The Very Idea of Secession

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What is secession? Anyone who seeks a philosophical and Socratic understanding of this question enters what is largely uncharted territory. The founders of modern political philosophy have been strangely silent on the topic. Hobbes, Spinoza, Rousseau, Hegel, Mill, Marx do not so much as raise the question. There is only one book by a philosopher on secession—Allen Buchanan’s *Secession: The Morality of Political Divorce from Fort Sumter to Lithuania and Quebec* (1991). And when we turn to the *Philosopher’s Index*, which lists all articles in philosophy in English, German, French, Italian, and Spanish from 1940 until today, we find no articles on the topic of secession prior to 1991, and only a handful afterwards, mostly on Buchanan’s book and Quebec. Economists and political scientists have begun to make some forays into the topic of secession. International jurists have been compelled to write on the topic since secession is a pressing fact in the world today. But among philosophers secession is massively under theorized.

Yet despite this spectacular theoretical inattention to secession, there is a confident prejudice against it. Secession is generally regarded as a bad thing and centralization and consolidation a good thing. Why is this? The answer requires a kind of philosophical genealogy of secession which would exhibit the philosophical meaning of the idea by telling a story about the rationale of its origins.

The word “secession” derives from the Latin “secedere” meaning any act of withdrawal. The English word retained this meaning well into the nineteenth century. Prior to then one could speak of the soul seceding from the body or of seceding from the parlor to the drawing room. For us, however, the term has exclusively political connotations. We know perfectly well what is meant if anyone should ask whether secession is ever justified. But this question would have been unintelligible in the eighteenth century. It would have been like asking whether withdrawal is ever justified. Somewhere along the way the meaning of “secession” was completely transformed from a term denoting general withdrawal to a term denoting a specific kind of political action—and one, moreover, with negative connotations.

The story of this change is the story of a conflict beginning in the seventeenth century between two ideal conceptions of legitimate political order. The one I shall call the idea of a modern unitary state and the other the idea of a modern federated polity. The former is represented in Hobbes’ *Leviathan* (1651) and the latter is to be found in Johannes Althusius’ *Politica* (1643). Secession is not legitimate in *Leviathan*; it is in *Politica*. The eventual victory of the Hobbesian idiom of a unitary state meant that secession would either not appear in thought at all or, if it did, would be demonized. This victory, however, did not occur without violent resistance, and even now its tenure is being challenged.

The Hobbesian regime is composed of egoistically motivated individuals who contract to form a sover-
eign office to rule for the sake of peace and stability. The consent to form political society is conceived to be unanimous, and once the sovereignty of individual wills is transferred to the sovereignty office it cannot be recalled. The sovereignty of this office is conceived to be indivisible, infallible, and irresistible. The right of a group of people to secede is impossible. Such a right could only be the right of an aggregate of individuals to secede. But each individual surrendered that right in the original contract. The prohibition against secession is internal to all forms of contract theory except anarcho-libertarianism. Even a “Libertarian” such as Locke prohibits secession: one who has given his express consent (as distinct from tacit consent) may not even emigrate much less take territory with him.

For Althusius, political order is rooted not in egoistically motivated individuals but in social bonds and duties. He teaches that the primal political unit is the family because it contains the relations of authority and subordination. Families voluntarily unite to form a village, and they delegate authority to a village council. Villages unite to form a province and a provincial council. The provinces form a commonwealth. Sovereignty, for Althusius, is a symbiotic relation among these independent social orders. Each of these has its own telos—something of its own to enjoy and defend. Accordingly, Althusius defines political science as “symbiotics.”

Consent, for Althusius, is not the once and for all affair that it is for Hobbes and modern contract theory. Consent is continuous and may be withdrawn at any time. Any of the social units having the means to do so may legally secede from the higher social unit to which it has delegated authority. For Hobbes, however, the only means of secession is the non-legal and non-political return to the antinomic state of nature. There is a firm thread of voluntarism and individual rights in Althusius, but these are constrained by the substantial moral communities that make up the symbiotic order of the commonwealth. This individualism gives Politica a “modern” character, but its federative character and the principle of “subsidiarity” internal to it bear the imprint of a medieval inheritance.

The adventure of modern politics may be viewed as a struggle between the visions of political order to be found in Leviathan and Politica. These should be viewed as styles of political conduct and not as substances. No state could be entirely devoid of those independent social authorities theorized by Althusius that spontaneously occur in human affairs. And no modern state could fail to exhibit something of a Hobbesian idiom. In any given state, however, one idiom may dominate over the other.

The first state to strongly exhibit the character of Leviathan was the republic born in the French Revolution. Prior to that, the politics of Europe had something of an Althusian character. Though in theory a centralized regime, the absolute monarchy of France was a highly decentralized federative polity. Unity was achieved by loyalty to a common monarch. But the monarch had to negotiate between independent social authorities whose titles where as good as his own and who could resist: the Church, nobility, regional authorities of various kinds, and an independent judiciary. The Revolution swept all of these away, leaving only individuals endowed with the rights of man. Ruling over them was a sovereign office having the sole authority of defining what those rights were and of enforcing them. The person of the monarch was replaced with the fiction of the nation-person. Henceforth, it would be France that would act; and as if to make clear its Hobbesian character, the republic declared itself to be “one and indivisible.” Secession in this regime would be unthinkable.

But further, Hobbesian individualism required that traditional independent social authorities be eliminated or suppressed. Benjamin Constant, who was a keen observer of the French Revolution, explained why: “The interests and memories which spring from local customs contain a germ of resistance which is so distasteful to authority that it hastens to uproot it. Authority finds private individuals easier game; its enormous weight can flatten them out effortlessly as if they were so much sand.” Tocqueville gave melancholy witness to the centralizing process of Hobbesian sovereignty, since repeated over and over again in the career of the modern state: “The old localized authorities disappear without either revival or replacement, and everywhere the central government succeeds them in the direction of affairs.... Everywhere men are leaving behind the liberty of the Middle Ages, not to enter a modern brand of liberty, but to return to the ancient despotism; for centralization is nothing else than an up-to-date version of the administration seen in the Roman Empire.”

But in spite of this, the Althusian idiom though mangled and suppressed by the Revolution did not, because it could not, entirely vanish. As late as 1870 studies showed that a majority of French children could not correctly name France as the nation to which they belonged, but identified instead with the traditional culture of their region.