Under what conditions is secession legitimate? Secession has been a generally neglected topic in political theory but one that is of increasingly practical and pressing significance in actual politics. The recent vote in Scotland, the unrest in various regions of Spain, the conflicts in Ukraine, and the ongoing crisis in South Sudan are only a few examples of the high national and regional impact secession is having on current politics. To get at the question of legitimacy requires a consideration of both practical cases and analysis of contemporary and modern political theory. Relying only on principles of democracy, as nationalists do, or only on principles of “just cause” (some harm having been committed) are quite unsatisfactory. My project is to construct a much more thoroughgoing theory of legitimate secession as a contribution to liberal and communitarian schools of thought while also providing practical guidance to countries and the international community on this sensitive topic.

One of my main contributions is a thorough reexamination of the concept of self-determination. Despite its importance, self-determination is both contested and often ill-defined leading to both confusion and contradictory claims about its implications for practical politics. The root of these problems is in two distinct, though often conflated and confused, foundations of self-determination. One begins with groups while the other begins with individuals. Both of these starting places contain important aspects of self-determination but also lack others. Additionally, attempts to derive one from the other (e.g. going from individuals as the basic unit and moving to groups) are unsatisfactory in terms of logic and implications for liberal values. I develop a conception that synthesizes both individual and group self-determination in a way that does not reduce to either.

Often discussions of secession and multiculturalism become enmeshed in thick conceptions of identity or nationalism. My project aims to produce a more universally acceptable and applicable theory by addressing a more basic unit of identity. Taking inspiration from the literature on social metaphysics in general and Margret Gilbert in particular, I examine questions that relate the study of the nature of groups to politics. My research begins with an attempt to reconstruct what is meant by a group in various political contexts and for various circumstances. This reconstruction of obligations and rights that form groups can then account for when the division of a group, a secession, is legitimate and when such an action is unjustified due to continuing obligations. By drawing on this literature from philosophy, my research engages these well-trodden paths with a fresh perspective that is distinct and more universal in its foundations than various conceptions of identity and nationalism.

This research spans a range of thinkers and contexts. While few philosophers even mention secession, much less closely develop a theory of secession, several modern and contemporary philosophers provide guidance and insight. Charles Taylor is among those who directly engage secession and his writings on communitarianism and multiculturalism clearly have his native Canadian context in mind. More specifically, Taylor’s writings on the secessionist crisis in Quebec are an essential starting point. John Rawls and John Locke provide touchstones for
liberal principles and also as complex interlocutors to Taylor. Pressing Rawls, and liberals more generally, to account for secession is one way in which this thesis contributes to contemporary debates. Specifically, questioning the justice of perpetual state borders and perpetual unions allows both criticism and development of liberal thought in novel ways.

In order to stress test these conditions of legitimate secession, my research involves the history and circumstances of several instances of successful and unsuccessful secession. Quebec, South Sudan, and Scotland are among the featured cases. This allows the research to be more than mere theory. The cases emphasize that the theory offers practical criteria to evaluate claims to legitimate secession. For example, in both Quebec and Scotland a major point of contention was the division of national debt. What principles should guide the division of debt between those in the newly created state and those in the rump state? This question is not a separate ad hoc issue. It is of central moral importance since my theory is grounded on obligations. The satisfaction of these obligations regarding issues like debt, along with other mutual holdings like military and industrial assets, are part of what makes a secession legitimate and also should be part of the debate by those considering separation. My theory allows a coherent set of principles to guide analysis of the overall legitimacy of a separatist movement and the practical details of the results and aftermath of the separation.

Beyond my (nearly completed) book project, another context in which secession is essential is American political thought. From the Founding (which was a secession) through the Civil War and beyond, American thought is focused on secession. However, the arguments are often narrow, convoluted, and legalistic regarding the nature of the Constitution rather than secession itself. Still, American thought and the American experience is a natural extension for research on secession. One key reason for this extension is the fact that Abraham Lincoln’s arguments against secession are still often invoked against any kind of secession. While the goal of my research is the development of a contemporary theory, the American case is an avenue to important insights and provides two helpful examples. My conception of legitimate secession is an avenue to novel analysis of these historical events and American political thought surrounding the Founding and Civil War.

My subsequent research plan is to examine the growing American legal conflation of “persons” and groups. In several recent rulings the Supreme Court has argued that corporations are to be treated as “persons” for the purposes of religious liberty and campaign contributions. The mixing of what are clearly groups with the status of being a “person” by the court raises complexities both in making the court’s ruling comprehensible and in developing the moral implications of granting a group this status. This research grows from the same root method and conceptions of groups that undergird my research on secession. Both projects enter terrain that is fraught with confused notions of the nature of a group and the obligations among individuals that make groups meaningful. Also, both secession and the legal recognition of corporations and religious bodies are bound up with constitutional law. In short, this project is an organic application of the methods and conceptual apparatus I have already developed. I am also working on two stand-alone papers. The first is a critique of communitarian and multicultural thought titled, “Beyond Communitarianism and Multiculturalism: Margret Gilbert’s Social Groups and a Politics of Obligation.” The second paper examines the nature of tradition titled, “The Moral Weight of Tradition: A Reassessment of Burke.”