centre for Independent Studies is undertaking a program of work on issues relating to immigration and multiculturalism. The first publication of this program is a reprint of Lord Acton's essay 'Nationality,' with an introduction by Chandran Kukathas.



LORD ACTON

John Emerich Edward Dalberg-Acton was born in Naples in 1834. He studied at the University of Munich (1850-57) before returning to England to become a prominent spokesman for Liberal Catholicism. He served as a Liberal member of the House of Commons from 1859 to 1865, and in 1872 was elevated to the peerage as Baron Acton of Aldenham. He unsuccessfully opposed the promulgation of papal infallibility at the Vatican Council of 1869-70, and thereafter devoted most of his time to private historical research. In 1895 he was appointed Regius Professor of History at Cambridge University, and he was the founding editor of the *Cambridge Modern History*. Lord Acton died in 1902.

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