

The Origins of Nationalism: An Alternative History from Ancient Rome to Early Modern Germany

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The study of nationality (a term used to designate historically and constitutively diverse nations) poses a number of acute methodological, historical, and philosophical problems. One problem, that of moral philosophy, is how to come to terms with the complexity of our existence, specifically, the ethical consequences of acknowledging both the individual *qua* individual as moral agent and the accepted obligations and preferences of the individual as a member of a nation. Although this ethical problem – long recognized by different analysts, ranging, for example, from Adam Smith in part four, chapter two of *The Theory of Moral Sentiments* (see his discussion of approbation which ‘involves in it a sense of propriety quite distinct from the principle of utility’) to Otto von Gierke’s lecture of 1902, *Das Wesen der menschlichen Verbände* – is of pressing importance, it will not be addressed here as it is not taken up at any length in Caspar Hirschi’s book under review.

A second problem is methodological, the principle of methodological individualism. Even though we rightly accept – to use Hans Freyer’s felicitous characterization from *Theorie des objektiven Geistes: eine Einleitung in der Kulturphilosophie* – a ‘natural liberalism’ of the social situation, that is, action is self-dependent or self-centered, such that there is a natural sovereignty of the individual and not a ‘group mind’, we also recognize that human action is often influenced by ideas that are by no means unique to the individual. The recognition of this problem is also not new. It is the problem of how, given the principle of methodological individualism, to understand the ‘sharing’ of ideas between individuals; it is the problem of culture for the historical and social sciences; and it has often been formulated as the problem of national culture. I remain convinced that the problem of understanding national culture is legitimate. Thus, the works of Herder and Wilhelm von Humboldt ought not to be subjected to facile criticism, as is too often the fashion; rather, their works deserve not only, of course, a critical but also a generous engagement, as the objects of their concern are also our own. How to understand a national culture, given the principle of methodological individualism, is a problem that confronts every work on nationality.

A third problem has to do with temporal depth as a factor in the constitution of certain social relations. The nation necessarily contains meaningful references to the past and yet it is constituted in the present, that is, ‘under [specific] political and cultural conditions’ such that ‘it becomes possible to conceive and create

[nations]' (p. 24). This, if you will, domination of the present, characterized by Hirschi throughout this book as 'constructivism', should not be lost sight of, as that temporal depth is not a mechanical reception of the past into the present; it is not the lifeless hand of the past on the present. On the contrary, all traditions are, in varying degrees, subject to modification in their reception over time, for example, the continual changes in Roman law in, among others, the works of Johann Apel (1486–1536) as a significant factor in the formation of a territorially uniform law of the land that, as such, undermined the previous bodies of 'special law' – a process underway before the Reformation.

The change of tradition in its reception – both its adaptation to, and contribution to the formation of, the present – has been observed often enough, both in the philosophy of history, for example, by Michael Oakeshott, and in works on tradition, for example, by T. S. Eliot and Edward Shils. The change, usually contested, can be radical, even when there is a premium placed on preserving tradition, as in religion; for example, the strikingly odd metaphor of the 'circumcision of the foreskin of the heart' (Deuteronomy 10:16, 30:6, Jeremiah 4:4) which, because of its oddness must be a critical, expansive commentary on the commandment to circumcise the foreskin of the penis; Paul's wildly and self-admittedly allegorical interpretation of the two covenants (Galatians 4: 24-25); and the conception of the 'new Jerusalem' (Revelation 3:12,21:2), let alone, as is well known, the various chosen peoples of their respectively 'new Israels' in the late medieval and early modern history of Europe and America.⁽¹⁾ And, in this regard, we ought to remember Luther's desire to excise the Epistle of James from the Bible. One should not view the hermeneutic principle of *sola scriptura* of Luther and especially Calvin, whose interpretations of the Bible earned him the opprobrium of being a 'Judaizer', as biblical literalism. Nevertheless, however opportunistic and transformative the reception of tradition might be and often is, it presupposes already existing attachments and conceptions.

Caspar Hirschi's *The Origins of Nationalism: An Alternative History from Ancient Rome to Early Modern Germany* is a worthy contribution to the scholarly literature on nationalism as its analysis of the constitution of the nation of Germany during the medieval and early modern period properly and productively complicates our understanding of what Hirschi asserts is 'the protean nature of the nation' (p. 13). The protean nature of nationality, recognized explicitly as such by Herder in his youthful *Auch eine Philosophie der Geschichte zur Bildung der Menschheit*, raises a predictable paradox for the historian.

On the one hand, what Frederic Maitland said in his Sidgwick Lecture of 1903, 'Moral Personality and Legal Personality', about English history (that 'We are not logical enough to be elementary') may rightly be expanded beyond his defence of the tradition of common law against the Roman law doctrine of corporations to apply to the historian's investigation into the specific, idiosyncratic processes of most social relations. One consequence of this recognition is Hirschi's justified scepticism of 'the macro-sociologist approach of most modernist theories' of nationality (p. 13); and his criticism of Ernest Gellner's (and for that matter Benedict Anderson's) so very logical, functionalist, and materialist analysis of nationalism in chapter two, 'The modernist paradigm: strengths and weaknesses', is a tour de force. The manifest weaknesses of the modernist theories of nationality have been observed often enough, for example, by John A. Armstrong, Anthony Smith, Aviel Roshwald, and others, so that their criticisms and those by Hirschi need not be repeated in any detail here. Suffice it to say that the modernist theories suffer from a theoretically antiquated, unequivocal historical distinction between *Gemeinschaft* and *Gesellschaft*, as Hirschi also rightly observes (pp. 26–7).

However, on the other hand, in dealing with myriad facts specific to a particular context implied by the use of the description 'protean', the historian cannot avoid employing analytical categories of generalization. Herein lies the paradox; and so, despite Hirschi's misgivings about 'using 'objective' criteria, such as language, customs, etc.' that 'have never been specific enough' in formulating a definition of the nation (p. 35), he understandably cannot avoid, in his own definition, as developed in chapter three, 'Foundations of a new nationalism theory', and subsequently, reference to such categories:

The nation can be understood as an abstract community formed by a multipolar and equal relationship to other communities of the same category (i.e. other nations), from which it separates itself by claiming singular qualities, a distinct territory, political and cultural independence and an exclusive honor (p. 47)

natio came to mean a political, cultural and linguistic community, inhabiting a territory of its own and sharing an exclusive honor among its members (p. 88).

Even though, as Anthony Smith and others have repeatedly observed, there is no such thing as ‘the’ nation because there is only ‘a’ nation among others, the character of these ‘singular qualities’, for example, often a common language (even with wide variation in dialects) and, in particular, a distinct territory are of significance if the definition of the nation is to have heuristic merit. It seems to me that however much Hirschi understandably and rightly wishes to concentrate on the particulars of any historical formation (for example how nations are the historically specific ‘products and producers of a competitive culture and engage in endless contests about material and symbolic values’ (p. 47)), about which he is surely correct, we are still compelled to distinguish between nation, city-kingdom or city-state (or in the context of the Holy Roman Empire, the free city) and empire.

In fact, Hirschi employs these categorial distinctions when he rightly and repeatedly observes throughout this engaging book that the imperialist political culture of the Holy Roman Empire co-existed with a fragmented territorial structure (the same may be said, *mutatis mutandis*, of the Roman Catholic Church). In making this observation, I am simply noting that in any analysis of nationality, these fragmented territories can not be taken for granted for the very category of ‘distinct territory’ or ‘defined territory’ (p. 14) must be clarified. The existence of a distinct, defined territory implies a great deal, for example, established boundaries, the jurisdiction of a law code, and a relatively stable self-conception of the collectivity. (The stability of that self-conception can only be relative, for the reasons mentioned above having to do with the reception of tradition.) It is of course the case that a territory, in contrast to an area of land, is a cultural and historical artifact (in Hirschi’s parlance, ‘constructed’); nonetheless, it is also the *sine qua non* for the category of nation. And it is here where one finds Hirschi seemingly sidestepping an important complication in his otherwise rich and welcomed contribution by not considering explicitly this question: in what ways was there and wasn’t there a German nation during the early modern period? I have no doubt whatsoever that one finds significant adumbrations of German nationality during this period; and if any one does have a doubt, this book will or should convincingly dispel it. (My use of ‘adumbrations’ is because the complicated processes involved in the constitution of any nation, as expressed in the shared, layered self-conception of numerous individuals, are obscured – no, more, ignored – through a misguided attention to one particular date to indicate the existence of a nation.) However, when one turns one’s attention to the ‘German nation’ of the Holy Roman Empire of the German Nation, as the Empire was called at the beginning of the 16th century, it is not the relation of the German nation to the French or the Italian that is need of careful explication, but rather: 1) the problematic eastern border (territorial and symbolic) with Poland; 2) the relation of Prussia to the German nation; and 3) the latter’s relation to Austria. These three considerations call into question the ‘distinctness’ of the ‘defined’ territory, and all that is implied by that distinctness. In taking up these complicated (and, to be sure, contested) processes of the formation and development of German nationality during this period, the analyst might reasonably turn to Friedrich Meinecke’s category of *Kulturnation* as laid out in *Weltbürgertum and Nationalstaat*.⁽²⁾ All that we ask of such an analyst is that he or she does so self-consciously.

The particularly noteworthy and worthwhile aspect of Hirschi’s definition of the nation is its focus on the multipolarity of nationality in contrast to the bi-polarity of empire, that is, the very category of nation assumes an ascendant ‘conception of space [that] can be described as multicentric. Nations are formed by their relations to other nations’ (p. 39). This national, multicentric relation of equality of existential existence

is in contrast to the imperial distinction between civilized and barbarian, 'based on the ancient ideal that the centre of political power had to coincide with the centre of civilization and education' (p. 43). It seems to me that there is merit to this line of argument; thus, the Roman empire's inability to transcend this conception of bi-polarity is likely a part of the answer to the problem posed by Arnaldo Momigliano in 'The Disadvantages of Monotheism for a Universal State' (3) as to why the Empire never turned to some kind of federal structure. According to Hirschi, the decisive developments of this new discourse of the multipolarity of nationality that 'gave rise to Europe's unique inner dynamic, both politically and culturally' (p. 44) were the consolidation of the previously fragmented territorial legacy of the Roman empire into competing, multipolar territorial structures beginning with the aftermath of Charlemagne's reign, subsequently abetted by the reception of Roman law as a vehicle for patriotism (here, Hirschi, in chapter four, 'Killing and dying for love: the common fatherland', rightly draws upon Kantorowicz's analysis of the development of the conception of *pro patria mori*); the realization or simulation of that patriotism at the Council of Constance (1414–18) such that one finds 'a national competition or honor' (pp.15, 81–8), as presented by Hirschi in chapter five, 'Competing for honor; the making of nations in medieval Europe'; and the further extension and deepening of that discourse by the humanist nationalism during the 15th through 17th centuries, one example of which was the discovery in the mid-1450s and subsequent exploitation of Tacitus' *Germania* (pp.168–71).

There is much to commend in this analysis of the emergence of a multicentric discourse of nationality, not least of which is its drawing attention to factors long before what is too often and too simply viewed to be the decisive moment in the creation of nations, the Peace of Westphalia (1648). Nonetheless, one already finds repeatedly in Genesis 10 (verses 5,20,31) a classificatory distinction revolving explicitly around language, territory, and descent; and surely a multicentric equality is implied in the Septuagint's Deuteronomy 32:8, 'When the Most High divided the nations (????), when he separated humankind, he fixed the boundaries of the peoples according to the number of the gods' (literally, 'according to the angels of God'). Furthermore, although the Vulgate's translation of Deuteronomy 32:8 does not follow the Septuagint, it still implies the same, 'When the Most High divided the nations (*gentes*), when he separated humankind, he fixed the boundaries of the peoples according to the number of the sons of Israel'. Thus, while Israel in the Vulgate is usually referred to as a *gens*, it is not quite right to state unequivocally that 'Jerome's Latin translation of the Bible in the late fourth century led the way to [an imperial bi-polarity by] calling all peoples outside the Judaeo-Christian world *nationes*' (p. 79); for, in both Deuteronomy 17:14 and 1 Samuel 8:5, Israel pleads to become a *natio* among *nationes*.

Of course, Israelite self-conception, as conveyed in the Old Testament, can not be put on the same plane as competing with a dominant, imperial discourse; but an analysis of nationality outside the context of early modern German history would note an apparent, to be sure tamed and partial, multipolarity of the imperial Persian 'Cyrus cylinder': the rebuilding of other people's temples, the implied recognition that the worship of the gods of those other peoples was legitimate, and the return of exiles to their respective lands. Certainly the Jews understood Cyrus' edict that way (Ezra 1:1-4, Isaiah 44:28).

The relevance of the reference to ancient Israel here is because, as many have observed, the reception of its image, as a designation for both a particular people and its bounded land, from the Bible has been one factor in the early formation of European nations. And Hirschi notes how the image of ancient Israel contributed to the self-understanding of, among others, the French, Czechs, and Swiss (pp. 66–8, 212–14). Although I applaud Hirschi's insistence on distinguishing nationalism from religion and he is surely correct that the relation between nationalism and religion requires a nuanced analysis (p. 213), the cultural significance of the retrieval of the image of ancient Israel deserves to be pondered. Doing so is surely a difficult matter; but it seems to me that understanding further the significance of the 'turn' to the Old Testament is a pressing task for analysts of Occidental nationality; for within a monotheistic civilization that emphasizes, at least doctrinally, the universal brotherhood of the individual, as the New Testament does, the image of ancient Israel has been the vehicle that conveys, however tension-ridden, a symbolic intertwining of the particular and the universal. In contrast, the tradition of Rome, analyzed well by Hirschi, can not avoid being burdened by three problems: i) polytheism; ii) imperial ambition (consider, for example, Plutarch's description of

Cato's 'bi-polar', if you will, hatred for all things Greek and his demand that Carthage be utterly destroyed), and iii) the Roman Church's dogmatic rejection of this world. No doubt, recognition of this burden accounts in large measure for the turn to the Old Testament as a way to legitimate, within monotheism, territorial fragmentation, including that of the Church that long predates the conciliarism of the Council of Constance. The careful and often subtle analysis of this book indicates that Hirschi is capable of taking on this task of elucidating the significance of this turn; the earlier de facto territorial divisions within the Church; and the conceptual groundwork laid for both the conciliar movement of the Council of Constance and the consolidation of national states as exemplified by the previous controversies, bearing within them the problem of clarifying the 'self' of self-government, over the *Lex Regia* of the *Corpus Iuris* (for example, whether or not the *translatio* was only a *concessio*) and the early 14th-century work of individuals such as John of Paris (*Tractatus de regia potestate et papali*), not surprisingly concurrent with the outcome of the conflict between the 'royal religion' of Philip the Fair and Boniface VIII: the formulation of the *Rex glorie* (1311) that 'like the people of Israel . . . the kingdom of France, as a peculiar people chosen by God to carry out divine mandates, is distinguished by marks of special honor and grace'.⁽⁴⁾

Taking on this task will require a more expansive survey of the humanist intellectuals than what appears in what I take to be the most important chapter and contribution of this book, the lengthy chapter seven, 'Humanist nationalism' (pp. 119–79). Hirschi is spot on to emphasize the humanists' retrieval of earlier texts, their subsequent editing, and the humanists' philological investigations for nationality (pp. 158–9), that is, the elevation of the importance of history to understand – or, as formulated by Hirschi, 'construct' – the present, for example, not only the discovery and editing of Tacitus' *Germania* but also the exploitation of its various accounts such as that of Arminius to assert a temporal continuity of the past with the present, another example of which is Beatus Rhenanus' *Three Books on German History* of 1531 (pp. 207–9). The rich evidence of this excellent chapter serves to substantiate Hirschi's argument for the crucial role played by the humanists in formulating a national discourse that, in turn, contributed decisively to the formation of nationality. Although outside the purview of the book, his argument can rightly be extended to encompass other areas, for example, the establishment and defense of the English common law by Coke, Selden, and Hale, hence the arguments over the continuity of the 'good old law', all of which presuppose the temporal depth of the historical outlook (and which – note well – would not have been possible without the earlier Bracton and that peculiar institution of English legal education, the Inns of Court). However, deserving of attention are those numerous humanists – for example, Carlo Sigonio, Joseph Scaliger, Isaac Casaubon, Petrus Cunaeus, Johannes Althusius, of course Hugo Grotius and John Selden, and many more – who, in the investigation of the past, looked past Rome to ancient Israel. Our problem is to ascertain the significance of why they did. When pursuing this problem we will not be content with an explanation that limits itself to the influence of the Reformation; for doing so begs the questions that are important in the investigation of Occidental nationality.

Hirsch's admirable focus on the humanists and events of the 15th through 17th centuries clearly supports his argument that nationality is not exclusively modern. He is right. This focus also supports his argument for the decisive role intellectuals played in formulating a discourse necessary for nationality to emerge; and this is why he describes his analysis of nationality as 'constructivist'. There is merit here, too, especially in his attention to the multipolarity of that discourse; but there is a danger to this 'constructivist' analysis because of the capriciousness or arbitrariness and an often unwarranted intentionality implied by the term. It is the case that all social relations, including face-to-face, involve 'acts of the imagination', that is, some symbolic referent *perceived* by each of the members of the relation to be adhering or inhering in each of them. Hirschi is right to observe that this perception can not be taken for granted; it has its own historical development. However, the recognition of this symbolic or imaginative factor, for example, such that a territory exists or that language achieves significance as a classificatory criterion of the self and others, does not mean that it is 'imaginary', as if the social relation were a unicorn. Take, for example, speaking a common language. Now, first, there is the standardization of language; in the context of this book, the influence of Luther's translation of the Bible (p. 105). Too many analysts begin their investigation with nationality at this point, often because of their misguided insistence that the decisive factor for the existence of the nation can only be

state-directed policies. Of course, the bearing of these policies or the work of intellectuals on the standardization of language is not to be denied; but, as Hirschi properly notes, there is a great deal of evidence from as early as the 11th century and increasingly thereafter for Germans being distinguished from others by the language they spoke (pp. 104–8). Behind this distinction is the fact of (needless to say) an uneven linguistic differentiation from one area of land to another. However, for language to be a self-differentiating referent of a nation, crucial is the attribution of significance to that distinction; and Hirschi is, once again, correct to draw our attention to numerous intellectual and historical factors that contributed to that attribution. But also crucial is that the ‘construction’ or ‘invention’ of language as a symbolic boundary of a nation was possible because of the underlying anthropological fact of the spontaneous order of its areal differentiation. Here, I am simply exploiting Hume’s observation in *A Treatise of Human Nature* that while many of our relations are artificial, in the sense that they are the result of the intervention of our thought or reflection, they are not arbitrary, hence, my earlier distinction between ‘the acts of the imagination’ and ‘the imaginary’.

The reference to Hume’s distinction and my adaptation of it as between ‘the acts of the imagination’ and ‘the imaginary’ returns us again to the two problems confronting an analysis of nationality: the temporal depth of the reception of tradition and the sharing such that a culture exists; but they do so now with a set of different concerns that, it seems to me, unavoidably nag historical investigations and the human sciences in general. Not all conceptual creations become traditions, and not all traditions persist, albeit with dramatic changes, over time. Furthermore, not all traditions become objects of what is important to Hirschi’s analysis of nationality, honor; and not all are widely shared such that a culture exists. We would like to know why is it that some conceptual creations persist as (contested) traditions, are (unevenly) shared, and become objects of honor? These are, after all, reasonable questions to raise, if we do not lose sight of just why we are so interested in the phenomenon of nationality such that it is the subject of so many historical investigations. I think that key to addressing those problems is the recognition that the nation is one among several collectivities of existential significance. Hirschi implies as much when he refers to the ‘bigger family’ in his discussion of the goal of patriotism as convincing citizens or subjects ‘that there is a bigger family which they belong to and which deserves an even stronger dedication than [to] their own [family]’ (p. 51), earlier examples of which are found in Herodotus’ *History* (8.144), Plato’s *Republic* (V.470 c-d), and especially the Platonic dialogue *Menexenus* (237–44). To recognize this significance is not to gainsay the necessity of careful historical analysis of the particular processes involved in the formation of those collectivities, an analysis that ought to include their categorial differentiation from one another. If we conclude with the philological investigations of Hirschi’s humanists, then to postulate the likelihood of this existential significance is by no means an audacious claim; for all that need be done is to consider the etymology of *natio*.

Notes

1. For recent discussions of the latter, see recently Anthony D. Smith, ‘Nation and covenant: the contribution of ancient Israel to modern nationalism’, *Proceedings of the British Academy*, 151 (2007), 213–55, and Steven Grosby, ‘Hebraism: the third culture’, in *Judaic Sources and Western Thought: Jerusalem’s Enduring Presence*, ed. Jonathan A. Jacobs (Oxford, 2011), pp.73–96.[Back to \(1\)](#)
2. Friedrich Meinecke, *Weltbürgertum and Nationalstaat* (English translation, *Cosmopolitanism and the National State*, Princeton, NJ, 1970).[Back to \(2\)](#)
3. Arnaldo Momigliano, ‘The Disadvantages of Monotheism for a Universal State’, in *On Pagans, Jews, and Christians* (Middletown, CT, 1987).[Back to \(3\)](#)
4. Joseph Strayer, *The Reign of Philip the Fair* (Princeton, NJ, 1980).[Back to \(4\)](#)

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