



Philosophy of Liberal Nationalism in the context of Refugee Immigration

Shaheena Ahluwalia*

Abstract

In recent times, the world has seen an explosion of episodes of forced migration. Whether another state has led the attack, such as Russia's invasion of Ukraine or by its own state such as Myanmar, ousting the Rohingyas, this international political reality of forced exit can neither be denied nor ignored. Consequent to the international political reality, some states have tightened their borders as they hold nationalist concerns against immigration of such kind. Their concern stems from the philosophy of nationalism which claims the protection of borders and sovereignty in light of the influx of refugees and the burden on the state. This paper aims to elaborate on the interaction of political and legal philosophy related to Liberalism and Nationalism. I put forward the hypothesis that the current reality of international politics - the influx of victims of forced migration such as refugees should be rethought with the application of the philosophy of liberal nationalism. Liberalism and nationalism are two very different moral and political philosophies. Liberal claims protect individual freedom, advocate open borders, and promote equality of all before the law and consent of the governed. Nationalist philosophy promotes the interests of the state, and advocates devotion to the state, its ideology, culture and ethos. In the context of forced migration, the ideas of these disunited philosophies can be utilised to balance and accommodate the concerns of refugees, states and citizens. For this, I will examine the

* Chanakya National Law University, Patna, Bihar, India;
shaheena.awalia@gmail.com

philosophies of liberalism, nationalism and liberal nationalism, which present an inclusive form of nationalism.

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1. Introduction

Law and Politics are deeply interrelated subjects. Law is used as a political tool for the functioning of any government. It provides legitimacy to the government, which enables the functioning of society. It either gives way or creates obstacles for political interests. The interrelatedness between the subjects is also visible between the philosophies of the topics. Legal philosophy and Political philosophy have a deep connection as the law is an aspect of politics. The connection can be understood by a simple example when studying philosophy of law one question - what is law? This question is related to the reason and logic behind the law which further delves into questions related to justice, truth and the foundation of morality; also studied as part of jurisprudence. These questions of truth, morality and justice comprise similar concerns of political philosophy, if not all.

The interconnectedness between the two kinds of philosophies is also visible in real-time. When a law is passed and/or enforced by a political office, it is based on legal philosophy as well as political philosophy. The international political reality of forced migration presents one case. Recent times have seen an expulsion of people from their homeland. This forced exit has recently witnessed a nationalist kind of response wherein refugees are not welcome in the receiving nations. This response stems from the philosophy of nationalism wherein protection of borders and sovereignty is of utmost importance and the state holds primacy. Refugees-receiving countries have raised several concerns about the tenets of nationalism against this kind of immigration, such as burden on the nation, security concerns, unfairness towards citizens, etc. Though with the increasing episodes of expulsion worldwide, the concerns that are put forward are not totally invalid however, by doing so, many refugees are being stripped off their basic protections, rights and liberties. Liberal political thinkers critique this nationalist attitude against victims of forced migration. They base their

concerns on the protection of liberties and rights; and encourage open borders.

In this paper, I focus on the philosophical differences between liberalism and nationalism. Liberalism and nationalism are moral and political ideologies that are diametrically opposed. Individual liberty is protected, open borders are advocated, equality of all before the law becomes a basic tenet and consent of the governed turns relevant under liberal thinking. Nationalist philosophy promotes state interests and encourages loyalty to the state, its ideology, culture, and ethics. It promotes national interest and sovereignty over individual interests.

There are two key philosophical differences which will be the focus of the paper. First comes the concept of the individual. The philosophy of liberalism is based on the premise that political authority and law should be justified; therefore, the basic principles of liberalism comprise individual freedom and liberty. Unlike the philosophy of nationalism which places the nation in the centre, liberalism places the individual in the centre. Second is the matter of the development of identity. The philosophy of nationalism focuses on national identity over individual identity shared by the collective and given expression through citizenship. Liberal philosophy, on the other hand, focuses on individual identity, which concerns the self and no other social or political attachment. I argue that these differences are balanced in the philosophy of liberal nationalism, which represents an inclusive form of nationalism and accommodates the concerns of the state, citizens and refugees in the context of forced migration. The ideas of these disunited philosophies can be utilised by the application of the ideas of the philosophy of liberal nationalism in laws relating to refugees. In this manner, the current concerns at hand regarding refugee rights and the rights of citizens may be sorted.

2. Philosophical Contributions to the Concept of Individual and Development of Identity

The philosophy of nationalism and liberalism both believe that free, normal, and independent people can exercise full responsibility for their lives, and both belief in the human degree of self, self-articulation, and self-improvement. Despite this broad agreement,

nationalism and liberalism have evolved into vastly diverse interpretations of basic human traits.

3. Liberalism - Individual and Identity

John Locke, also known as the father of liberalism, put forward the view of the individual being the heart of the philosophy of liberalism. According to him, every individual has inalienable rights, which do not depend on anything or anyone - whether the monarch, political office or other individuals. The concept of the individual and his/her rights being independent was visible in his work *Two Treatises of Government* and in this work on Social Contract Theory. All people are equal in the sense that they are born with certain "inalienable" natural rights, according to Locke, that can never be taken away or even given away. "Life, liberty, and property" are among these fundamental natural rights. These rights exist before any political arrangement and hence are not under the discretion of the State (*Second Treatise of Civil Government*, by John Locke 1690, 1995, "Chap. XIII" section). He further asserted that individuals existed in the State of Nature before any political arrangement. This State of Nature was driven by reason and had a moral and social character. Individuals consented to make a contract for entering the civil society to avoid inconveniences of this State of Nature. He suggests that despite consenting to enter the civil society, the contract does not take away power from the people. He writes "supreme power that (in spite of the government) remains still in the people" (Locke as cited in Wayper, 2018, 73). The contract does not give supreme power to the government. On individual identity, Locke's views regarding man and the development of identity are based on psychological egoistic hedonism, which basically means that all human action is based on avoiding pain and replacing it with pleasure. "What has an aptness to produce pleasure in us is what we call good, and what is apt to produce pain in us we call evil" (Locke, as cited in Wayper, 2018, 69). Own welfare, pain and pleasure depend from individual to individual. Hence one's own welfare and pleasure is what develop individual identity, according to Locke. This is visible in his writing *An Essay Concerning Human Understanding* (Locke, 2004).

Another important liberal philosopher, John Rawls, views the individual as the ultimate unit in understanding political systems. This has been visible in his work, *Theory of Justice*. "Each person possesses an inviolability founded on justice that even the welfare of society as a whole cannot override ... It does not allow that the sacrifices imposed on a few are outweighed by the larger sum of advantages enjoyed by many... Therefore in a just society the liberties of equal citizenship are taken as settled..." (Rawls, 1999, 3-4). His claim is clear with the choice of words. He emphasises justice as fairness amongst individuals who are distinct entities and further argues that the welfare of society cannot be justified by violating the rights of individuals. Individuals have certain liberties that cannot be violated in the name of society's justice. Rawls further elaborated on identity and justice, that justice should be irrelevant to identity and independent of it and that principles of justice should operate behind the 'Veil of Ignorance' (Rawls, 1999, 118). This veil of ignorance encourages objective viewing of individuals and society. Behind this veil of ignorance, a person's sex, caste, religion, capabilities, and other social or physical attachments are all hidden. This facilitates impartiality and avoids biases. The veil of ignorance is a very important point in the discussion on refugees and citizens as in recent times, with the explosion of the refugee crisis; social and cultural markers such as religious identity have become markers of refugees. This has been problematic for the refugees as certain receiving countries have based their policies and laws on the basis of the biases that these religious identities carry rather than the needs of the refugees who have been forced to leave their state.

Ronald Dworkin, a more contemporary philosopher, takes the concept of 'individual' a step further by contrasting individual rights with laws related to collective good in his contribution to the theory of Justice. In his theory, equality plays a central role in justice, more specifically, equality of resources amongst individuals. According to Dworkin, individual rights should prevail over government-initiated laws promoting the collective good. He uses justice as a referential framework to elaborate on his moral philosophy of liberalism. He explains that laws which promote collective good violate every person's right to equality, hence becoming a hindrance to justice (Dworkin, 2002). Therefore,

governments should concern themselves with equal concern for each and every individual rather than justice for the collective.

Liberals commend and accentuate an individual's wants and convictions and believe in the essential element of human satisfaction. They believe that respect for the practices and customs of others comprises the element of individual and social advancement. They do not reject the natural portrayal of society outright, but they do emphasise that social ties among people are based on mutual advantage. People can benefit from the reciprocal understanding of their preferences because society allows them to recognise those aspects of their very own personality through the actions of others they have not had the opportunity to. As a result, according to the liberal perspective- self-articulation and individual diversity are at the heart of the natural perception of society, and these elements should be valued (Tamir, 1995). Liberals have presented patriotism as incompatible with soundness and rooted in basic powers that have a predisposition to overwhelm reason and opportunity. They have chastised patriotism for believing that people are totally constituted by the social ties in which they would essentially be located and warned that such viewpoints have been used to persecute people.

4. Nationalism - Concept of Individual and Identity

Nationalism is the belief that one's nation's culture and objectives are superior to those of others and that countries act individually (instead of collectively) to achieve their respective goals and objectives. Though the definition of nation varies across philosophical contributions, the commonality is the unit of study. Unlike the philosophy of liberalism, the ultimate unit in the philosophy of nationalism is the individual nation.

Patriots stress the inevitable social part of individual character and propose that the main manners by which people can understand themselves completely are by relating to the country, working for its betterment, complying with its traditions, and thoughtlessly commending its significance.

Patriots view social order as normal organs unequipped for division into freely feasible parts, unlike Liberals who view the state as a machine. The social order is considered an organism and

is consequently seen as prime, more important, and more noteworthy than every one of its parts. Under the philosophy, people are reduced to components of a larger whole, implying that they must defend the latter's existence and prosperity. According to this viewpoint, public closures are preferable to individual finishes, and individual flexibility can be achieved simply by identifying with and submitting to the 'public will'.

Herder, an early contributor to the philosophy of nationalism, wrote, "there is only one class in the state, the folk, and the King belongs to this class as well as the peasant" (Herder, 1877-99, as cited in Jusdanis, 2001, 85). State held the central position in his work. In his contribution to the philosophy of nationalism, he argued against anything divisible to the nation's interests. Only the Nation was of prime importance, and no sections within the nation such as class existed. With the emergence of the 'people', the world will become a classless society. His concept of nation was defined by shared culture and language. He thought that a person's language and culture play a vital role in determining his or her identity. He was a fervent believer in each person's right to create their own path in life (Barnard, 2003).

Machiavelli, a political philosopher who is known for his narrow view of nationalism, has contributed greatly to the philosophy. He has been criticised heavily for sacrificing the individual - concepts of liberty and individual rights at the sanctum of the state. He proposed the individual to be greedy, selfish and egoistic, and the state made these individuals just and fair. For him, politics meant power, and the state was the end, whereas the means was Power. In his work, *The Prince, The Art of War, The State*, Machiavelli's concept of the individual as subordinate to the State is evident. He justified evil means to establishing a united country. His work focused on the development of national identity, and; he believed and advocated that individual identity was never needed to be considered in politics as politics was a separate stream altogether wherein the state was autonomous, supreme and independent of any and all human societies (Del Lucchese, 2015).

Jean Rousseau wrote, "everything is at the bottom dependent on political arrangements and that no matter what position one takes, a people will never be otherwise than what forms of government

make it". (Rousseau, 1762 as cited in Cassirer, 2015, 27). General Will makes the foundation of legitimate laws. It holds collective good and common interest. According to Rousseau, General Will exists in the capacity individuals hold as citizens. It is a product of citizens' conscious rational interests and their attachment to their political community. Hence citizenship and political attachment define an individual's claim to the general will. Rousseau laid the foundation of the modern doctrine of nationalism in his work *Civic profession of faith*. Rousseau saw the concept of the individual in nationalism as the collective. This is evident in his work, as he advocates for social unity and common culture in a society. He believed that no society could truly sustain or be rightly formed without love for its fatherland, common purpose, a sense of belonging amongst members and a feeling of obligations and responsibilities for one another (Williams, 2014, 107-155).

Individual liberalism is viewed by patriots as a void decision, to which respond with a similar counterclaim: Communal section is asserted as a "made-up body," and the interest of the local area is simply the amount of the singular interests of its individuals, while Nationalists lay claim that genuine interests are not singular in nature, in fact, 'genuine interests' represents interests of the people.

Nationalists are centred on the idea of the individual as formerly free, as a rational, intelligent expert for whom group enrolment is willful. Liberals are accused of misunderstanding the power of social attachments and promoting an atomistic, distant sense of affiliation in the face of rivalry, doubt, and restricted ego, resulting in public inhumanity and humiliation (Tamir, 1995).

5. Liberal Nationalism - Borrowing from Liberalism and Nationalism

The philosophies of liberalism and nationalism present contradictory issues of whether country and patriotism can go hand in hand with individual and independence. Liberalism places individual and individual identity as prime points of identification from which liberties and rights stem, whereas nationalism holds state and collective identity from which legitimacy stems and rights evolve as prime concepts. As seen in the discussion of political philosophers, the foci point of identification of the philosophies are

poles apart. Whether it is Herder's concept of the Volk or Rawl's concept of Veil of ignorance, liberalism and nationalism's basic ideas are very different from each other.

Liberal nationalism provides a platform where the prime values of these philosophies find a middle ground. The liberal practice, with its emphasis on individual independence, thinking, judgement, and the public custom, with its emphasis on having a position, reliability, and fortitude go hand in hand. Liberal patriots understand the importance of having a home, enrollment, and social rights, as well as the ethical obligations that come with them and the value of individual liberty, privileges, and opportunities, and a responsibility to protect civil rights within and outside the country. Certain strains of liberal and public values are intrinsic and respected in this philosophy. It is a sort of nationalism promoted by political scientists that believe in a comprehensive form of nationalism based on exemplary liberal values such as liberty, resilience, equality, individual rights, and variety (Sabine & Thorson, 2018). Like liberalism, there is no single definition for nationalism. In the vast literature on nationalism, a distinction is sometimes established between two types of nations and nationalisms: civic and ethnic. The concept of ethnic, national identity argues that a plurality or group of ethnic, racial, or religious people can 'own' the country, as opposed to a minority or group of ethnic, racial, or religious individuals who comprise the 'other'. Liberal nationalists commonly argue for the importance of state identity by claiming that people need it to live meaningful, autonomous lives and that democratic political systems need it to function well. This distinction between ethnic nationalism and Liberal nationalism is frequently made (Turkell et al., 2022).

Civic nationhood is a political personality in the state's common citizenship. As a result, rather than language or culture, a "civic nation" is defined by political institutions and liberal ideas that its citizens pledge to protect. The philosophy of Liberal nationalism focuses that all persons born on a state's territory are awarded citizenship and equal rights, regardless of social status, faith, or race. It balances the idea of the individual, identity and nationalist-Statist sentiment. Liberal nationalism attempts to find a balance between the contending issues of liberalism and nationalism i.e. the concept of individual and identity wherein the individual is

sacrificed for the state in the case of nationalism and the state is sacrificed for the individual in the case of liberalism.

6. Liberal Nationalism - Concept of Individual and Development of Identity

The concepts of individual and identity are intertwined with state and individual, unlike Liberalism and Nationalism, which treat individual and state as separate identities, respectively. Liberal nationalism finds the concept of individual liberty in self-respect, which they connect with the membership of the nation-state. The unit of an individual in this philosophy is linked to the individual's membership in the state, wherein both are interrelated. According to liberal nationalists, individual belonging and cultural acknowledgement provide a person with a sense of security and identity. "Membership in a nation is a constitutive factor of personal identity. The self-image of individuals is highly affected by the status of their national community.... A safe, dignified, flourishing national existence thus significantly contributes to their well being" (Tamir, 1995, 93). Liberal nationalists link individual self-respect with national membership. They link self-respect with belonging rather than accomplishment. Not to deny that accomplishment does not have a role to play in self-esteem but to suggest that belonging provides more security to the individual. Personal accomplishment boosts an individual's self-esteem, whereas belonging instils feelings of safety, certainty and reliability. This feeling of belonging is provided with membership to the Nation, a connection of secure identification which also identifies acceptance. Acceptance, belongingness, and security adds to the welfare of an individual. "Secure identification at that level is particularly important to one's well being" (Margalit & Raz, 1990, 461). In this way, they also provide a link between individual and national interests wherein all are positively correlated. When an individual's nation is respected, his/her membership in the nation is respected; boosting self-respect and self-esteem of an individual. Interests of both the individual and the nation both move in the same direction even when one is respected or disrespected.

Liberal nationalists define a nation in terms of cultural commonality and heritage, wherein an individual's membership and identity are respected and united and affective ties with

nations reflect individual sentiments of patriotism, pride and identity. Tamir stresses the extent to which cultural membership adds an 'additional meaning' to our actions, which become not only acts of individual accomplishment but also "part of a continuous creative effort whereby culture is made and remade" (Tamir, 1995, 72). Minority cultural membership is equally respected as an individual right which further encourages feelings of affection towards the nation, instilling a collective identity of belonging to the nation and feelings of patriotism. Will Kymlicka, the defender of minority rights advocating the philosophy of liberal nationalism, states, "Cultural membership provides us with an intelligible context of choice, and a secure sense of identity and belonging that we call upon in confronting questions about personal values and projects" (Kymlicka, 1996, 105). Philosophers of Liberal nationalism acknowledge cultural membership's role in an individual's life, warranting choice, agency and identity. It appeals to liberal values of the philosophy while inculcating a deep connection with the Nation.

The philosophical traditions of Liberal nationalism regarding individual rights, identity and cultural membership are extremely important for applying this philosophy in the current discussion of refugees and states response to their influx. States as mentioned at the start of the paper, as Sovereign entities have control on the entry of refugees. This right to control admission to their state comes from both the Sovereign aspect of the Nation and the philosophical underpinnings of nationalism, i.e. state as the primary unit, protection of borders, the identity associated with collective national identity etc. As proposed in the paper, if philosophical traditions of the theory of liberal nationalism, such as respect for individual rights and nation, the connection between individual self-respect and national belonging and respect for minority cultural identity and collective identity, are borrowed to formulate laws related to entry and stay of refugees, the issue of refugee versus citizen can be resolved to some extent. Jurisprudence regarding refugee laws borrowed from the political philosophy of liberal nationalism may find a solution to the current issue of international politics.

7. Liberal Nationalism and Refugee Immigration

Building a nation is certainly not an ill-conceived project for states following democratic patterns. However, nation-building projects unavoidably involve ethno-social minorities (including refugees and immigrants) who frequently feel compromised by a state-building nation and dread that it will create different hurdles, hindrances, or drawbacks for them, and especially since they have restricted choices and resources when stood up to with such a state-building exercise. Moreover, the international political scenario in which refugees' entry has been refused, for example, India refused entry- in fact, forcibly deported Rohingyas on grounds of national concerns (Bhushan & Souza, 2021). Syrian refugees have also been pushed back by countries of the European Union (UNHCR, 2013), complicating the matter more for the refugees who did not have agency when they were forcefully expelled and do not have any agency when they need entry and basic protections of rights. This anti-immigrant discourse is based on biases against refugees and justified as protection of the nation and native culture.

When it comes to immigration control, liberal positions oppose prohibited methods of immigration, while (ethnic) patriotic positions are generally prohibitive. Overall, liberal nationalists have a fundamental obligation in liberal and popular countries to ensure and maintain the feasibility of existing cultures and claim to give the state the true right to limit and regulate. Despite claiming that states have the right to limit/control the movement of migrants, liberal nationalists make an exception for refugees upholding the liberal values of this philosophy.

Liberal nationalists such as Miller advocate limiting immigrants' control based on legitimate criteria for collective interest. In his book "On Nationality," he takes a historical perspective on the country and a lasting politics of citizens' cultural, ethical and social connections in intergenerational activities. In this historic collaboration, citizens develop an understanding of basic common interests, and this realisation fosters a sense of unity and mutual trust. Unlike other modern political theorists, Miller saw immigrants from the host country's perspective. He points out that migration jeopardises the notion of civil unity and the welfare

system. He emphasises that when citizens' ethical and historical unity is threatened, trust is lost, and individuals begin to reconsider their political affiliations, making it difficult for the welfare state to perform its function (Miller, 1995).

However, he also agrees that some individuals, such as refugees whose human rights are being violated, should be excluded from this control. Miller realistically discusses the conflicting issues of human rights violations of refugees and the burden on the state. He proposes alternative frameworks to support vulnerable migrants such as refugees. He emphasises the need for national welfare responsibility to protect the lives of refugees and, simultaneously, seeks a balanced solution that considers the difficulties of receiving countries that accept migrants. His theory is based on the modern political problems faced by some host countries and the citizens of those countries. He elaborates on refugees' historical ties and language commonality with the host citizens. He hopes that informal mechanisms provide a solution to make all refugees a special responsibility of one State or the other (Miller, 2014). He further argues that once the State welcomes refugees, they are obligated to the State to integrate into the receiving societies (Miller, 2016). Generally, Liberal patriotism is receptive to variety. Despite the presence of several societies, Miller asks immigrants and refugees to embrace and obey the host society's social and political standards in the open arena as a part of the duty to integrate.

Tamir expresses the 'right to culture' by allowing people to live inside their preferred way of life, to choose their social affiliations, to remake the way of life of the local area they have a place with, and to rethink its boundaries by going beyond simple municipal leniency of contrast in the private domain. In her work, *Why Nationalism* she argues that one's country may come first to achieve its liberal goals. She sees nationalism as a long-term political force that can be improved by empowering citizens and meeting their needs. She explores how liberal nationalism goals can be achieved by delegating obligations and sharing rewards in a democratic and fair way. Tamir makes an exception for immigration of victims of forced migration despite her advocacy on nationalism. Tamir, like Kymlicka claims that a right to culture

entails the right to an open arena in which people can share their dialect and language, preserve their history, love their legends, and continue to enjoy a meaningful public life (Tamir, 2019).

Kymlicka, in his book *Multicultural Citizenship: A Liberal Theory of Minority Rights*, describes the inclusion of cultural identities in countries where political authorities consider the interests of various cultural groups. Different groups have different needs in different societies, and different issues of identity verification and rights occupy the political space. It deals with human nature, culture, freedom, freedom, good life, the relationship between individuals and cultural groups, and the functioning of society as a whole. He argues that the rights of groups or minorities are essential to the development of a unified national identity (Kymlicka, 1996).

Liberal nationalism encourages nation-building and minority freedom. It warrants national and cultural coherence by providing a middle way between individual and state, and individual interests and collective interests. By giving priority to the state in limiting immigration and by making an exception to refugees and forced migration victims; it accommodates both the concerns of the Nation as well as the refugees. Liberal patriots have established the need to privilege nation-building legitimacy and minorities, this guarantees an all-encompassing common national character. It recognises liberties that need to be provided to those who suffer from human rights violations such as refugees. Furthermore, these philosophical underpinnings can be borrowed to formulate laws related to refugees, which may assist in resolving the issues of forced migration.

The issues related to refugee immigration and laws involve but is not limited to - entry of refugees in receiving countries, protections of basic rights and liberties, mitigating risks of detention, protecting from vulnerabilities relating to being stateless and/or not having a national attachment, consequences of immigration on the host country etc.

When considering refugees' laws through the philosophical lens of nationalism, admission of refugees to the host country is limited. As in the philosophical tradition, state is the individual unit,

identity of being the national i.e. national attachment; laws are wary of refugees belonging to 'other' nations. Therefore, the other issues mentioned above, such as protection of liberties and from vulnerabilities, mitigating detention, etc., are not attended to. In fact, it increases the overall vulnerabilities of refugees.

On the other hand, if laws are formulated through the lens of liberalism, refugees are given entry and their basic rights are protected. However, as seen in recent episodes of refugee immigration, countries are swaying back to nationalist politics due to other issues that have cropped up. These include disturbances amongst citizens, concern for finances, and resources, fear of social and cultural imbalance. This has been seen in Turkey and European Union, wherein the host countries were initially liberal towards accepting refugees but, later shifted to nationalist policies.

The philosophical traditions of liberal nationalism keep Nation at the centre while simultaneously encouraging inclusivity and protection of liberties. The philosophical focus on the Nation at the centre gives the power to control immigration; simultaneously, it makes an exception for victims of forced migration by respecting the liberal values of the philosophy. As studied in this paper, the concept of an individual is linked with membership to the state and self-respect and the development of identity focuses on minority rights and cultural rights in the philosophy of Liberal nationalism. This instils allegiance and loyalty amongst refugees towards the Nation that receives them, mitigating the discord between citizens and refugees and accommodating concerns and issues of both the refugees and citizens.

8. Conclusion

Interaction between Political philosophy and Legal philosophy is certain. As the law is a part of public life and politics and laws are formulated on the basis of the reasoning, values and logic of political and legal philosophies. For example, in the case of the influx of immigrants and the recent response of receiving countries, receiving countries have taken a nationalist-statist response stemming from the theory of nationalism wherein individual state and identity hold prime importance, such as Donald Trump's immigration policy (Anderson, 2020). Some countries have also

been liberal in their responses at first but it has been seen, for example, the European states who were liberal in receiving refugees from the Balkan (Lehne, 2016), Bangladesh while receiving Rohingya refugees (Sharma, 2021), that liberalism may not be the answer to refugee influx taking into account the impact that immigration of such kind has on the country, its citizens, politics, and the resources. The basic tenets of the philosophies of Liberalism and Nationalism don't seem to find a solution for the issue at hand. The ontology of one philosophy denies the other. Liberalism's focus on the individual and individual identity denies the supremacy of national attachment, nationality or any other political community. Nationalism's primacy of nation and national identity denies the claims of individual and identity of the individual. For nationalists, the 'genuine interests' comprise the people's interests, taking precedence over individual interests.

This is not to say that both the philosophical tenets are undesirable and contingent, but some positive values can be borrowed from them which have come to constitute the philosophy of liberal nationalism. Therefore, this issue of immigration seeks balance which the philosophy of liberal nationalism provides. Critics have questioned Liberal nationalism and refugee immigration based on how realistic and ambitious immigrant integration in the Nation is, for it aspires to balance cultural and political pluralism. One also cannot close a blind eye to occurrences of forced migration and failure of nationalist and liberal sentiments to deal with the situation. However, the concept of the philosophy of liberal nationalism aims to find an agreement between state and refugeehood. The project may be ambitious but the philosophical tenets of Liberal nationalism, such as linking national identity with self-respect, individual rights with collective rights and cultural membership with patriotism, provide a strong base to deal with the issue of refugee immigration.

The ontology of liberal nationalism justifies the role of national identity and affiliations to provide and protect liberties by establishing a link between membership to the nation and self-respect. Focusing on liberties within the Nationality framework opens up a wide horizon for countries facing refugee influx, its citizens and victims of forced migration. It is a form of nationalism which is more inclusive and progressive. The philosophy focuses

on an individual's right and values like freedom and tolerance despite keeping state autonomy as top priority. Liberal nationalism is a sort of nationalism encompassing in its ideology in a way that it satisfies the liberal values of equality, personal freedoms, tolerance and rights but claims that the country is the sovereign and the final authority. On the one hand, it responds to the demands of nation-building, belonging, patriotism, national identity and national culture, which comprise a big part of citizens' needs, demands and desires. On the other hand, it responds to the demands of liberties, respect, minority rights and consideration of diversity which comprise the needs of refugees. In the present-day backdrop of forced migration, if laws and policies are formulated borrowing from the tenets of the philosophy of Liberal nationalism, it may provide hope for both the receiving countries, their national concerns, citizens and refugees by finding congruence between Nation and the Individual.

References

- Anderson, S. (2020, August 26). A Review of Trump Immigration Policy. Forbes.
<https://www.forbes.com/sites/stuartanderson/2020/08/26/fact-check-and-review-of-trump-immigration-policy/?sh=4795ebc156c0>
- Barnard, F. M. (2003). *Herder on Nationality, Humanity, and History*. McGill-Queen's University Press.
- Bhushan, P., & Souza, C. D. (2021, April 17). SC ruling on Rohingya is against India's commitments to international law. The Indian Express.
<https://indianexpress.com/article/opinion/columns/supreme-court-ruling-rohingya-refugees-illegal-detention-7277019/>
- Cassirer, E. (2015). *Rousseau-Kant-Goethe*. Princeton University Press.
- Del Lucchese, F. (2015). *The Political Philosophy of Niccolò Machiavelli*. Edinburgh University Press.

- Denied entry and pushed back: Syrian refugees trying to reach the EU. (2013, November 15). UNHCR. <https://www.unhcr.org/news/briefing/2013/11/528618159/denied-entry-pushed-syrian-refugees-trying-reach-eu.html>
- Dworkin, R. (2002). *Sovereign Virtue: The Theory and Practice of Equality*. United Kingdom: Harvard University Press.
- Jusdanis, G. (2001). *The Necessary Nation*. Princeton University Press.
- Kymlicka, W. (1996). *Multicultural Citizenship: A Liberal Theory of Minority Rights* (Oxford University Press, Ed.). Clarendon Press.
- Lehne, S. (2016, February 04). *How the Refugee Crisis will Reshape the EU*. Carnegie Europe. <https://carnegieeurope.eu/2016/02/04/how-refugee-crisis-will-reshape-eu-pub-62650>
- Locke, J. (2004). *An Essay Concerning Human Understanding* (R. Woolhouse, Ed.). Penguin Books Limited.
- Margalit, A., & Raz, J. (1990). National Self-Determination. *The Journal of Philosophy*, 87(9), 439-461. <https://www.jstor.org/stable/2026968>
- Miller, D. (1995). *On nationality* (Oxford University Press, Ed.). Clarendon Press.
- Miller, D. (2014). Immigration: The Case for Limits. In C. H. Wellman & A. I. Cohen (Eds.), *Contemporary Debates in Applied Ethics*. Wiley.
- Miller, D. (2016). *Strangers in Our Midst: The Political Philosophy of Immigration*. Harvard University Press.
- The Project Gutenberg eBook of *Second Treatise Of Government*, by John Locke. (2021, December 25). Project Gutenberg. <https://www.gutenberg.org/files/7370/7370-h/7370-h.htm>
- Rawls, J. (1999). *Theory of Justice*. The Belknap Press of Harvard University Press. <https://doi.org/10.2307/j.ctvkjb25m>

- Sabine, G. H., & Thorson, T. L. (2018). *A History of Political Theory*. Oxford and IBH Publishing.
- Second Treatise of Civil Government, by John Locke 1690. (n.d.).
Second Treatise of Civil Government, by John Locke 1690.
Retrieved May 27, 2022, from
<https://www.marxists.org/reference/subject/politics/locke/ch13.htm>
- Sharma, V. (2021, March 26). The Wire. The Rest of the World must acknowledge the impact of Rohingya Refugees on Bangladesh. Retrieved May 21, 2022, from
<https://thewire.in/south-asia/bangladesh-rohingya-refugees-impact>
- Tamir, Y. (1995). *Liberal Nationalism*. Princeton University Press.
- Tamir, Y. (2019). *Why Nationalism*. Princeton University Press.
- Turkell, G. E., Krajewski, M., & Vandenhole, W. (2022). *The Routledge Handbook on Extraterritorial Human Rights Obligations*. Taylor and Francis.
- Wayper, C. L. (2018). *Teach yourself Political Thought*. Surjeet Publications.
- Williams, D. (2014). In *Rousseau's Social Contract: An Introduction* (Cambridge Introductions to Key Philosophical Texts). Cambridge University Press. 10.1017/CBO9781139031219.00