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Entangled Peoplehood

By

Kai Yui Samuel Chan

A dissertation submitted in partial satisfaction of the

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University of California, Berkeley

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Entangled Peoplehood

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By

Kai Yui Samuel Chan

Abstract

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Professor Mark Bevir, Chair

In this dissertation, I interpret the right to self-determination from the vantage point of political peoples entangled with states they are not part of—namely, colonized, indigenous, and exiled peoples. These peoples, given their commitment to maintaining a political community of their own while traversing the boundaries of existing states, encounter normative and political challenges yet to be captured by political theorists. In response to this absence, I foreground the conceptual and normative discussions of self-determination with the political realities confronting entangled peoples across the Americas and Asia-Pacific, with a focus on Hong Kongers, Tibetans, Puerto Ricans, and Indigenous Peoples in the United States and Taiwan. Analyzing their situational similarities and geopolitical differences, I develop a taxonomy of institutional and associative entanglements that captures the varied relations within and across self-determining peoples. At its core, entanglement stems from the power of one people to determine the institutions that govern another people, and in so doing re-constitute the relationships within and between the two peoples. Entanglement renders the constitution of a people ontologically indeterminate, engendering differentiated relations within each people and transnational relations that cut across the boundaries of peoples. Entanglement is not necessarily problematic. However, when this constitutive power is disproportionately distributed such that one people has an uncontrolled capacity to re-constitute another people against the latter's will, entanglement takes on a dominating form. Grounded by this understanding of entanglement, I advocate a relational approach to self-determination as non-domination. A plausible framework of self-determination must attend not only to the relationships between people as collectives but also to the relationships of individuals that are internally differentiated and transnationally extended. I conclude that while this framework does not necessitate us to abandon statist forms of organization, it should compel us to rethink concepts such as territorial sovereignty on entangled terms.

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At its heart, this project is a search for a language that could help us attend to and comprehend the relationships and communities that entangle us. It is not without irony, then, for me to suggest that I lack the language to do justice to the multi-faceted relationships that have made me who I am and carried me through this intellectual journey. Instead, I propose a much more modest aim for these two pages, with which I hope to acknowledge my immediate debts to those who have shaped this dissertation.

In a way, this dissertation remains within the realm of the familiar. I speak of self-determination, peoplehood, obligation, and citizenship, all oft-invoked terms in both politics and academia. However, for each of these terms, I have attempted to offer a revised interpretation to bring together and speak to a set of relations that sometimes seems rather elusive. At times I worry that I am just saying what has been said a million times, and at other times I fear that I am uttering incomprehensible sentences. As I navigate these treacherous terrains, I find myself fortunate to be in the hands of a dissertation committee that supports me at every step and trusts me enough to give me the space to try out various iterations of this project. Mark Bevir shaped my approach to this project and more generally to political theory. Sarah Song introduced me to most of the primary themes that structure this dissertation, whereas Daniel Lee sensitized me to their historical dimensions. I owe it to Sarah and Daniel for guiding me through the daunting task of incorporating my normative, empirical, and practical analyses. Daniela Cammack offered many timely and incisive pushbacks, compelling me to take on and defend a much clearer position in this dissertation. Finally, it is in conversation with Joshua Cohen that this project has attained its analytical clarity.

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People often say that dissertating is a lonely process, an experience that I thankfully do not share. I had the opportunity to present part of this dissertation at the American Political Science Association, Western Political Science Association, Stanford University, University of British

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Introduction

This dissertation is about impossible subjects and the impossible choices they are confronted with. I had my first taste of such impossibilities during Hong Kong's Umbrella Movement in 2014. The 79-day occupation of the city's central business district took place against the background of decades of democratic struggles. When Britain handed Hong Kong over to the People's Republic of China (PRC) in 1997, the two states agreed upon, without any effective participation on the part of Hong Kongers, the Basic Law which would serve as the constitution for Hong Kong. The Basic Law, in Articles 45 and 68, states that "the ultimate aim" is for both the city's Chief Executive (CE) and its Legislative Council (Legco) to be elected through universal suffrage, although no timeline was laid down as to when the ultimate aim has to be achieved.¹ From 2003 onwards, Hong Kong saw a rise of social and political movements that began as mass demonstrations but eventually radicalized as both the CE and a good part of the Legco remained unaccountability to the majority of Hong Kongers. On August 31, 2014, the Standing Committee of the National People's Congress (NPCSC), the legislative body of the People's Republic of China (PRC) handed down a framework for the CE election that would put the CE to popular election in 2017, provided that the CE candidates would first pass through the screening of a nomination committee largely controlled by the PRC. The Umbrella Movement targeted this framework and aimed to pressure the Hong Kong & PRC governments to allow the CE to be elected by universal suffrage without PRC filtering (Ma 2019).

The Umbrella Movement, as it eventually unfolded, was a turning point for many of its participants and even observers. The occupation enabled a "self-governing" space within which Hong Kongers were able to experiment with a collective life as a community with its own spatial, economic, cultural, and political practices (Yeung 2021). However, in terms of the goals of the Movement, while the NPCSC framework for the CE election eventually did not go through, neither did the Hong Kong government accept or enact any alternative proposal of universal suffrage, leaving the CE to be elected by a 1200-member committee (the majority of which neither directly nor indirectly elected) in a city of 7 million. Sentiments of frustration ran high. If an act of civil disobedience with mass participation could not democratize the city, what could? Some participants of the Movement believed that the answer was to go "back to the community" and expand the base of the democratic movement (Chen and Szeto 2015, 436). Others, however, located their source of frustration with the relationship between Hong Kong and China: given that the ultimate political authority rested in the hands of a Beijing government way beyond the reach of Hong Kongers, it seemed almost futile for Hong Kongers to mobilize in the city against the local puppet government.

Reflecting upon that relationship, Hong Kongers gave out three radically different responses. The first was a pragmatic twist of a long-standing agenda to "construct a democratic China" (建設民主中國). This agenda was once a primarily idealistic and aspirational one: given Hong Kong's more established civic society and more liberal political system, it was imagined that Hong Kong

¹ Hong Kong Special Administrative Region, Basic Law, Articles 45 & 68.
<https://www.basiclaw.gov.hk/en/basiclaw/chapter4.html>

could and should play a key role in helping to democratize China. This agenda motivated organizations and practices that supported Chinese NGOs, activists, and media organizations critical of the PRC, making Hong Kong the “offshore civil society” of China (Hung and Ip 2012). This aspirational agenda got a pragmatic twist, as some argued that for Hong Kong to democratize, there needs to a democratic government in China susceptible to the demands of Hong Kongers (Lik Jit 2016). In reaction to this agenda, other Hong Kongers argued instead that for Hong Kong to democratize, they need to first secure political independence from China. This agenda was championed by a number of post-Umbrella political parties and gained an increasing following in 2019, as evidenced by one of the popular political slogans: “Hong Kong Independence, the Only Way Out” (Lee et al. 2020, 22). The third response called for “democratic self-determination” for Hong Kongers, as championed by advocates such as Demosistō, a party founded in 2016 (Senaratne 2021, 206). Demosistō argued that there should be a referendum for Hong Kongers to choose their political future, but this proceduralist understanding of self-determination was perceived and rejected by the PRC as identical to the demands of the independence activists.



Figure 1: Umbrella Movement Participant Holding Up Sign “Yes to Universal Suffrage, No to Filtering”. Photo taken by the author, 2014.

This project stems from the deep sense of futility I had at that time as I participated in the Umbrella Movement. At times, it almost felt like nothing we, as Hong Kongers, could do, would matter when the Hong Kong government answered not to us but rather to the PRC. The problem was not simply that the PRC was, and still is, an authoritarian regime, though that was certainly part of the problem. It was also that over the past hundred years Hong Kong, as a British colony, had developed its own political community distinguishable from a Chinese political community. The urge for democracy simply was not present within the Chinese political community in recent decades, at least not to the same extent. And as many have argued, even a democratized China would not necessarily be willing to allow Hong Kongers to have the degree of self-governance we wanted. Yet, I did not and still do not see a viable future within which Hong Kong can be genuinely

independent of China either, given the extensive entanglements between the two communities across all domains of life. Since the other options sounded rather grim, the call to self-determination thus had a nice ring to it. But what does it mean for a people as entangled as Hong Kongers to exercise their right to self-determination?

A Brief History of Self-Determination

To comprehend the meaning(s) of self-determination, one inevitably has to begin with a historical account, however brief, of how self-determination became an international legal right and, as a right, acquired its substance, connotations, and ambiguities. One could trace expressions of “self-determination” back to the 1860s, especially in German circles (“*Selbstbestimmung*” in German). It was owing, however, to the social democrats and communists that the expression gained development and traction. The question of the time for them was the nationality question: how could working-class solidarities be established and sustained across national borders (Fisch 2015, 118)? Self-determination, now developed into a principle, became a way for the communists to reconcile communism with nationalism. Vladimir Lenin wrote in his treatise “The Right of Nations to Self-Determination”, as a response to Rosa Luxemburg and Karl Kautsky, that “the self-determination of nations means the political separation of these nations from alien nation bodies, and the formation of an independent national state” (Lenin 2004, 137). With the success of the Bolshevik Revolution in 1917, Lenin intended the rhetoric of self-determination to achieve two functions: in relation to the various peoples subject to the former Imperial Russia, the promise of self-determination should inspire their confidence in the new Soviet polity; in relation to the rest of the world, the call to self-determination is a call for the peoples to rise up for a revolution against their masters.

Worried that the Bolsheviks might undermine the liberal capitalist world order, Woodrow Wilson, the American President of the time, appropriated the verbiage, giving self-determination a central role in the Paris Peace Conference. In Wilson’s version, self-determination was to be realized for every people “by means of utilizing world opinion and legal procedures in the ordered quasi-constitutional context of the League of Nations” (Levin 1968, 249). Wilson hoped that this ideal framework of international law, if properly implemented, would render violent (and more specifically communist) revolutions unnecessary. This principle was inconsistently applied to determine the boundaries of the new states emerging out of the former Austro-Hungarian empire and not applied to the territorial holdings of the Allied powers. The United States rejected the claim to self-determination by the Irish to appease Britain and rejected the same by Koreans, and Chinese to avoid alienating Japan (Savage 1996). However, even within this limited scope of application, difficulties emerged once one tried to make self-determination a principle of international law. First, it was unclear what “self” the principle of self-determination was referring to. Second, the implementation of self-determination required permission for secession, an implication that was clearly in contradiction with the existing Westphalian principle of territorial integrity in which states respect the territorial sovereignty of each other. The intractability of these challenges, coupled with the resistance of European powers and Wilson’s own advisors, led Wilson to drop the principle of self-determination from both the Fourteen Points and the Covenant of the League of Nations (Pomerance 1976).

During the Second World War, the Allied states again raised the banner of self-determination to motivate wartime efforts and dampen rising anti-colonial calls. The Atlantic Charter, the 1941 joint declaration by the American President Franklin D. Roosevelt and British Prime Minister Winston Churchill, did not directly use the phrase “self-determination”, but affirmed “the right of all peoples to choose the form of government under which they will live”, and as an implication of this right, the need for “sovereign rights and self-government restored to those who have been forcibly deprived of them”.² While the slogan itself was ambiguous, the declaration was interpreted against the ongoing debate during the War of whether small states were economically and politically viable, or if the world should instead be organized and led by large states capable of “leadership. Against this background, the Charter was read as a strong defense of the right to self-determination of smaller peoples and an expression of the need for international arrangements that can secure this right (Sułkowski 1942). And because the Charter did not have any territorial specification, to prevent world leaders from limiting it to only Europe, anticolonial activists such as Ho Chi Minh quickly called it an acknowledgment of the right to self-determination for colonized peoples (Simpson 2012, 677–79). The Western powers had little incentive to heed this call and lose their remaining colonial holdings after the War, but at the UN’s founding conference in San Francisco in 1945, the Soviet Union, with the support of postcolonial states such as India, managed to push for the inclusion of the principle to self-determination in the UN Charter (Weitz 2020, 301).

This growing coalition of postcolonial states proved to be equally crucial to the transformation of self-determination from a principle to a right throughout the 1950s. Their anti-colonial position had in mind in positioning self-determination as a safeguard for these newly emerging states against potential domination of major imperial powers (Getachew 2019, 88). This anti-colonial coalition had to, however, navigate the Cold War dynamics of the time. Whereas the Soviet Union had as an objective to make the principle of self-determination target only Western colonial territories, the United States responded by trying to generalize the applicability of the doctrine to target Soviet territories. Ultimately, the passage of the articles required all sides to moderate and ambiguate the language (Goodman 1960, 96). On one hand, the Article 1 common to the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESC), both adopted in 1966, raised self-determination to the status of a legal right in universalized terms: “All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development”.³ On the other hand, the UN Charter also guaranteed territorial integrity for existing states, and the 1960 Declaration on the Granting of Independence to Colonial Countries and Peoples explicitly stated that “any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations”.⁴ In fact, the choice of “people” as the subject of self-determination reflected this anxiety, as the French delegate in the San Francisco Conference

² Atlantic Charter (1941).

³ ICCPR art. 1(1), Dec. 16, 1966, U.N. Doc. A/6316, 999 U.N.T.S. 171; ICESCR art. 1(1), Dec 16, 1966, U.N. Doc. A/6316, 993 U.N.T.S. 3.

⁴ Declaration on the Granting of Independence to Colonial Countries and Peoples, Dec. 14, 1960, G.A. Res. 1514 (XV).

objected to the term “nation” in fear of it introducing the right to secession, and eventually the word “people” was chosen and deliberately left undefined (Whelan 1992, 28). Jointly read, the international legal system as developed over the two decades equated the principle of self-determination with decolonization, such that right to self-determination only applies to overseas “external” colonies but not the other peoples “internal” to these colonies or states (Hechter and Borland 2005, 204).

This abbreviated history illustrates more than the fact that the right of self-determination is a historically contingent product. The formulation of self-determination was intentionally vague because it had to accommodate the competing ideologies not only between its advocates and opponents but also among its advocates. The principle of self-determination, then, needs to be interpreted by its history of practice, which is, for the same reason, filled with tensions and contradictions. The central ambiguities and tensions concern (a) who should count as a “people”? (b) how should we reconcile and adjudicate between the principles of self-determination and that of territorial integrity? (c) what does it mean for a people to exercise its right to self-determination?

If the principle of self-determination were identical to decolonization, then there would seem to be straightforward answers. In response to (a), peoples refer to both existing states and colonized peoples. In response to (b), the principle of self-determination would only apply to overseas colonies with the principle of *uti possidetis*, which delineates the boundaries of colonized peoples with former colonial administrative categories.⁵ In response to (c), a colonized people can exercise self-determination by either forming their independent state or joining an existing state. Bracketing the problem of whether these answers are satisfactory even in the context of decolonization, they are severely limited if the principle were to extend to other peoples. As Anna Stilz argues, for a decolonization account of self-determination to be plausible, it has to appeal to “an interest on the part of persistently alienated groups in redrawing political boundaries”, an appeal that can be generalized to similarly situated peoples (Stilz 2015, 2).

So far, there has only been one such historical episode of extension, and that was when indigenous peoples managed to get the General Assembly to endorse the Declaration on the Rights of Indigenous Peoples (DRIP) in 2007. The Declaration, affirms, in Article 3 that “indigenous peoples have the right to self-determination”, by virtue of which “they freely determine their political status and freely pursue their economic, social and cultural development”. Article 4 further states that “indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions”.⁶ This was a result from a decades-long contention and the efforts of a transnational coalition of indigenous peoples, most notably the Global Indigenous Caucus. This fight included, among other things, a fight against states that refused to recognize

⁵ Originating from Roman Law, the principle *uti possidetis, ita possideatis* (as you possess, so you may possess) is applied by magistrates to recognize the possession of a thing in good faith. It does not, however, settle the question of ownership, which has to be further decided in courts. The principle was extended to territorial delineation following the decolonization of Latin America in the 19th century and elsewhere after the Second World War (Hasani 2003). Worth noting is that as a principle of territorial delineation, there was longer a distinction made between possession and ownership.

⁶ Article 4, United Nations Declaration on the Rights of Indigenous Peoples. Oct 2, 2007. U.N. Doc. A/RES/61/295.

indigenous peoples as peoples but rather wanted to define them as “populations”, “groups”, “issues”, or “people” without the “s” (as in an aggregate of individuals) (Niezen 2003, 160–65). This fight was also a culmination of the struggles for self-determination of many indigenous peoples on the national scale, which often connected the right to self-determination to material needs. One could see this connection, for instance, in the very title of the Indian Self-Determination and Education Assistance Act passed in the U.S. Congress in 1975.

When the Indigenous Caucus attempted, with the backing of primarily European and Latin American states, to introduce the Declaration to the General Assembly, they met the opposition from a large number of African states, the dominant concern being that this would empower secessionist movements and undermine the political stability within their states (Pitty and Smith 2011, 130). In response, the Indigenous Caucus emphasized that they held a relational conception of self-determination that does not entail secession nor the need for a territorial sovereign state (Young 2009, 25). Furthermore, they added a concession to the Declaration, stating in Article 46 that “nothing in this declaration may be...construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States”.⁷ With these concessions, in addition to other maneuvers, DRIP was passed with 143 member states in favor, with the four opposing votes from Australia, Canada, New Zealand, and the United States.

The DRIP may either be read as a strategic compromise or as a genuine non-statist interpretation of self-determination. Taken in the latter sense, it introduces a problem for those who justify the contemporary global order of territorial states by appealing to the right to self-determination. In this framework, every people has the right to self-determination, by virtue of which they either have their own territorial sovereign state or incorporate themselves into another territorial sovereign state. However, there are also political communities, such as indigenous peoples, that are *entangled* with territorial sovereign states that they do not intend to incorporate themselves into. If we recognize that these are peoples entitled to self-determination, we are confronted with a dilemma. Either we have to, in the face of these entanglements, weave out new states that either would become states within existing states or would have overlapping territories within existing states. Or we have to acknowledge that self-determination does not ground territorial sovereignty, which then undermines the basis for our current global order of states. Of course, for those who posit alternative justifications for the global order of states, this problem may not be as threatening. Nonetheless, the question remains as to how self-determination can be a meaningful legal right for these entangled peoples without a state of their own.

Entangled Peoplehood

Peoplehood

I employed the term “entangled people” in the preceding section without explaining it. What is a people? This question could be asked in several registers—historical, legal, ontological, and normative. The history of self-determination gives the term people its central place in international law, as the people has become the sole collective subject who can claim the right to self-

⁷ Article 46, Ibid.

determination. However, this same history has left the term undefined in international laws and charters, leaving legal theorists to either define the people through existing state and administrative boundaries with the *uti possidetis* principle (Cassese 1995, 190–93) or simply conclude that there is no subject that can realistically exercise this right (Pomerance 1982, 69–70). To address these challenges satisfactorily, we have to ask what features a group needs to possess for it to count as a people. It is both an ontological question regarding what a people *is* and a normative question as to why these groups but not others should be entitled to self-determination.

It is then worthwhile to begin with why we care about self-determination. Most historical and contemporary accounts of self-determination appeal to some version of collective autonomy (Fisch 2015, 22–23; Moore 2015, 64–65). Generally, these accounts begin with the social fact that to live a meaningful life, most individuals need to enter a web of cooperative relations with others across different domains of life. To reconcile this social fact with the demands of individual autonomy, there is a need for an account of how this individual autonomy can be preserved in collective life. Accounts of self-determination contend that it is necessary for individuals to have a say over how matters are decided in these cooperative relations, so that they can identify the collective decisions as their decisions, or that they can be shielded from the domination of the collective, or that these aggregate decisions can reflect their individual interests (Miller 2009, 205–6). Additionally, individuals have an interest in forming these cooperative relationships with particular others. Relationships, especially ongoing relationships, are collective goods created by the interactions between participants in relationships. Relationship goods, such as intimacy between romantic partners or mutual concern among friends, are valued not only because of their extrinsic benefits but also because of their intrinsic value. One reason offered for this intrinsic value is that we value a relationship because *we*, a group of specific individuals, have come together and co-created this relationship as agents (Seglow 2013, 30–31). It is, put simply, our relationship.

Of course, not all relationships trigger the concern for collective autonomy, at least not to the same extent. Arguably, collective autonomy becomes a concern when individuals are engaging in cooperative relationships over a range of domains significant to the well-being of individuals, and while this concern can manifest on varying scales (ranging from a romantic partnership to the international community), the right to self-determination is understood as applicable to a relatively narrow range in that scale. A cultural account of peoplehood contends that self-determination only tracks “encompassing groups” which have “pervasive cultures” that shape the preferences of individuals within the groups and “membership” that provides an anchor for the sense of belonging and self-identity for individuals (Margalit and Raz 1990, 448). By contrast, a political account of peoplehood highlights how a pervasive culture is neither sufficient nor necessary, especially when considered under the empirical lens, when groups with cultural differences have come together as a single political community whereas groups with cultural similarities have wanted to come apart (Moore 2015, 80–82). A political account instead emphasizes that the group in question has to be constituted politically. For institutionalists, the institutional structure of a state is necessary for groups to possess the agency to act as a people, and it is only through this structure that members of a people can exhibit cooperative intentions and establish relationships of political cooperation (Stilz 2019, 124–27). For non-institutionalists, what is key is a political identity, or commitment, with which “members of groups that aspire to create or continue to maintain shared rules and

procedures together” (Moore 2015, 54). This shared identity enables individuals, absent or beyond a unified institutional structure, to interpret a web of relationships as relationships of the same community.

The conception of peoplehood I want to advocate for in this dissertation is a non-institutionalist political one. I draw upon Margaret Gilbert’s framework of joint commitment, which posits that a plural subject is constituted when individuals come together and “*as far as possible to emulate, by virtue of the actions of each, with respect to its intending, a single body* that intends to do the thing in question” (Gilbert 2014, 116, italics original): the “we” of a walking party is constituted by the joint commitment of individuals intending to walk together, whereas the “we” of a social movement is constituted by the joint commitment of individuals fighting for the same cause together. I contend that *the “we” of a people is constituted by a joint commitment to self-determination over spatial and membership domains*. The “joint commitment to self-determination” indicates ongoing practices that express a commitment of the relevant individuals to maintain shared rules and procedures together as a collective. I agree with institutionalists that institutions can play a significant role in coordinating and stabilizing these practices. In fact, I would go as far as saying that institutions do play a *constitutive* role in the sense that they create new relationships, stipulate the rules as to how existing relationships should operate, and sometimes repress other relationships. However, this constitutive role is incomplete. Institutions are not necessary for group constitution, as groups can engage in practices that go beyond or even undermine existing institutions, such as when groups engage in social movements and revolutions. Institutions are also insufficient, as individuals need to have grounds to *interpret* a set of institutions as expressing that joint commitment, with political identity being one such ground. Additionally, I contend that a people need not commit to self-determining over every domain of collective life. In a globalizing world, an “all-encompassing” group may turn out to be an impossibility. However, for a people to plausibly determine their practices in any range of social, cultural, and economic domains, they need to first be able to determine *who* gets to participate in that determination and secure the *space* within which they engage in these practices, hence my zooming into membership and space.

Entanglement

With this conception of peoplehood in place, we can now see how peoples can be *entangled* with each other. I employ the term entanglement to draw upon three of its connotations across academic and public discourses. In the literature of quantum physics, an entangled state of particles is different from a mixture of particles in that the distribution of particles is “ontologically indeterminate” prior to measurement (Barad 2007, 268). It is not that there is an objective truth of whether the state is *X* or *Y* and we lack the tools to determine that truth, but rather that the state is ontologically indeterminate between *X* and *Y*. The second and third connotations come from the usage of the term in philosophical discussions of mind. Alva Noë argues that our so-called first-order “nature”, characterized by our habits, is entangled with our second-order ways of experiencing and thinking about our own nature, as characterized by art and philosophy. To suggest that the two orders are entangled is to say that “there is no first order without the second, and the second loops down and affects the first”, because our habits have already (no matter how far we go back in history) incorporated our acts of thinking about those habits (Noë 2023, 8). In other

words, the two orders co-constitute each other and are impossible to disentangle. I want to make clear that I do not intend to engage in analogical reasoning here, so my conception of entanglement neither stands nor falls with the plausibility of my interpretation of quantum mechanics or philosophy of art. Nonetheless, I employ the term “entanglement” to pick out a set of institutions and relationships that goes beyond “mutual affectedness”. These institutions and relationships are constitutive, difficult if not impossible to disentangle, and render the very peoples involved ontologically indeterminate.

In this dissertation, I use the term entanglement in two different registers, institutional and relational. The institutional register is employed to examine the entanglement between peoples. I argue that two peoples are entangled with each other when one people has a non-trivial say in the institutions that constitute the other people. I recognize here the incomplete yet significant constitutive role of institutions. If one people has a say over how another people should run their legal, political, and economic institutions, the former in essence is determining the rules that govern the cooperative relationships of the latter. It can be bi-directional, such that both peoples have a say over each other’s institutions, multi-lateral, such that there are multiple and not only two peoples that are involved, and symmetrical, when the involved peoples have an equal say over the institutions of their entangled counterparts. Member states of the European Union, at least under a simplified uncritical reading, could be said to be entangled in this bi-directional, multi-lateral, and symmetrical form. The reverse can also be true, as is in most cases of colonialism, in which a colonial power has the unilateral and asymmetrical say over the institutions of a colonized people. The gap between my non-institutionalist reading of peoplehood and institutionalist reading of entanglement (at least in the first register) is fully intentional. One can speak of an entangled people precisely the two could and do come apart. While colonial institutions played a significant role in constituting colonized peoples, many of them nonetheless engage in practices that appropriate, subvert, and go beyond such institutions, practices that constitute a peoplehood that does not simply map on the constitutional form intended by these institutions.

I also speak of entanglement in a second, relational, register, which zooms in onto the individual. It is about the relations (a) between individuals and groups and (b) between individuals as individuals. For instance, for an individual who identifies as a member of a colonized people, they are in relations of entanglement with that colonized people, with the colonizing people, and with other individuals who identify as members of either people. Relations of entanglement are the political relationships that arise out of and/or are structured by the interaction between institutions of entanglement and practices of self-determination. I am specifically concerned with two sets of relationships: relations of differentiation within each entangled people and transnational relations that cross the boundaries of the entangled peoples. Consider, for instance, how a colonizing people may impose a differentiating regime of citizenship on the colonized people, creating unequal standings and relations among the latter’s members. The colonized people may, in response, engage in citizenship practices (like revoking their colonial citizenship or issuing their own citizenship) in the process of fighting for self-determination. This interaction creates a web of entangled relationships between individuals who are differentially situated within these institutions and practices. Additionally, the institutions of entanglement may facilitate both movement of individuals and cooperative/exploitative relations across the borders of the two peoples. Take, for

instance, how a colonizing people sends some of its members to govern a colonized people and co-opts some of the latter's members as part of the governing elites.

An entangled people is not purely self-constituting but rather partially other-constituted, in the sense that at least some of the institutions that reproduce the cooperative relations among members of the people are determined by another people. Analytically speaking, on one hand we have the relations and practices individuals engaged in to express their joint commitment to self-determination; on the other hand, we have the institutions and relations of entanglement that are not expressive of such commitment. My partial constitution point, however, is that the latter set “loops down and affects” the first in such a way that we cannot comprehend the two sets separately. This complicates the conception of peoplehood and potentially severs the connection between peoplehood and self-determination. First, the *self* of self-determination is rendered ontologically indeterminate: because of the differentiated and transnational relations engendered by entanglement, we cannot identify the relations and membership that make up a people except by referencing a narrative of peoplehood. There is not a collective subject that exists prior to the narrative, and any such narrative is inevitably exclusive and contestable. Second, it raises the question as to what it means for the self to *determine*. If a people is embedded in institutions and relations with another people that cannot be easily disentangled, under what conditions and in what sense can we say that this people is exercising their right to self-determination meaningfully?

Entanglement and Domination: Colonized, Indigenous and Exiled Peoples

The universe of possible entanglements is rather wide, and so to illuminate the conclusions of the preceding section, I want to zoom in on cases where the conflicts between entanglement and self-determination are at their peak. Throughout the dissertation, I work on three conceptually categorized sets of cases—colonized, indigenous and exiled peoples—which, on one hand, are subjected to *dominating* forms of entanglement and, on the other hand, are fighting against such domination for some version of self-determination. Not all entanglements are of such form. Two peoples can, for instance, agree to have a mutual say in each other's economic institutions without one dominating the other. In fact, entanglements can be asymmetrical without being dominating. Entanglements only become dominating when one people has an uncontrolled power to determine the institutions and relations of another people. Philip Pettit has defined this power as “the unvitiated capacity and uninvaded capacity to interfere or not” and the lack of control as the other party lacking a say over the terms this power is exercised on (2012, 50). In the following chapters, I will illustrate how domination manifests in the entanglements these three kinds of peoples have to confront. To concretize this and the concepts laid out in the previous section, I now introduce these three sets of peoples and the existing literature on these peoples.

Colonized Peoples

In a sense, colonized peoples constitute the most natural starting point for this study. After all, the codification of self-determination was owed in large part to the decolonization movement, and self-determination as a concept was widely discussed and debated among anti-colonial scholars and activists. Colonialism is understood as a relationship that enables the colonizers to dominate the colonized, and the right to self-determination was understood by anti-colonial activists as an

international legal barrier that could contain and limit such domination (Getachew 2019, 23–24). A central problematic of post-colonial studies concerns “what decolonization requires”, as institutions, relations, and practices do not simply fade away even as a colonized people gain flag independence. Externally, these newly independent states found themselves confronting an international order that was facilitating domination through other means (Galtung 1971; Valdez 2022). Internally, they found themselves wrestling with a civil society differentiated by lingering colonial cultural narratives and social structures, enabling some members of their society to dominate others (Chow 1992). In a sense, the project of entanglement could also be read in such light, as I am attempting to comprehend the ways in which relations of entanglement enable domination and how we could reconfigure such relations. As such, I shall make reference to the literature throughout the chapters.

However, I resist equating my project with the objective of decolonization, because as it turns out, the reconfiguration of entanglement may require both more and less than decolonization, depending on how the ideal is formulated. In this project, I am less interested in the struggles of post-colonial states. Instead, my concern is with peoples still subjected to relations of coloniality without being able to or even wanting to attain independent statehood in the foreseeable future. In the upcoming chapters, I shall examine three such peoples: Hong Kongers, Puerto Ricans, and Guadeloupeans. Although the Declaration Regarding Non-Self-Governing Territories promised eventual self-determination to the peoples in these territories,⁸ all three peoples in question were taken off the list of Non-Self-Governing Territories in a “change of status”.⁹ Guadeloupe, a French colony, was granted the administrative status of an overseas Département in 1946 and was delisted on the ground that it has been institutionally assimilated to France; Puerto Rico, a colony of Spain then the United States, was delisted in 1953 on the ground that it was a sufficiently self-governing commonwealth, even though it remained an unincorporated territory in the United States; Hong Kong, a British colony, was delisted, at the request of the PRC in 1972, on the ground that the city is part of China’s territory (Dagati 1992, 166) in preparation for its handover from Britain to PRC. These cases reflect a different dynamic than that of other post-colonial states, in that the sovereign state was not seen as a viable, necessary, or even desirable step to decolonization for some members of these peoples (Prinsen and Blaise 2017).

Indigenous Peoples

If we follow the history of the right to self-determination, it would be reasonable to then examine its extension to indigenous peoples.¹⁰ As Lakota scholar Vine Deloria, Jr. recalls, when the National Congress of American Indians fought against the termination of several tribes, “we adopted the slogan ‘Self-Determination, not Termination,’ and the term *self-determination* was

⁸ United Nations, *Charter of the United Nations*, 1945, 1 UNTS XVI.

⁹ United Nations, *List of Former Trust and Non-Self-Governing Territories*.

<https://www.un.org/dppa/decolonization/en/history/former-trust-and-nsgts>

¹⁰ The term “indigenous” is contentious, both because in many cases it is an administrative category externally imposed on the peoples in question and because it does not capture the heterogeneity of these peoples across geopolitical contexts (Ochoa Espejo 2023, 106). I nonetheless use this terminology as this is the language indigenous peoples across the world have fought for in the Declaration on the Rights of Indigenous Peoples.

deliberately chosen because down the road we wanted to be able to compare the status of Indian Nations to those African and Middle Eastern nations who had been ‘given’ self-determination after World War I with the so-called mandates” (Deloria 1998, 26). The inter-fertilization between the experiences of colonized and indigenous peoples should then not be understood as a mere armchair exercise but as reflective of the political practices on the ground. Many indigenous activists and scholars recognized as they did so they were strategically taking up concepts such as “people”, “indigenous”, and obviously “self-determination” that had deep Euro-centric roots and that did not immediately yield to their own experiences and visions (Muehlebach 2003). Instead, they had to “indigenize” self-determination. Across these efforts emerged an understanding of self-determination that does not require the people to aim for statehood but rather focus on disclosing, criticizing, and remedying the entangled relations of domination between indigenous peoples and the states they are within (Young 2009; Muehlebach 2003; Temin 2023).

This project builds upon this relational understanding of self-determination and extends it to other relations of entanglement beyond that of indigenous peoples. My intention is not only to generalize this relational framework, but also in that process work out some of the challenges confronting this framework in the dimensions of land and membership. In that process, I pay specific attention to indigenous peoples entangled with the United States and with Taiwan. In both contexts, the institutions of tribes, of indigeneity, and of tribal membership are very much institutions of entanglement: they are the results of the interplay between the coercive imposition of state authorities and the resisting practices of indigenous peoples (Gover 2010; Simon 2010). This entanglement creates a differentiated relationality between individuals who are committed to being part of an indigenous people, and renders the constitution of the people ontologically indeterminate. A proper grasp of these cases, as I shall argue in Chapter 4, leads us to an understanding of self-determination as consisting of three layers: the people, the relationships that make up but also exceed any account of a people because of the latter’s ontological indeterminacy, and the individuals differentially situated in these relationships. A sufficient account of self-determination not only has to support a self-determining people but also has to ensure that the variegated relationships at play are compatible with the principle of self-determination.

Exiled Peoples

While there is a sizeable literature on colonized and indigenous peoples in political theory, the same does not apply to exiled peoples. In fact, there seems to be a significant distinction between an exiled people and the two other categories. Whereas we intuitively understand that there was a history of domination, exploitation, and coercion between colonized peoples and their colonial states, the same intuition cannot be said between an exiled people and their host state. Consider the central example I examine in this category, exiled Tibetans in India. The current Dalai Lama went into exile in India in 1959, followed by over ten thousand Tibetans over the next decade. The Indian government eventually put them in 35 (later 36) settlements across the different states. Tibetans set up a government in exile and governed themselves in these settlements, although the Indian government never formally recognized the Tibetan government nor offered Tibetans refugee status (Goldstein 1978). The category of exiled peoples challenges our intuition and extends the concept of entanglement. While we may rightfully attribute blame to colonial and

settler colonial peoples, the same cannot be said in terms of the relationship between Indians and Tibetans. As most Tibetans would express it, they are grateful for the hospitality of India and do not take such hospitality for granted (McConnell 2016, 152). Nonetheless, this does not change the fact that the institutions that govern the cooperative relationships in these settlements are institutions of entanglement and that Tibetans and Indians are in relations of entanglement. Furthermore, I contend that it does not change the fact that these relations have enabled the Indian people to be in a position to dominate the exiled Tibetans. It may be that, given the peculiarities of exile, some degree of domination by the host society is justifiable. The bottom line is nonetheless that such relations should be subject to critical scrutiny, and a relational approach to self-determination offers an angle for us to do so without undermining the incentive structure for host societies to take in an exiled people. This, I argue, is important as long as we remain in an imperfect global structure in which some peoples may be indefinitely displaced. Self-determination should not be a principle for the remote future but should be a principle that has purchase over ongoing political relationships.

Interpreting Self-Determination

I want to make a brief note about my approach to this project for two reasons. First, I want to clarify the relationship between the cases I study and the claims I am making. Second, I want to explain the grounds for the normative arguments I make.

It should be rather obvious, from the historical sketch I offered earlier in the Introduction, that concepts such as “self-determination” and “peoplehood” are socially constructed. This relatively non-controversial starting point gives me a reason to take on, more generally, an interpretivist ontology and approach. As social constructs, concepts such as “peoplehood” do not have an essence to them like how some of us may think natural objects do (I may also dispute the latter, but that is beside the point). Instead, these social constructs are made up of interpretations that compete and develop over time but nonetheless share family resemblances. The constructivist nature of these concepts does not make them any less “real”. These concepts, as constructs, give meaning to our actions and organize our social lives. In fact, our social reality is such that we cannot even plausibly reflect upon our political communities without drawing on some vocabulary of “state”, “nation”, or “people”. My point is this: it is not simply that these concepts create new interests and values, but rather it is impossible for us to comprehend our interests and values without appealing to these concepts. We can choose to narrate our interest in collective autonomy and non-domination through, say, the language of the “state” and avoid the language of the “people”, or vice versa, but we inevitably have to choose a narrative. And by “we” I am not simply referring to the scholars and activists of self-determination. I really mean everyone everywhere at all times. This is simply an ontological inevitability.

Furthermore, we cannot simply wish a particular interpretation or concept into being, because we do not think, write, or act in a vacuum. Instead, we are always already embedded in a social background that is replete with narratives and practices, and any choice we make, we make as beings that think and feel with these narratives and practices. As international legal scholar Patrick Thornberry suggests, “Why self-determination and not autonomy? Self-determination is a right, autonomy is not; autonomy is essentially a gift by the state...People would lay down their lives

for self-determination; they might not do so for autonomy” (Thornberry 2000, 56–57). As I have illustrated earlier in this chapter, it is a historically contingent fact for self-determination to obtain both its legal and normative significance as a human right, but it is precisely this historical given that contemporary entangled peoples work with and leverage upon.

This ontology informs my approach. I take peoplehood and self-determination as concepts that have become significant over the course of the 20th century in organizing social lives and giving meaning to our values, especially for those who are caught in institutions and relations of entanglement. However, it is for those who matter the most that these concepts seem to fall apart: while peoplehood seems to require us to pinpoint who the people is, who its members are, and where is its boundaries, entanglement renders the answers to all these questions ontologically indeterminate. My project should be understood as a project that begins with this social background with the goal of re-interpreting the concepts at play such that they hang together in a way that tracks the interests, values, and challenges of those who are entangled and dominated. In this sense, this project is guided by a clear normative goal. I do not seek to map out the historical or existing interpretations of self-determination, although it matters to me that the resources I employ in working through these concepts are “recognizable” to those who engage in the discourses of self-determination (Walzer 1987). The point is not to offer a “brand new” concept of self-determination, but rather for this project to partake in ongoing conversations and contestations of self-determination. It is also for this reason that I begin, in each chapter, my discussion with the experiences of indigenous, colonized, and exiled peoples and stay in conversation with them throughout. I do not seek to reconstruct their theories of self-determination (although I do draw on such reconstructions), nor do I wish to romanticize or essentialize their views or struggles. Rather, it is because I have made the choice to work out a narrative of self-determination that deals with the challenges that confront these peoples. Because mainstream normative theory is often constructed from the vantage point of the modern Western state, it becomes necessary for us to lay out the horizons of those who are entangled, within which we can make sense of the challenges and tensions of self-determination.

With this approach, I contend in the dissertation that the concept of peoplehood has traction only if we understand that a people is constituted by a joint commitment of its members to self-determination. This does not thereby mean that there exists a determinate object “joint commitment” we can identify above and beyond practices and narratives. Instead, I take much inspiration from Rogers Smith’s framework which posits peoplehood as narratives (Smith 2003). A joint commitment to self-determination is expressed and recognized intersubjectively through practices and narratives. But people, especially those who are entangled, do not freely choose what practices and narratives they take part in. Instead, their choices are constrained and mediated through, among other things, institutions, which stipulate the meanings of narratives, the rules of practices, and the positions of individuals. Recall, however, that this constitutive role of institutions always remains imperfect and incomplete, as individuals can find ways to respond to and act beyond them. I retrace some of these familiar points to bring home the fundamental point that runs across my chapters: while we can identify and value the peoplehood of a group through ongoing narratives and practices that express a joint commitment to self-determination, the constitution of the people always remains ontologically indeterminate, at least in the context of entanglement. This does not

make their peoplehood any less valuable, but it does imply that any narrative and institution of peoplehood, to the extent that it circumscribes the people's membership, will always exclude and flatten some political relationships in favour of others.

Grounded by this understanding, I join others before me in advocating for a relational framework of self-determination as non-domination, with three specific contributions to this literature. The first is that I take institutions as central, an insight that is borne out from the struggles of peoples such as Hong Kongers, who wrestled with a One-Country-Two-System institutional framework, and Puerto Ricans, who suffered from their constitutional status in the United States. Institutions matter because of their constitutive role for a people, and when one people dominates over another people's institutions, the former effectively determines the constitution of the latter. By putting institutions at the centre, we can much better see the concrete tensions of self-determination as they play out in social, political, and economic domains, and fend off the challenge that the relational framework lacks specificity. However, at the risk of belabouring the point, I want to re-emphasize that institutions are not everything. This brings me to the second contribution, which is that my framework zooms in on the differentiated relationships that are at play. Existing relational frameworks of self-determination operate on the level of relations between peoples. By attending to the relations of entanglement, I argue that we need to zoom in and look at the differentiated relations within each people and the transnational relations across peoples engendered by entanglement. The principle of self-determination does not only require that the two peoples do not dominate each other. It also requires that these relations of entanglement are configured such that individuals can participate in the self-determination of these peoples in the relevant domains. Finally, while relational frameworks often emphasize, in the negative, that self-determination does not require sovereign territorial states, it is not obvious what it requires positively. By differentiating dominating and non-dominating relations of entanglement, I argue that disentanglement is not necessary for self-determination, and in that process illustrate how entanglement could be reconfigured so as to satisfy the principle of self-determination.

Overview of the Dissertation

While the project as a whole is situated within the problematics of peoplehood and self-determination, each chapter also, on its own, engages with additional discourses within legal or political theory. The first half of the dissertation (Chapters 1-2) makes sense of the idea of entangled peoplehood as a conceptual framework, while the second half of the dissertation (Chapters 3-4) examines how the right to self-determination should be re-interpreted from the vantage point of entangled peoples.

Chapter 1, "Peoplehood", initiates this project with a question about plurality. The challenge to any theory of peoplehood is to explain how we can posit a collective subject in spite of its internal plurality. In response to this challenge, most theorists of peoplehood, sovereignty, and constituent converge upon an institutionalist framework: a people constitutes themselves as a subject capable of willing through a state, and because the people has authorized the state, we can disregard the plurality within a people and attribute the speeches and acts of a state to the will of the people. While I acknowledge the powerful role institutions can play, I argue that institutionalism by itself cannot explain the experiences of colonized, indigenous, and exiled peoples. I focus, in this chapter,

on the institutional dimension of entanglement defined as one people having a non-trivial say over the institutions of another people. The interplay between institutions of entanglement, practices, and narratives entails experiences of a people that are not contained within the institutionalist framework.

Drawing on Margaret Gilbert's framework of joint commitment, I posit that the experiences and meanings of peoplehood are best interpreted as a joint commitment to self-determination. Under this interpretation, if and when individuals enter into joint commitments, they bind themselves to a single will as a body, and hence no longer as a set of disparate persons but instead as a plural subject. This account not only better accommodates institutions, practices, and narratives as all potentially expressing this joint commitment, but it also can distinguish those that can be plausibly interpreted as making this expression from those that run counter to such commitment. This can explain, for instance, how entangled peoples can simultaneously find certain institutions alienating and yet attempt to capture them as a site of self-determination. Additionally, this account can offer the possibility of a radical plurality within which members of the people hold competing interpretations as to what self-determination means for them. This is a possibility and not a guarantee, as it depends on whether members of the people are willing to and capable of making sense of how these competing interpretations relate to each other as interpretations of the same commitment. This account can explain the conflicts, resolutions, and potential dissolutions of peoples.

Chapter 2, "Entanglement", examines the necessity and plausibility of territorial and membership boundaries of a people. I begin with a survey of legal and democratic theories, uncovering across them an urge to locate and justify the membership boundaries of peoples. This urge is shared among legal scholars who use convenient heuristics such as colonial administrative boundaries to settle the boundaries of peoples, non-territorialists who criticize these heuristics as failing to justify these boundaries and propose alternatives such as the all-affected principle or the all-subjected principle, and territorialists who make arguments to defend using territorial heuristics to bound the people. I argue that this urge stems from a shared belief that the right of self-determination is only realizable if a people can exercise exclusivity over territorial jurisdiction, participatory rights in decision-making, and norm-setting.

I contend that this urge is misguided. Boundaries are unnecessary for a group to maintain its peoplehood or to exercise self-determination, and are both unviable and undesirable for entangled peoples. Extending from the analysis of the preceding chapter, I demonstrate that a narrative of a distinguishable set of ongoing practices as expressing a joint commitment to self-determination is both necessary and sufficient for peoplehood. This narrative could but does not need to establish or maintain boundaries of these practices, and more importantly of the people's members and territory. While Chapter 1 focuses on the institutional dimension of entanglement, Chapter 2 turns to the relational dimension of entanglement. Offering a generalized typology of entanglement, I illustrate how entanglement differentiates and extends relations of self-determination within and without any putative boundary. I contend, in relation to the literature on the boundary problem, that the legitimation of boundaries is impossible, but this task is only necessary if we uphold a substantialist account of self-determination that requires an ontologically determinate unit to

exercise the right to self-determination. Instead, I conclude this chapter by joining forces with relational approaches to self-determination, arguing that the point of self-determination is to enable individuals to have a non-trivial say over the relationships they are in.

Chapter 3, “Political Obligations”, offers a normative framework within which we can unpack what a relational approach to self-determination may demand of peoples and individuals. Conventionally, self-determination understood as non-interference only demands peoples not to interfere with each other. Separated from this literature on non-interference is another literature on political obligation, with political obligation defined narrowly as the obligation of citizens to obey the law of the state. While these two discourses run parallel to each other, I argue in this chapter that they actually cohere into a picture of a Westphalian framework of territorial sovereign states governed by the dual principle of “obedience at home, non-interference abroad”. This bifurcated framework is problematic not only because it, by narrowly restricting the domain of political obligations, offers us no resources to talk about the obligations that arise out of a relational approach to self-determination. It is also problematic because it presupposes a stable boundary that divides relations within and without this community, a presupposition undermined by the entangled histories of indigenous, colonized, and exiled peoples.

We need instead a differentiated landscape of political obligations that tracks the relationships of entanglement. I offer such a general account on two different levels. On the level of peoples, the relationship of entanglement between two peoples is characterized not by mutual affectedness but rather by its (potentially co-)constituting power. By having a say in another people’s institutions, a people has the power to constitute that people in the relevant domains, albeit imperfectly. This dimension of entanglement enables us to talk about these relationships being susceptible to domination. When a colonial people have a say over the institutions of the colonized people without the latter being able to exert control or accountability over the former, the former dominates the latter. Entangled peoples, then, owe each other the obligation of preventing their relationship from enabling domination, and when this obligation is violated, the relevant institutions of entanglement lose their legitimacy. On the level of individuals, institutions of entanglement shape webs of political cooperative relations that differentially cross the putative boundaries between the two peoples. Individuals embedded in these webs of relations would plausibly cooperate with members of both peoples in a range of domains to varying degrees. These relations of cooperation ground the political obligations of these individuals that extend beyond the people they identify themselves with.

Chapter 4, “Citizenship”, concretizes how we can apply the relational approach to self-determination in a particular set of institutions. To motivate this discussion, I interrogate a framework within which membership and self-determination are understood to be mutually grounding concepts: the value of membership in a people grounds the people’s right to self-determination, and this right in turn implies an interest of the people to determine who gets to be part of it. Drawing on the literature on differentiated and transnational citizenship, I argue that this connection is severed once we see membership not as an abstract identification but rather as an interconnected web of institutions and practices associated with political membership which can be broken down into four primary dimensions: legal status, rights and obligations, political

participation, and belonging. I then turn to two different scenarios: citizenship functioning as an institution of entanglement that enables domination, and the politics of citizenship as being embedded in broader relations of entanglement.

A grasp of these two scenarios informs us that, between entangled peoples, citizenship is never simply an internal matter, and that one cannot talk about questions of membership as divorced from the entangled institutions and politics of citizenship. With this recognition, I make several propositions as to how we can rethink institutions of citizenship, some of which can potentially be generalized to other institutions of entanglement. First, we should take the current citizenry of entangled peoples as a starting point instead of imagining some objective body of membership existing somewhere, while recognizing that this citizenship body is bound to be both over- and under-inclusive. Second, any reform of citizenship institutions has to account for the non-ideal politics of citizenship as embedded in a broader context of entanglement. A seemingly self-determining institution of citizenship can nonetheless backfire if the people is dominated in other significant domains by another people. Third, citizenship is a relational matter, as it defines the relations between the entangled peoples and the differentiated standings individuals have in such relations. Taken together, I argue that as we attempt to reconfigure institutions of citizenship, the point is not such that it captures the “real” or “ideal” members, but rather that they enable self-determination in the context of entanglement. To illustrate this point, I consider a hypothetical proposal which dis-bundles the different dimensions of citizenship, allowing a higher inclusivity in some dimensions while maintaining a higher degree of exclusivity or differentiation in others, thus tracking the matrix of entangled relations at play.

Peoplehood

“A multitude of men are made *one* person, when they are by one man, or one person, represented so that it be done with the consent of every one of that multitude in particular.”

--*Thomas Hobbes*

“Do you hear the people sing? Sing a song of angry men? It is the music of a people who will not be slaves again...”

--*Do You Hear the People Sing*

“We pledge...may people reign, proud and free, now and evermore...”

--*Glory to Hong Kong*

“*Do you hear the people sing?*” The lyrics from perhaps the most recognizable song in the musical *Les Misérables* were heard echoing through the Edinburgh Place, Central, Hong Kong, again and again, first in Cantonese then in English, on June 26, 2019 (Law 2019). The song articulated two crucial and interrelated trajectories of Hong Kong’s Anti-Extradition Bill Movement. Both trajectories stemmed from the violent repression of the protests by the Hong Kong Police Force (HKPF), the blatant dismissal of the movement’s demands by the officials of the Hong Kong Special Administrative Region (HKSAR) government, and the realization that these officials are merely puppets of the party officials in the People’s Republic of China (PRC). Against this background, more and more Hong Kong protestors have bought into the claim that no change is possible unless they can govern themselves. This evolved the movement from one that initially opposed a specific governmental bill to one in which Hong Kong protestors increasingly demanded for the recognition of their peoplehood, right to self-determination, and independence. Relatedly, a growing number of Hong Kong protestors had come to the understanding that, by themselves, they could not match the unrestrained military force of the HKPF, not to mention the force of the PRC. This evolved the movement from one that initially targeted the HKSAR government to one that increasingly had the global audience at its target, with the hope that international pressure would tip the balance of power in the favor of the protestors.

The June 26 gathering had its eyes on the G20 summit that was about to happen in Osaka two days later. People gathered at the assembly to demand that G20 members exert pressure on the PRC, despite, somewhat ironically, the PRC being one of those members (YP Team 2019). The song from *Les Misérables* was presumably chosen because the protestors thought that it would resonate with the global audience that they were speaking to. This song was to be heard being sung by Hong Kongers again and again, and beyond the confines of the island. Perhaps unsurprisingly, some Hong Kongers protested in Osaka, Japan, on the day of the G20 summit to demand the same (Creery 2019a). More stunningly, in that same month, Hong Kongers rallied in over 25 cities and, through public crowdfunding means, posted their demands on the front page of 11 major

international newspapers (Pang 2019; Creery 2019b). Later that year, Hong Kongers rallied for the U.S. Congress to pass the Hong Kong Human Rights and Democracy Act (HKHRDA), an Act that imposes sanctions on Hong Kong.¹¹ It may seem paradoxical for Hong Kongers to ask to be sanctioned, but many saw the sanction as the leverage they can use to pressurize the HKSAR and PRC officials. Many protestors have held up signs with the slogan “我要攞炒”, or the slogan with its Americanized rendering, “if we burn, you burn with us” (Pharr 2019). Assemblies were held both in Hong Kong and across the world, and thousands of Hong Kongers residing in the U.S. called their representatives to pass the HKHRDA. Diasporic Hong Kong organizations, most notably the Hong Kong Democracy Council, an organization based in D.C., also called for the act to be passed (Lee 2023). The people of Hong Kong, it seems, have spoken.

But was this really the voice *of* the Hong Kong people?

On the same day during which the chorus of thousands sang their appeal to G20 at Edinburgh Place, a smaller group of Hong Kongers gathered at the neighboring Charter Park. The attendees in this gathering supported in principle the commitment of self-determination for Hong Kongers but expressed their disdain at the G20 assembly, arguing that it is unprincipled to appeal to a coalition as undemocratic and illegitimate as the HKSAR (Lee 2019). Later in that year, while other Hong Kongers were taking to the streets and to social media to advocate for the HKHRDA, a coalition of Hong Kong organizations, both local and diasporic, signed on to a collective statement criticizing the Act (*International Viewpoint* 2019). For them, the HKHRDA is a principally inconsistent document, as it continues to support U.S. foreign policies such as the sanctions of North Korea and Iran while claiming to support democracy and human rights in Hong Kong. More fundamentally, they argued that the HKHRDA would only continue to bound the right to autonomy and self-determination of Hong Kongers, albeit this time by another foreign power.

Does this tension imply that the Hong Kong people have not spoken after all? Is there even a Hong Kong people capable of speaking? Yet, if not, how should we interpret the voices of Hong Kongers across the globe? Any answer to these questions has to be grounded by an ontology of peoples, and it is the task of this chapter to provide that grounding. The first part of this task concerns subjecthood. How should we explain the social and political cooperation among members of a people? Do these cooperations make the people a subject with ontological reality, and if so, in what sense? The second part of this task concerns attribution. Is it possible to attribute any voice or action to a people? How do we understand and explain the unity of a people without erasing its plurality? I shall answer both questions with an eye to entangled peoples. While I will offer the formal definition and conception of entanglement in Chapter 2, for now I want to attend to the territorial and associative dimensions of entanglement. Territorial entanglement points towards an entanglement between political communities in which the land or institutions of one community are within another community's territory. Associative entanglement refers us to individuals caught within competing peoplehood claims or competing relationships of self-governance. Colonial peoples, indigenous peoples, and peoples in exile are all peoples caught up in these webs of entanglement. While conventional accounts of peoplehood answer the questions of subjecthood

¹¹ Text - H.R.3289 - 116th Congress (2019-2020): Hong Kong Human Rights and Democracy Act of 2019. October 16, 2019.

and attribution through a statist framework, entangled peoples pose these questions anew because they demonstrate sustained sociality and yet often cannot be subsumed under state institutions. This chapter works out the ontology of peoples through the case of Hong Kongers as an instance of an entangled people, but the argument applies to any people, entangled or not. It comes in four parts. The first part surveys traditions that either argue that a people can only be a subject through a unitary institutional order or simply ignore the question of ontology. The second part challenges these traditions through the vantage point of entangled peoples. The third and fourth parts set out to deal with the questions of subjecthood and attribution respectively.

Sovereignty, Constituent Power, and Institutionalism

As the brief history offered in Introduction illustrates, “people” as a term gets employed, even within political theory, in very different contexts and with very different connotations. I am concerned in this dissertation with people understood as the holder of the right to self-determination. Theorists who share my concern commonly operate with a conception of people like this: a group counts as a people if and only if members of the group share a will to self-governance as a group and an ongoing relationship of political cooperation that manifests that will (Song 2018, 57–58; Stilz 2019, 127; Moore 2015, 50). This conception does not by itself imply an ontology of the people. It can be unpacked in terms of the narratives, practices and beliefs held by individuals. A set of individuals shares narratives that concern the trust between members of a people, or the worth of a people (Smith 2003, 57), or about their shared experiences or characteristics. These individuals also engage in political practices of protesting, organizing, or governing that can be interpreted as practices of political cooperation that manifest the will of self-determination. Lastly, these individuals may each hold the belief that “I am a member of people *x*”.

This account of people, precisely because it is formulated in individualist terms, leaves unanswered the questions of subjecthood and attribution, but any discussion of self-determination requires an answer to both. Under what conditions can a people be a subject that can hold and practice the right to self-determination? Can we attribute the will to self-determination to a people as a group and not to its members? Existing answers to these two questions stem from two venerable traditions, the sovereignty tradition and the constituent power tradition. If the sovereignty tradition treats the subjecthood of a people without a state as an ontological impossibility, the constituent power tradition treats the people merely as a justificatory tool for the state, presupposing without explaining the subjecthood of the people. I shall treat both of these traditions as ideal types that contemporary theorists of peoplehood take inspiration from, respond to, and in some cases reject. But even as they do innovate from these traditions, these theorists continue to operate under the influence of an institutionalist social ontology, which postulates that a people cannot be a collective subject without institutionalizing themselves.

The sovereignty tradition, despite the radical differences between its absolutist, popularist, and fictionalist variants (Skinner 2009), shares a common tenet: for a group of individuals to overcome their differences and act as one, they have to unite themselves under some unitary institution. Hobbes offers a classical articulation of this tenet. For Hobbes, even when individuals come together with the intent to politically cooperate, they do not hence become a collective subject.

This group is only a multitude which “is not one, but many”, as each individual has their own will, and there is no guarantee that the wills within this multitude will not diverge over time (Hobbes 1994, 104). The multitude is not a subject, and hence no action nor speech can be attributed to the multitude. To overcome this conundrum, these individuals have to authorize an institutional person, otherwise known as the sovereign, to represent them, be this person a monarch, an aristocratic body, or a democratic assembly (Hobbes 1994, 109). With this sleight of hand, the people can now be said to be a subject as represented through a unitary sovereign, only the voices and actions directly made by or indirectly authorized by the sovereign can be attributed to the people. The plurality of the people is resolved through the unity of their representer.

Some contemporary theorists of peoplehood take inspiration from this tradition and argue either that the people is constituted by the state or that having a government counts as a basic feature of the people. For them, the institutional structure of a state is necessary for groups to possess the agency to act as a people, and it is only through this structure that members of a people can exhibit cooperative intentions and establish relationships of political cooperation (Stilz 2019, 124–27; Rawls 1999, 23–24). Other theorists of peoplehood innovate on this tradition and try to weaken its central tenet. They claim that a people can exist prior to or independent of institutions but argue that for a people to be a subject capable of self-determining they need to have the capacity and willingness to constitute themselves into a state (Song 2018, 50–52; Altman and Wellman 2009, 13; Miller 1997, 83–84). While these theorists usually add the caveat that the inability to establish a state should impose a duty on others to assist the people rather than blocking the people from a right to self-determine (Song 2018, 59; Moore 2015, 50–52), the assumption remains the same: a people cannot sustain themselves as a political agent without a state. Nonetheless, for the claim that there can be a people independent of a state to stand, this second group of theorists has to assume that the people can take on some ontological status as a subject, even if that falls short fully-fledged agency. Yet, there has not been any attempt to clarify or justify this ontological status of peoples. Some other theorists have, influenced by Rousseau, turned to question how this tradition presupposes who count as part of the people. They extend the tradition from questioning the legitimacy of the state to the legitimacy of the people (Näsström 2007; Jonathan and Ypi 2017; Honig 2009, 12–39). For the legitimacy question to be intelligible, the people have to be some kind of subject, yet again that is neither clarified nor justified.

The constituent power tradition, despite the stark differences between theorists such as Sieyès and Schmitt, can be said to share the concern about the normative relationship between the people as constituent power and the state as constituted power. This tradition may initially seem less relevant for our discussion as theorists in this tradition are more concerned about people as the demos and less about people as a self-determining subject. Yet, a similar question of subjecthood of the people comes up in this tradition. In Sieyès’ formulation, at the founding moment the people exercise their constituent power to authorize a constitution of the state, whereas in ordinary politics the people relegate their power to elected representatives who operate within the constitutional order (Rubinelli 2020, 73). In ordinary politics, then, any voices and actions made within a constitutional order thus authorized can be attributed to the people. Yet, in both the founding moment and in ordinary politics, in order for the people to play this legitimating role for the state, the subjecthood of a people independent of the state is presupposed (Loughlin and Walker 2007, 1–3). Furthermore,

at least in the founding moment, the authorization of the constitution has to be attributable to the people for this story of constituent power to make sense.¹² Yet, because classical accounts of constituent power concern themselves primarily with connecting the legitimacy of the state with the people, their accounts say nothing about how and whether the people can act. The unity of the people is presupposed yet unexplained.

This explains the lacuna we see among contemporary theorists of peoplehood: because the authorization of the people is meant to be a mere legitimating tool of the state, of territorial sovereignty, or of some other institution, the ontological status of the people is presupposed but overlooked. Interestingly, however, because the people is postulated as a subject that can be independent of the state, this has enabled theorists to innovate on the tradition by imagining possibilities of peoples beneath the level of the state (Colón-Ríos et al. 2021, 940–45; Tierney 2007) and above (Fassbender 2007; Walker 2007). It has also allowed other theorists to completely abandon the idea of a people and argue that constituent power can be held by other groups such as the multitude (Negri and Hardt 2005; Bailey and Mattei 2013). Nonetheless, because these theorists draw upon a tradition that focuses on the legitimating function rather than the ontological status of a people, they suffer from the same problem. It is unclear what ontological status a non-state people or a multitude has, and it is equally unclear on what grounds can voice or action be attributed to these groups.

Can a people or a multitude act without first being constituted through some unitary institution? Against the backdrop of these two traditions, some theorists answer that there is no people without a state, other theorists answer that there is some proto-people that can be a subject of some kind, and yet other theorists presuppose the subjecthood of people without arguing for it. The stance of the first group of theorists and the ambivalence of the latter two groups can be accounted for by the intuition that it is difficult if not unimaginable for mass groups to act collectively except through some institution. This intuition has been argued for by philosophers who support an institutionalist social ontology. They argue that while for two persons going on a walk, they can work it out as a group without any institution, the same does not hold for mass groups in complicated social situations. Unlike cooperation in small groups, members of a mass group lack common knowledge: they may not know every other member, may not know what roles others are playing, what roles the group has, and may simply generally have rough and imprecise beliefs about the entity they are a part of (Torrengo 2017, 74; Ritchie 2011, 100). Also unlike cooperation in small groups, members of a mass group “can have very different conceptions of what they do, while still acting jointly” (Kutz 2000, 91). Members of a mass group also may lack responsiveness: they may either be so distanced or alienated from others in the group that they are just doing their part without responsiveness to how others are doing theirs (Shapiro 2014, 270–72). According to institutionalists, these differences imply that, for mass groups, shared intentions or commitments cannot explain or cannot be sufficient for cooperation in these groups. The key for mass group agency instead lies in its institutional design, in its decision-making rules (List and Pettit 2011),

¹² For a statist ontological argument that the people can only be established retrospectively from the unity of the legal order, see (Lindahl 2007, 20).

defined roles (Ritchie 2011, 102), codified procedures (Torrengo 2017, 72; Searle 1995, 88),¹³ and structures of authority and authorization (Bratman 2022, 112). We can summarize the institutionalist social ontology in the following way. Mass groups such as peoples are characterized by lack of common knowledge, lack of shared conception, and lack of responsiveness. Given these characterizations, it is impossible for these groups to sustain their social and political cooperation over time without some institutional design. Therefore, beyond its founding or revolutionary moments, a people cannot be a subject without having constituted themselves into something like a state.

It is worthwhile to point out that much of the contemporary institutionalist philosophy is informed less by state institutions and more by business corporations. On one hand, this implies that there is nothing inherent in this philosophy that dictates the institutional design to be a unitary institution such as a state. One can imagine various multi-level, network, or polyarchic institutional arrangements that meet the institutionalist threshold of agency (Hooghe and Marks 2003; J. Cohen and Sabel 1997). On the other hand, it is not obvious that a philosophy heavily informed by a corporation phenomenology actually fits the equally complex yet different situation of peoples. In the next section, I will turn to entangled peoples, showing that while their members can also lack common knowledge, shared conceptions, and responsiveness, there is an ongoing sociality between them that cannot be satisfactorily accounted for by an institutionalist philosophy.

The Challenge of Entangled Peoples

Ontological theories are informed by empirical representations, and peoples are often represented to us through the states they are embedded in. Yet, it is both possible and necessary to disentangle the two entities. Entangled peoples pose a challenge to institutionalism because some of these peoples persist as groups over time despite not being constituted through a unitary institution. Institutionalists have no choice but to deny the groupness of entangled peoples without state-like institutions and reduce explanation of the groupness of those with state-like institutions to those institutions. As I shall explain in this section, neither the denial nor the reduction is plausible.

This chapter begins with the story of Hong Kongers, but they are merely one instance of entangled peoples. Given that a people is made up by narratives, practices, and beliefs, it is logically possible for them to get entangled with others territorially and associatively. Narratives, practices, and beliefs can all change over time, and there is no necessary reason for these changes to be constrained by territorial boundaries. This implies the logical possibility for individuals who identify as members of the same people to be dispersed across a non-contiguous geographical space and for individuals who do not identify to be of the same people to share the same space. Relatedly, there can be overlapping and even competing narratives, practices, and joint intentions. Different narratives may claim different individuals as members of different people, so it is logically possible for individuals to confront competing peoplehood claims. In fact, individuals may be participating in these competing practices, sharing these competing joint intentions, and agreeing with these competing narratives to varying degrees. They would then have to decide how

¹³ For Searle, however, the transition from small group to big group sociality is fuzzy and the latter is still ultimately dependent on the acceptance of the group.

they adjudicate between these competing peoplehood claims and how much they participate in competing relationships of self-governance.

The above analysis merely proves the fluidity of political communities, but I employ entanglement as a moralized concept that picks out the unique circumstances confronted by colonized peoples, indigenous peoples, and peoples in exile. Hypothetically, there can exist a different global order that enables intertwined communities to co-exist and practice their right to self-determination compatibly with each other. However, in our contemporary global order that is arranged as a system of territorial states with an ongoing history of colonialism, imperialism, and conflicts, one people has privileged if not exclusive access to territorial jurisdiction (through, in most instances, state institutions) over their intertwined counterparts. Applied to this context, entanglement refers to a relationship between a people and a state they belong to jurisdictionally but not a part of, in the sense that the people cannot exercise their right to self-determination as an independent collective via this state. Territorial entanglement points to how these peoples, situated within the territories of these states, cannot independently determine their geographical and institutional conditions. Associative entanglement speaks to how these peoples cannot independently determine their membership rules. The relationship of entanglement involves both the people and the state. Take, for instance, the Mohawks of Kahnawà:ke. With their nation located at the territorial borders between Canada and America, the Mohawks and both the Canadian and American states are entangled with each other. However, I refer to the Mohawks exclusively as an entangled people, as it is their right to self-determination and more fundamentally their groupness that is under threat in this relationship.

Entangled peoples offer a vantage point for us to understand peoplehood beyond state institutions, but it is important to recognize that as a broad conceptual basket, entangled peoples face different kinds and levels of difficulties in accounting for their groupness. There are three relevant axes of variation. First, entangled peoples can be relatively concentrated within a contiguous geographical space, like the Mohawks of Kahnawà:ke, or relatively dispersed, like the Tibetans dispersed across China, India, Nepal, and the rest of the globe. Second, entanglement can manifest as a sharing of geographical space, just as in the case with Israelis and Palestinians. It can also manifest without geographical overlapping but merely with institutional connections, just like the case with Guadeloupeans and French, with Guadeloupe being a French overseas department. Third, different entangled peoples enjoy different levels of territorial rights and powers. Some peoples, such as the Uyghurs in China, may not have any right or power at all. Other peoples may have limited de facto powers without these powers being recognized as their rights, which is the case for Tibetans and the powers their government-in-exile have in the Tibetan settlements in India. Yet other peoples, such as the Puerto Ricans, may have limited territorial rights recognized by others they are entangled with.

These variations imply varying institutional possibilities. For peoples who are dispersed, entangled physically with others, and have no recognized territorial rights or powers, building state-like institutions is literally impossible. Many other peoples however, despite their entanglement, have some such institutions, be it the Tibetans with their government-in-exile or the Mohawks of Kahnawà:ke with their governing councils. While these peoples can and do collectively act through

these institutions, I contend that we should not presume that these groups are constituted as groups because of or through these institutions. Instead, because of the limited territorial powers these institutions have, peoples often find themselves incapable of fully exercising their right to self-determination through these institutions. This limitation increases the likelihood for peoples with an intent to realize that right to act through other avenues.

To illustrate both the institutional limitations confronting entangled peoples and their persisting groupness in spite of these limitations, consider the case of Guadeloupeans and their general strike in 2009. Guadeloupe was colonized by France in the 17th century and became an overseas department of France in 1946. As an overseas department, Guadeloupeans can exercise their legislative powers through their elected representatives in departmental and regional councils, but these powers are limited, with French appointed prefects given powers such as that to that of deploying military forces, modifying taxes, and fixing certain prices (Bonilla 2015, 23). The limitations of the Guadeloupean administration have turned many Guadeloupeans to exercise their collectivity through other groups such as labor unions and even armed resistance organizations. In 2009, a conflict over rising gas prices turned into a general strike with a plurality of groups and a plethora of demands. Eventually, 48 organizations came together to form the coalition known as the *Liyannaj kont pwofitasyon* (LKP). Both Creole terms, *pwofitasyon* evokes “both exploitation and profiteering” and signifies the list of 120 demands this coalition has, while *liyannaj* invokes “a joining of forces” for these overlapping demands (Bonilla 2015, 151–52).

If anything is clear from this strike, it is that the Guadeloupean administration has little authority to respond to these demands. In a debate over radio, Jacques Gillot, the elected president of the General Council, said that LKP should work with them as they are the representatives of the people and can on their behalf take issues up with the French government. Felix Flémin from LKP responded by saying that the LKP is the people and they would directly negotiate with those who have the authority to make decisions (Bonilla 2015, 158). In fact, as the strike progressed, it is the French government that repeatedly walked away from negotiations and nullified agreements made by officials. Frustrated with the French state, Victorin Laurel, the president of the Regional Council, called to for public office workers to walk out “to demand respect for the Guadeloupean people” (Bonilla 2015, 167). The elected officials of the General and Regional Council clearly do want their institutions to be the conduit through which the people exercise their collectivity, but they too realize that they are severely constrained by the French state. It is no surprise, then, that the people act through a coalition outside the administration.

Yet, a coalition with such a plurality of groups and demands raises questions as to the unity of the group. The coalition is emphatic about them being the people. The song mostly frequently chanted during the movement is titled “Guadeloupe is Ours”, and when asked who count as this “*nou*” (us), activists argue that “*nou*” are “those who fought for Guadeloupe, those who loved her, regardless of their racial background or national origins” (Bonilla 2015, 156–57). Yet, they also recognize that there is a plurality of participants here that do not have a singular demand and disagree over strategies. The term *liyannaj* is an effort to think through the relationship between unity and plurality. Activists argue that the term refers not to a social network of nodes but rather to “the twisted roots of the Caribbean mangrove”, and that rather than taking unity as a given, it is a

practice of constantly tying and retying between the members of the group (Bonilla 2015, 154). Regardless of how we understand and evaluate their interpretation, it is obvious that Guadeloupeans are wrestling with the problem that institutionalists have avoided: how do we understand our groupness when we are not united through a unitary institution?

The defining factor for entangled peoples is straightforward: their entanglements against the background of a statist global order imply that they cannot rely on a state of their own to overcome their problems of plurality. Even when some of these peoples have come to hold some state or self-governing institutions, because they are entangled with territorial jurisdictions not of their own, these institutions have often proven to be severely limited in facilitating the conditions of collective action (McConnell 2016). Their entanglements also often create and exacerbate conditions that deprive them of common knowledge, shared conceptions, and responsiveness. Territorial entanglements can often obstruct the sharing of knowledge between members of a people dispersed across different geographical spaces. This can be due to the intentional censorship of states. The Tibetans outside the territorial boundaries of PRC can only communicate with Tibetans inside PRC with extreme difficulty and risks to the latter, precisely because of the censorship and surveillance regimes imposed by the PRC (Yeh 2007, 652). At other times a complete sharing of information is difficult and excessively costly, especially when members of a people are dispersed across a large number of territorial jurisdictions.¹⁴ Associative entanglements can lead to members of the same people holding very different webs of beliefs, and they may use very different hermeneutical resources to interpret the same action or commitment. Such is the struggle when “local” and “diasporic” members of a people try to speak to and work with each other (Lausan Collective 2021). This same struggle conditions the ability and willingness for members of a people to be responsive to the actions of each other. Of course, none of these conditions is determining. The point is simply that entangled peoples live under conditions that are unfavorable for them to cooperate as a group by the institutionalist standards, and they lack the allegedly necessary institutionalist pathway for them to overcome these conditions.

Yet, many of these peoples have lived on in spite of this. Consider the peoples I have cited above: Hong Kongers, the Mohawks of Kahnawà:ke, Tibetans, and Guadeloupeans. There have been groups acting and speaking in their names, some for years, and others for decades, and these groups do not seem to be going away any time soon. It is, of course, plausible to suggest that there is no such thing as a people. Instead, there are merely individuals and organizations using the claim of peoplehood to push their agenda (Brubaker 2005). However, when a large number of groups and individuals, across space and time, act in the name of a people and seemingly with some coherence like the LKP, this persistence warrants an investigation into the grounds of their groupness beyond delusions and deceptions.

Subjecthood: The Birth of a People

The key to understanding the groupness of entangled peoples is the idea of joint commitment, one that I draw from Margaret Gilbert. Her account is best explicated through the basic case that she

¹⁴ And in many cases the knowledge of the members in certain territorial jurisdictions, especially in influential states such as the U.S., gets privileged over members in more “peripheral” jurisdictions (Yin and June 2019).

relies on, the case of two persons going on a walk together. Suppose Janna asks Jack to go out on a walk together, Jack nods, and the two of them set out on a walk. It would seem appropriate for them at that point to say that “we are on a walk”. If, during their walk, Jack suddenly just walks off without a word, it would seem that Janna has a *prima facie* cause to complain about and rebuke Jack. What is the ground of Janna’s complaint? If we suggest that the two of them merely share a personal goal or intention of walking alongside each other, Jack is only giving up his personal goal or changing his intention, and that is no cause for Janna’s complaint. Even if we add that their respective personal goals or intentions are common knowledge between the two of them, that does not change the personal nature of the goal or intention, and Janna still has no ground for complaint (Gilbert 1990, 2–6). What is the ground for Janna to say that there was a “we” who were on a walk, and for Janna to complain about Jack’s sudden leave?

The ground, for Gilbert, is joint commitment. As individuals, we make personal commitments when we commit ourselves to a goal. Analogously, we can make joint commitments with others when we commit altogether to a collective goal. When we do so, we are jointly committing “*as far as possible to emulate, by virtue of the actions of each, with respect to its intending, a single body that intends to do the thing in question [emphasis original]*” (Gilbert 2014, 116). This is, for Gilbert, how the “we”, in the case of going on a walk and more generally in any cases of collective action, is grounded. The group counts not simply as a set of disparate persons but instead a “we” because there is a “binding together of a set of individual wills so as to constitute a single, ‘plural’ will dedicated to a particular goal” (Gilbert 1990, 7). Gilbert refers to this “we” as a plural subject, arguing that “plural subjecthood in general is a matter of there being a plurality of wills dedicated to something” (Gilbert 1989, 200). This way of grounding the plural subject has immediate implications on the associative duties held by the members of this subject. Because one has made a commitment, all else being equal, one will be bound to it unless one has carried out the decision or rescinded it (Gilbert 2014, 84). But because this commitment is jointly created, one cannot rescind it unilaterally but can only do so with all the other parties together. Therefore, when one fails to fulfil their end to the commitment, other parties to that same commitment will have the standing to rebuke this person (Gilbert 2014, 40–41).

Can this framework be extended to mass groups like a people? Gilbert thinks so, and I agree, although I disagree with her over the modifications needed for this extension to be plausible. If the “we” of a walk party is constituted by the joint commitment of the parties to walk together, the “we” of a people is constituted by the joint commitment of the parties to self-determination. I will say more about what this commitment consists of later in this section. However, as Gilbert points out, this commitment can be expressed through various locutions and practices, as long as the engagement with these practices is understood by the parties involved as an expression of this commitment (Gilbert 2014, 330). There need not be a formal and explicit agreement to self-determination for the commitment to be created. Furthermore, the parties need not enter into the commitment simultaneously. In Gilbert’s narrative, some politicians may start to use the phrase “we the people” and other locutions such as “our belief”, “our values”, and “our constitution” in a more tentative and initiatory fashion. As these expressions become more widespread, and the spread becomes known, the joint commitment is established and a people is constituted. Claims of peoplehood henceforth have an appropriate objective ground (Gilbert 2014, 354).

This framework allows us to understand the genesis, transformation, and in some cases, demise of a people. A people come into being when a group of people express their readiness to enter into a joint commitment of self-determination. The contents of the people transform when either existing parties rescind their commitment, new parties enter into this commitment, or when all parties modify their commitment together. A people go into oblivion when nobody holds that commitment any longer. For an illustration of the genesis of a people, let us resume the thread on Hong Kongers. When Hong Kong was handed over by Britain to PRC, there was a decry among legal scholars over the violation of self-determination (Dagati 1992). Yet, from the viewpoint of peoplehood theories, it was not obvious that there was a distinctive Hong Kong people that could bear the right to self-determination. On the contrary, much of the political engagement of the time was interpreted as “Chinese politics on Hong Kong soil” (Mathews, Ma, and Lui 2008, 26). And even though increasingly more people, especially from the 90s onwards, identified themselves exclusively as Hong Kongers (Mathews 1997; PORI 2022), this identification is simply a private attitude. Without a public expression of joint commitment, there is not yet a Hong Kong people. Furthermore, the people can only be constituted by a commitment of the right kind. The July 1 march in 2003 and the Umbrella Movement in 2014 have both seen a massive turnout. Yet, participants of the former were expressing a commitment to freedom of speech, while participants of the latter were expressing a commitment to democracy. While both events became crucial to narratives of Hong Kong peoplehood, the participants of these events did not express themselves as a people distinguishable from Chinese at the time. So while these protestors, by acting together under a joint commitment, have created a plural subject, this subject is not a people yet, even if empirically this history of cooperation facilitated the conditions for the formation of the people.

Also in 2014, the Hong Kong University Student’s Union published a book titled *Hong Kong Nationalism*, with the theme being “The Hong Kong nation deciding its own fate”. 2016 saw the rise of a new localist militant political party, Hong Kong Indigenous, with its provocative slogan “光復香港，時代革命” (Liberate Hong Kong, Revolution of our Times). That same year saw the creation of another political party, Demosistō, with its platform centered around the principle of self-determination for Hong Kongers. The writers of *Hong Kong Nationalism* and the founders of these two parties can all be said to be making claims as a Hong Kong people, albeit in an initiatory fashion. On July 1, 2019, the multiple statements drafted for or read out at the LegCo occupation brought this joint commitment out on the streets. From July onwards, the slogan “Liberate Hong Kong” got chanted increasingly often during protests (Ho 2019). Protestors soon were seen to bear flags with this slogan on the streets. Another slogan, both chanted verbally and printed on flags, was even more explicit: “香港獨立，惟一出路” (Hong Kong Independence, the Only Way Out). A song, titled “願榮光歸香港” (Glory to Hong Kong), was written with the intention of being the Hong Kong anthem, and was sung alongside songs like “Do You Hear the People Sing” in assemblies. The uttering of these slogans, the singing of the anthem, the waving of flags, and the participation in events which explicitly endorsed these elements can all be interpreted as practices that express the readiness to join this joint commitment of self-determination. As more and more individuals both in the city of Hong Kong and in other places across the world participated in these practices and made their commitment known, a people was born.

I want to now highlight one significant departure I make from Gilbert's original account. It concerns how individuals express their readiness to enter into a joint commitment in a mass group setting. Gilbert claims that in large groups "these expressions will presumably relate to the other members not as particular individuals but as possessors of *a particular feature or features* [emphasis mine]" (2014, 351). She recognizes that it seems implausible to assume that every member of the group would have expressed their readiness. Nonetheless, she claims that "there may be good evidence that such readiness is sufficiently widespread for one to judge that there is a plural subject whose boundaries at least approximate that of the population in question" and proceed to "assume that every member of the designated population is party to the joint commitment in question" (Gilbert 2014, 351). Gilbert does not specify what features she is referring to. They may be the common language, history, historical consciousness, or political culture identified by Rawls as "common sympathies" (1999, 24–25). Or they may be part of what Miller identifies as "common public "culture", understood as "a set of understandings about how a people is to conduct its life together" (1997, 25–27). In any case, Gilbert is arguing that some shared feature of the group can be used as a heuristic to decide whether an individual counts as part of the group that makes the joint commitment.

I find this usage of heuristic flawed and inconsistent with Gilbert's own framework. It is inconsistent because to enter into a joint commitment is to express one's intention, but possessing a feature does not imply anything about one's intention. Individuals can live in the same place and share a same language, history, and culture, and yet they can diverge on which people, if any, they commit themselves to. This is a core insight of entangled peoplehood, where different peoples who share the same space and attributes are entangled in multifold ways both territorially and associatively. As the case of Hong Kongers shows, even those who hold democratic values do not necessarily share the commitment to an independent peoplehood (Zhang and Gu 2022). It is precisely the commitment to self-determination and not any shared attribute that individuates a people out of these entanglements. It is deeply flawed because which feature matters is always contingent upon competing narratives. Shared features do matter in the following sense. To enter into a joint commitment to self-determination consists of committing to a particular conception of self. In other words, one is committing to governing oneself with some others. How the content of these "some others" is filled out depends on the narratives these parties accept. Some peoples uphold a relatively rigid framework. Citizenship is seen as a crucial component for one to become part of the Tibetan people (McConnell 2016, 136–42), and it is restricted to either those born of a biological Tibetan parent or married to a Tibetan.¹⁵ On the other hand, the Hong Konger commitment has admitted those who are not born in Hong Kong, not of Hong Kong parents, do not speak Cantonese, and individuals who hold various political values, both left to right and authoritarian and democratic. As some has admitted, despite their joint commitment to self-determination, Hong Kongers constitute a group that is scattered, complex, and contradictory (Wong 2021, 63). Instead of treating alleged shared features as a heuristic, it is much more suitable to treat it as a space of contestation (Näsström 2007). I theorize this contestation as one over the contents of the joint commitment, a subject I shall return to in the following section on attribution.

¹⁵ *Charter of the Tibetans-in-Exile* (1991), Article 8.

Attribution: Do You Hear the People Sing?

The previous section has argued that a people count as a subject, as its members are united through a common joint commitment. Let us now turn to our second question. What can be attributed to this subject, and how? I shall argue, in this section, that we can attribute the commitment to self-determination to a people even if different parties hold competing interpretations as to what self-determination means for them. This attribution is possible both because these competing interpretations relate to each other precisely as interpretations of the same commitment and because these different parties understand themselves to be making the same commitment with each other. Yet, precisely because there are competing interpretations, there is no ground to attribute any such interpretation to the people as a whole. My framework allows us to respect the plurality within a people yet understand their unity. Different parties act with different interpretations, but they are interpretations of the same commitment.

This is not the usual path taken. Recall that the path taken by some sovereignty theorists and many theorists of constituent power is to argue that while we can directly attribute actions to a people during founding or revolutionary moments, we can only do so in ordinary politics indirectly through an institutional order. It is a mystery as to why attribution is apt in the former yet impossible in the latter. Gilbert takes the same path and offers an attempt to demystify this disjunction. Gilbert has a very capacious understanding of what joint commitments can be commitments of: action, belief, attitude, or even some other attribute (1989, 168). She does not specify what a commitment to being a people consists of. Yet, she does make the distinction between basic and derived commitments. She argues that individuals can make the basic commitment of being a people. Like a two-step social contract, they have to make the further commitment to constitute a polity. For Gilbert, “a number of persons together constitute a *polity* if and only if, at a minimum, they are jointly committed to support and uphold as a body a particular set of political institutions” (2014, 363). With this further commitment, the people can then follow some Sieyésian path and agree upon some constitutional order, through which they can then create, in an institutionalist manner, procedures of authorization and roles of authority. According to these roles and procedures, additional commitments can be made that are binding for the entire people, even if members of a people do not all participate in creating them. These are commitments derived from the basic commitment, and hence labelled as derived commitments (Gilbert 2014, 352).

While Gilbert does not explicate why she makes such a distinction, I speculate that the reasons are most likely similar to those held by institutionalists. The basic commitment to peoplehood is understood to be a relatively straightforward one-time affair. You either commit to being part of a people, or you do not, and once you do, that is a done deal. The commitment to polity is more complicated, but it is nonetheless also a one-time affair. Derived commitments is trickier. How do a people come together, again and again, and make commitments about all sorts of things ranging from taxation policies to zoning laws? Yet, if they do not, the basic commitment is hardly sufficient for a people to do anything together. The basic-derived commitment structure enables the people to, through an institutional structure, delegate various decisions to different individuals without jeopardizing the normative status of these decisions. Recall that in the previous section we have already grounded how individuals in a mass group can come together and make that basic

commitment to constitute a people. Gilbert's argument here basically suggests that beyond that point, the people cannot do much more without the aid of institutions.

This argument relies upon a sharp distinction between basic and derived commitments, such that a people can make the former directly but have to rely on institutions to make the latter. I do not believe that this distinction stands upon examination, because the basic commitments in question are not straightforward. Nor are they one-time affairs. Recall that the commitment to peoplehood is essentially a commitment to self-determination. This is more than simply a commitment to be in a group. Historically, this commitment often came with at least one if not all of these three parts. The first part is a commitment to be collectively determining with other members of the same people their own social and political conditions. For peoples that just come into being or for peoples who are entangled, this first part is an aspiration that is to be realized some point in the future. Note that they need not aspire to determine their conditions by constituting a unitary institutional order. One can imagine, at least hypothetically, aspirations of groups who want to govern themselves in anarchist or polyarchal manners. The second part consists of a commitment to organize and struggle to bring that aspiration into reality. This commitment compels the people to already act as a group and fight as a group on the basis of this commitment. The third part consists of a commitment to approximate, in the present, self-determining conditions. The third is especially crucial for peoples whose entanglement constitutes a protracted if not permanent reality. They cannot and in many cases need not wait till the struggle to come to fruition before they start making decisions among themselves as to how they can better control their own conditions. In fact, in many cases, the three commitments are tightly connected to each other.

The basic-derived commitment distinction fails to help us in questions about attribution when entangled peoples engage in the second and third parts of their commitment to self-determination. They are already going beyond a simple straightforward decision to constitute a people and are instead engaging in various questions of strategies and of ways to live together. Yet, because of their entanglement, it is not possible for them to make such commitments through a unitary institutional order. These instances of cooperation then remain mysterious to those who subscribe to this basic-derived commitment distinction.

This distinction also fails because it fails to appreciate the richness of the basic commitment in question. Once unpacked in these three parts, we can see that they are open to all sorts of interpretations and contestations, not unlike the allegedly more specific derived commitments. In committing to a vision of self-determination, one can ask what the vision of the people is. In committing to fighting for that vision, one can ask which path the people should take in that fight. In committing to approximating to the ideals of self-determination, one can ask what practices count as approximations. These questions obviously involve different beliefs members of a people hold about their situation. They also depend on how the peoplehood of the people gets narrated, with different narratives yielding different answers. Unsurprisingly, along with the initiatory claims of a Hong Kong peoplehood, various competing narratives pop up. One of these narratives emphasizes that what matters to the Hong Kong people are their shared values, and concludes that Hong Kongers should not be constructing their peoplehood out of a comparison or exclusion of the Other. Another narrative argues that it is the shared oppression that is definitive of the Hong

Kong peoplehood, and the focus of the Hong Kong people should always be on its enemy, the PRC. The two narratives of peoplehood cannot stand in starker contrast (Ho 2017).

The plurality of interpretations goes much deeper. In the previous section, I have argued that individuals enter into this commitment to self-determination through various expressions and practices. Obviously, different expressions and practices interpret the same commitment differently, but interpretations can diverge even with the same expression. In 2021, a motorcyclist went to the Hong Kong High Court under the charge of sedition. The basis of that charge was that he was bearing a flag with the slogan “Liberate Hong Kong, Revolution of our Times”. This court trial ignited a high-profile debate between the prosecution and the defense over whether this slogan is seditious or not, with scholars being invited on both sides to divine the “true” meaning of the term (Sataline 2021). The debate was a charade, but it did demonstrate the range of competing interpretations over that slogan. In fact, people cannot agree on any single word in that slogan. For instance, what does it mean to “liberate” Hong Kong? The Chinese phrase, “光復”, can refer to both the recovery of territory from invaders and the return of something to its original glory. Does “liberating” Hong Kong mean returning it to British rule, or some good old times? Or does it primarily simply imply kicking the “invaders” out? Or does it have a more future-looking orientation, as many have attempted to argue? And does it simply refer to their political conditions, or does it encompass economic, cultural, and personal dimensions as well (Gay-frastructure 2019; Lee 2019)?

All of these is to suggest that the basic commitment is neither a straightforward nor one-off affair. It is not straightforward because it is open to competing interpretations. It is not one-off because the contents of the commitment are constantly under contestation. How, then, can a basic commitment be attributed to a people? How is there a unitary commitment when there is a plurality of interpretations? The answer is to treat these different interpretations like a web of family resemblances. Its unity comes on two levels. On the first level, because these different interpretations are competing interpretations of the same concept, they thus stand in some relationship with each other. I am not suggesting that there is some more abstract or transcendent ideal of self-determination that rises above these contestations and gives them their unity. Instead, the meaning of self-determination is constituted by these very competing interpretations. Yet, to be competing implies to be standing in some relationship. On the second level, the involved parties who hold different interpretations take themselves to be interpreting the same commitment. In fact, the stakes of this contestation are high for them precisely because they are fighting over the implications of a commitment they are entering into. This unity plays a role in structuring both the relationship between competing interpretations and the agential understanding of what these interpretations are for.

How do we differentiate between plausible and implausible interpretations of this basic commitment? Is it open to any interpretation whatsoever? There are two constraints. The first is that these expressions have to be reasonable interpretations of the idea of self-determination. While there is not a transcendental notion of self-determination, any interpretation does stand against the historical and social background of this idea. In its general form, this idea has been articulated with the three parts mentioned above. In its specific form, there will likely be a history of how this idea

gets discussed among the parties involved in constituting the people. For an expression to be a reasonable expression, its advocate has to show how it relates to this historical and social background. Furthermore, this interpretation is agent-relative. It is agent-relative because it is not simply an intellectual exercise but rather a proposal of the joint commitment that others should also enter into. Therefore, only those who are making the commitment have a say as to how that commitment should be interpreted.

We should attribute the commitment to self-determination to the people but attribute its interpretations to specific members of the people. Furthermore, holding different interpretations does not eliminate our ability to make the same commitment or to act collectively. The protestors could agree to occupy the legislature without agreeing what the occupation means or intends to achieve. Conversely, they could agree to escalate the movement without agreeing on what counts as escalation. The former would be akin to an incompletely theorized agreement, whereas the latter would be akin to an overlapping consensus. Yet, in the case of entangled peoples, these agreements do not simply result in a *modus vivendi* between conflicting parties. They can also result in genuine collective action between parties that commit to acting as a body.

There is no sharp distinction between a basic commitment and its derived commitments. After all, derived commitments are but interpretations or manifestations of the basic commitment. If the basic commitment is for the parties to determine their living conditions together as a people, then the derived commitments can be all kinds of specific determinations. Different members of the people may have different ideas as to what these determinations should be. And this may involve a wider set of beliefs and attitudes not specified by the basic commitment. For instance, an economic decision may involve not only their basic commitment to make these decisions together but also beliefs about how the market works, what counts as flourishing, and other beliefs that cannot simply be derived from their basic commitment. Yet, the core of these derived commitments is nonetheless an interpretation of the basic commitment, as they are concrete practices that manifest the basic commitment to self-determination. They are, then, not any different on a fundamental level from the competing interpretations of the basic commitment.

The framework of attribution enables us to talk about both the unity and plurality of a people. Recall this chapter's opening example. A people can commit to self-determination but disagree as to what that means, especially when it comes to relating themselves to other states and peoples. One group believes that it is strategic to leverage other international powers to pressurize the PRC, whereas another group believes that genuine self-determination requires the people to not be parasitic upon other imperial powers. Yet, both groups find it meaningful to disagree with and persuade each other, precisely because they see their disagreements as disagreements over the same commitment they have entered into. It is not enough to merely emphasize the plurality within a people, as that merely begs the question as to what this plurality *is*. I argue that it is a plurality of interpretations of the same joint commitment to self-determination.

Conclusion

Some readers may protest that this ontological framework does not sufficiently enable us to differentiate who counts as part of the people. They may, raise as limiting cases, individuals who

privately identify themselves as a Hong Konger or Tibetan but have never engaged in speeches or behaviors that manifest a joint commitment to self-determination. Or on the contrary, they may raise cases of “allies” who share such commitment but seem to lack any plausible trait that would count them as part of the people, such as a white American in support of the HKHRDA. To this challenge I offer a two-tiered response. First, it is crucial to recognize that these limiting cases often raise political debates within and beyond the peoples as to their constitution and is not unique to the commitment framework, but the commitment framework enables us to track these debates. Dealing with the former group, those who have never expressed such commitment is indeed not part of the people, but this commitment, as I have argued, can be expressed in a multitude of ways. Turning to the latter group, a distinction can be drawn between a commitment grounded by solidarity between groups and a commitment to act as the same group. This, again, speaks to the importance of interpreting the commitment at play. The second, and more fundamental, response is however that these debates cannot be fully resolved. Part of the implication of this chapter is that it is misguided to presuppose that a people must be well-defined and fully bounded. Entangled people, by definition, implies an entanglement of membership that denies such boundaries. The commitment framework offers a pathway to comprehend the groupness of such peoples without obscuring its entanglement.

This framework is ontological and interpretive. It is not an empirical argument about the conditions that can facilitate or hinder a people to act collectively. Nor is it a normative argument about how a people should organize themselves. It does, however, tell us how peoplehood becomes a narrative through which individuals express their commitments and organize their socio-political lives. And as I shall argue in the second half of this dissertation, this account has clear sociological, political, and legal stakes, both for entangled peoples and for scholars. Sociologically, it is convenient, both for activists and scholars, to attribute a voice to the people: HKHRDA could be said to respect the autonomy of Hong Kongers if the Hong Kongers have spoken in favor of it. Yet, as we now know, while the act is an interpretation of the Hong Kong people’s commitment to self-determination, it is but one interpretation among many. Politically, the ontological nature of peoplehood sets up the background against which we answer questions of associative duties and organization. Relatedly, and precisely because it is convenient to support a people when they have a clear and unitary stance, diasporic activists have argued when others sense dissent and tensions within a people, support can easily dissipate. They have thus counselled Hong Kongers to either conceal or resolve these disagreements, preventing them from erupting into conflicts (Paradigm et al. 2021, 82). What does this suggest in terms of the obligations members of a people have towards each other? What does it say about how peoples should be organized and how they should navigate the space of disagreements and tensions? Legally, we return to the question of the status of peoples in international law and relations. Can people be represented independent of or without their state in international relations? Do people have a self such that it makes sense for them to be the holder of the right to self-determination? An ontology of the people sets up the grounds for us to answer these questions, and, situated in this dissertation, sets us up for the discussion of how peoples get entangled in the next chapter.

Entanglement

In the international legal community, there is a widespread consensus that self-determination is a human right and that this right belongs to every people.¹⁶ Article 1 of the International Covenant on Civil and Political Rights (ICCPR) states: “All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development”. This consensus is likewise shared by political theorists. Both implicitly and explicitly, theorists have treated peoples as the bearers of self-determination and self-government. As Whelan suggests, “the concept of democracy, although protean, always makes reference to a determinate community of persons (citizens) – ‘a people’” (Whelan 1983, 13). Let the people decide for themselves – that sounds like a reasonable idea. But how should we decide who count as part of the people? Could this not be decided by the people themselves as well? To see why not, and to introduce the key concept of this chapter, I want to begin with an anecdote about the 1961 Cameroon plebiscite.

After the First World War, the German protectorate Kamerun was divided into the British Cameroon and the French Cameroun first as mandates under the League of Nations and later on as trusteeships under the United Nations. On January 1, 1960, the French Cameroun became independent, and questions arose as to the fate of the British Cameroon. Under the auspices of the United Nations, two plebiscites were held separately in the northern and south sections of the British Cameroon, and the voters were given the two alternatives between integrating with Nigeria and integrating with the new République du Cameroun.¹⁷ Eventually, 60% of the Northern Cameroons voted for the first option, while 70.94% of the Southern Cameroons voted for the second. Accordingly, the Northern Cameroons joined Nigeria and the Southern Cameroons became part of the Republic of Cameroon.



Figure 2: Map of Cameroon prior to the 1961 UN Plebiscite. Source: *globalsecurity.org*.

¹⁶ For a historical treatment of this norm, see Introduction.

¹⁷ For a general account of the political history and events running up to the British Cameroon plebiscite, see (Ardener 1962).

The people was given a chance to decide their political status, and their choice was respected – or was it? Let us assume that the votes had not been counted separately in the North and the South but had instead been combined. If so, the people of British Cameroon had opted for the Republic of Cameroon by a margin of 7%. Conversely, let us assume that the votes had been counted district by district instead. If so, while the Bamenda district in the south would still opt for Cameroon, the southern districts of Kumba and Nkambe would have opted for Nigeria. Similarly, while most northern districts would still have opted for Nigeria, 72% of the voters in the northern district of Chamba opted for Cameroon instead.¹⁸ We can conjure up more hypotheticals. What if the British and French Cameroons decided together in a single referendum (Johnson 1967, 117)? Or what if the electorates are not defined geographically, given that many of the Cameroon tribal groups span these colonial district boundaries (Johnson 1970, 42–46)? And what if there were more options on the table beyond integration into either state, such as an independent British Cameroon state (Percival 2008)?

If we initially thought the plebiscite to be a success, that is because we have already presupposed that it is reasonable to divide the British Cameroons into two electorates and present them with the two options in the referendum. Yet, our confidence wanes when we find out that there were multiple peoples and not just two and that the allegiances of these peoples cut across any identifiable territorial boundary. In a way, these peoples are entangled, and we cannot simply disentangle them by moving them around like chessboard pieces. It is the challenge of entangled peoplehood that I am going to explore and elaborate in this chapter. One may ask if I am exaggerating the problem. Obviously, with any referendum, there will be a minority of dissenters, and there will always be some way to identify a sub-group in which the dissenters constitute the majority. But is this not just how majoritarian decisions work? Perhaps. This challenge makes sense in the context of the indeterminacy and plurality of peoplehood as illustrated in Chapter 1. Furthermore, this retort assumes that it is necessary to figure out definitively whether a certain group or territory belongs to one people or the other exclusively, and thus the necessity and stakes of a decision-procedure. This chapter shall also set out to challenge this assumption.

This is how this chapter will be organized. The first part of the chapter demonstrates how there is an urge both within international legal practices and among political theorists to pin down and legitimate the boundaries of the people, then proceeds to show that this urge is grounded by the belief that self-determination is only realizable with some degree of exclusivity in terms of participation, territorial jurisdiction, and norm-setting. In order to evaluate the grounds for this urge, the second part of the chapter takes a step back and explains that in order for a people to be the right-holder of self-determination, it must be a group that shares a will to self-governance and ongoing relationships of political cooperation that manifest that will. The third part of this chapter demonstrates why once understood as such, there is always a potentiality for peoples to become entangled, as I lay out my conception of entanglement and explore some of its variations. I use the case of Tibetans to show how this potentiality is very much a real one for many entangled peoples. The fourth and fifth parts of this chapter take stock of the implications that flow from entangled

¹⁸ UN Trusteeship Council, Report of the United Nations Commissioner for the Supervision of the Plebiscites in the Southern and Northern Parts of the Trust Territory of the Cameroons under United Kingdom Administration, T/1556 (Apr 3, 1961), p. 140 & p. 246.

peoplehood: the people cannot and should not be bounded, but this is not a problem because an exclusive version of self-determination is unachievable, undesirable, and incoherent.

The Urge to Bound

Undeniably, the enactment of the principle of self-determination requires us to say something about what we refer to by “the people”. If we understand self-determination as a collective right, as most international legal and political theorists do, then there needs to be an identifiable right-holder. This right-holder needs to be able to exercise the privileges, powers, and immunities associated with the right of self-determination and lodge complaints when this right is violated by other parties (Hohfeld 1917). Without such a right-holder, the right of self-determination ceases to be an enact-able right.¹⁹ As Harold Johnson remarks, “a right of self-determination means that some ‘self’ is henceforth to determine its own destiny, but until that ‘self’ is identified there can be no right” (Johnson 1967, 112). If we understand self-determination as capturing a principle of autonomy central to democracy, as many democratic theorists do (Held 2006, 262–67), then we need to be able to say something about who it is that is exercising that autonomy. If we, for instance, argue that “the idea that people should be free and equal in the determination of conditions of their own lives means that they should be able to participate in a process of debate and deliberation, open to all on a free and equal basis, about matters of pressing public concern” (Held 2006, 264), then we need to be able to know who count as the people who is participating. If the people is a central referent for the principle of self-determination, it seems reasonable for us to want to know more about the content of that referent.

However, it is one thing to want to know something about the composition of a people, and another thing to want to define precisely the boundaries of a people. It is this latter urge that we are seeing among international legal scholars and political theorists and that I want to scrutinize. In international law, we can see the urge to define and settle as quickly as possible the boundaries of a people through convenient heuristic. Over the 20th century and throughout the waves of decolonization, the most oft-adopted principle adopted by the international community is that of *uti possidetis* (so as you possess), according to which the boundaries of peoples who had one been under colonies are defined through the colonial administrative geographical boundaries (Fisch 2015, 77–81; Cassese 1995, 190–93). In rarer instances, like the case of the British Cameroon, the fate of peoples is decided by plebiscites.²⁰ However, even in these instances, the people is first bounded through colonial administrative boundaries before they constitute an electorate that can collectively determine their future.

If international lawyers have sometimes treated the boundaries of a people as an empirical question, political theorists have certainly treated it as a normative question. For many theorists, it is not enough that there is some identifiable fact, such as territorial boundaries, for us to use to draw the boundaries of a people. We also need to justify why and how the boundaries are drawn, and non-

¹⁹ One could take a defeatist route and argue that there is simply no right to self-determination in international law or in practice. For a reading along such lines, see (Pomerance 1982, 69–70). However, such reading is simply in tension with the explicit language of ICCPR and other international human rights covenants and treaties. For a defence of the reading of the people as the right-holder of the right of self-determination, see (Cassese 1995, 143–45).

²⁰ For the selective and reluctant use of plebiscites, see (Cobban 1945, 70–75; Fisch 2015, 147–59).

normative facts alone cannot fulfil the task of justification – they have to be coupled with normative principles that explain why those facts can serve as the ground of legitimation (Abizadeh 2012, 879; Näsström 2011, 126–31). This imperative has created a special problem for democratic theorists. If a people is to be self-determining, then it would seem that they should also be able to self-determine their constitution and boundaries (Fisch 2015, 36). But, and this has been coined the boundary problem in democratic theory, how can the people be constituted democratically, given that the functioning of any democratic procedure requires us to already know who the constituents are (Whelan 1983)?

Answers to the boundary problem can be divided into territorial and non-territorial approaches. Theorists who have come to find territorial state boundaries arbitrary and ungrounded have come to defend principles such as the All-Affected Principle, which defines the boundaries of a people by those whose interests are affected by a political decision (Goodin 2007), or the All-Subjected Principle, which defines the boundaries of a people by those who are subjected to the same regime (Abizadeh 2012). Despite their differences, these approaches are all non-territorial because a political decision can affect interests of individuals in various geographical spaces, like environmental policies, or subject them to the same political apparatus, such as an immigration regime. Other theorists have, confronting the boundary problem, defended a territorial approach. They argue that because individuals have located life plans that rely on the assumptions they make about the place they live in and because they form relations and attachments with others in that place, they have individual and collective rights of occupancy over that place (Stilz 2019, 40–50; Moore 2015, 38–39). The interest to protect this right constitutes an argument to organize peoples in contiguous spatial fashion. Some of them further argue we should demarcate the boundaries of a people through territorial state boundaries.²¹ Their argumentation is largely functionalist: a people should be bounded by the territorial state because the state is necessary in fulfilling the functions of interpreting and enforcing rights, of providing a site of solidarity and trust among members of the people, of ensuring a well-functioning democracy, and lastly, of realizing the right of self-determination (Stilz 2019; Song 2012; Miller 2009).

Political theorists have expended much effort on the boundary problem because the stakes are high: the boundary determines who is a part of a people and therefore have a say in a people's decision-making. We could, however, step back and ask: why have they continued to assume that a people needs to be bounded? There have obviously been practical reasons, such as the fear that unless the boundaries have been stabilized, peoplehood claims can be radically destabilizing for the global political order. For now, I want to focus on the theoretical reasons behind this urge. I shall contend that the urge has to do with the belief that the realization of self-determination is not possible without some degree of exclusivity. There are three kinds of exclusivity: participatory exclusivity, territorial exclusivity, and normative exclusivity.

Participatory exclusivity has motivated much of the engagement with the boundary problem in democratic theory. It seems that unless one advocates for a global people, one has to ask the question of whether one set of individuals should be included rather than another (Dahl 2006, 52–53; Goodin 2007). For a majoritarian electoral system to work, we need to know who has votes

²¹ For an exception, see (Moore 2015, 97–107).

and who does not. More generally, it seems that democracy requires us to know who has the right to participate and decide and who does not, so that we can say it is the members within the boundaries of a people who are self-determining amongst themselves and that they are not being determined by others outside the boundaries. Territorial statisticians are concerned about participatory exclusivity because they are concerned about how the size and composition of a people will impact the functional wellbeing of a democracy (Song 2012; Miller 2009). Non-territorialists are concerned about participatory exclusivity because they are worried that the “wrong” people are being excluded from participation, such as people who are affected or subjected to the political decisions being made.

Territorial exclusivity refers to the conventional idea that a people realizes their right of self-determination through holding exclusive control over a piece of territory. In the realm of international law and in the modern understanding of sovereignty, a people is meant to exercise their right of self-determination through enacting a state and holding exclusive territorial jurisdiction through that state. It is understood that either sovereignty requires exclusive territorial authority or that this authority is necessarily derived from sovereignty as its consequence (Bartelson 1995, 30–31). Territorial integrity is enshrined in the UN Charter Article 2(4), and again UN General Assembly’s *Declaration on Friendly Relations* states that “the establishment of a sovereign and independent state” as one of the “modes of implementing the right of self-determination by that people”, and as a state, “the territorial integrity and political independence of the State are inviolable”. It then claims, on one hand, that “every State has the duty to promote, through joint and separate action, realization of the principle of equal rights and self-determination of peoples”, and yet on the other hand, that this principle should not be construed “as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States”.²²

Non-territorialists obviously do not agree with the need for territorial exclusivity. For them, the problem is precisely that interests and subjections are not confined by territorial boundaries, and therefore the peoples have to be defined otherwise.²³ Territorialists, on the other hand, may sometimes opt for more moderate positions than that of the UN Charter. They usually argue that territorial sovereignty is more qualified and that various territorial rights can be unbundled (Stilz 2019, 12–13). Nonetheless, they do see exclusive territorial jurisdiction as crucial for the right of self-determination as only then could people determine their shared conditions and could state guarantee basic conditions of justice.

Normative exclusivity refers to the idea that a people shares a set of common meanings and so they and they alone should decide their normative principles based on these common meanings. The classical articulation of this argument is found in Walzer. While he recognizes that a political community is not a self-contained distributive world, he does think that it probably is “the closest we can come to a world of common meanings” (Walzer 2008, 28). For Walzer, the idea of

²² UN General Assembly, Declaration on Principles of International Law Friendly Relations and Co-operation among States in Accordance with the Charter of the United Nations, GA Res. 2625 (XXV) (Oct 24, 1970). See also (Summers 2013, 239–42).

²³ For instance, Cara Nine makes use of the All-Affected Principle to argue that the sharing of rivers by different peoples or states demand them to exercise their right of self-determination on a joint basis (Nine 2014).

distributive justice presupposes “a bounded world” (Walzer 2008, 31). In this bounded world of a people, they share a common history of past practices and these practices constitute the background of shared meanings for them. Because “argument simply is the appeal to common meanings” (Walzer 2008, 29), only fellow members of a people can debate and decide with each other as to what normative principle they want to govern the people by, and only with reference to their common meanings. Therefore, for Walzer, the admission and exclusion of individuals into and from a people are “at the core of communal independence” and suggest “the deepest meaning of self-determination”, because “without them, there could not be communities of character, historically stable, ongoing associations of men and women with some special commitment to one another and some special sense of their common life” (Walzer 2008, 62). Self-determination in terms of the norms a people set up for themselves requires the people stays as a bounded community with its own shared meanings, and that in turn requires the people to be bounded in terms of its membership.

If it is indeed true that exclusivity in at least some if not all of these dimensions is needed for the realization of self-determination, then we need an approach to identify and legitimate the boundaries of a people, and it would seem like we have to pick between the territorialists and non-territorialists. However, as I shall show in the following, this need proves both illusory and unrealizable once we better grasp the nature of peoplehood.

Defining the People

To define what a people is, the most central question is what about a people makes it a unique group that hold the right of self-determination. This is not only a definitional task but also a normative task, because in pinning down these definitive features of a people we are also making the argument that these features sufficiently generate the right of self-determination.

Most accounts of self-determination begin with the assumption that individual autonomy is a fundamental value, and as individuals inevitably enter into important relations with others in their socio-political lives, the preservation of individual autonomy requires, among other things, collective autonomy (Fisch 2015, 22–23; Moore 2015, 64–65). This argument most directly identifies with republican theories which argue that individuals preserve their autonomy within a collective by coming together and deciding matters on the basis of democratic equality such that everyone can identify with the collective decision as in some sense their decision (Miller 2009, 205–6). Less directly, it also relates to liberal theories, as collective self-governance is needed to protect members of a collective from domination and to guarantee that political decisions track the aggregate interests of the collective (Miller 2009, 205–6). Liberals and republicans converge on the value of self-governance as crucial to individual autonomy, even if they arrive at this conclusion through different routes. This offers us the first right-generative element of a people: a shared interest in self-governance.

This shared interest does not yet explain why an individual should exercise collective self-governance with one group instead of another. The explanation comes from their interest in relationship goods. Relationship goods are goods created by the interactions between participants in relationships. Examples of these goods include intimacy between romantic partners, mutual

concern among friends, common purposes between members of the same association, and democratic respect between citizens. Beyond the extrinsic values of these goods, these goods are also collective agency goods. They are agency goods in the sense that they are valued because we have created them as agents. They are collective goods in the sense that they are valued because they are co-created by the participants in that relationship (Seglow 2013, 30–31). Obviously, not all relationship goods are right-generative. The relationship of political cooperation with a shared will to self-governance is a relationship good that is right-generative. This relationship is an agency good because the participants of this relationship value the political order they have created or are trying to create together as agents. This relationship is a collective good because the participants of this relationship value this actual or potential political order precisely for the reason that it is created between people who share an ongoing commitment with each other (Moore 2015, 63–64). This relationship good is right-generative because it is coupled with the interest in self-governance. We have reasons to be interested in self-governing, and we have reasons to self-govern with particular others that we have an ongoing relationship with.

This account establishes the foundation for us to define a people. A group counts as a people if and only if members of the group share a will to self-governance and an ongoing relationship of political cooperation that manifests that will. These two elements appropriately generate the right of self-determination, which protects the interests the members of a group have in self-governing with each other in that group. Most advocates of the territorial approach include these elements in their definition of people (Song 2018, 57–58; Stilz 2019, 127; Moore 2015, 50). Some theorists endorse a broader definition and define as peoples any group that binds its members to some obligations and claims that these obligations trump some demands made by some other groups (Smith 2003, 20), but such a definition would fail to explain why all peoples deserve the right of self-determination. Some theorists endorse a more demanding definition and include in their definition of people a capacity to establish and maintain political institutions, but most of them also add that the lack of such a capacity does not mean that the group is not a people or that it loses the right of self-determination, but rather that there is a duty of other groups to support this people instead (Song 2012, 59; Stilz 2019, 127; Moore 2015, 50–52). If so, this is not a necessary condition for a group to hold the right of self-determination, and therefore I shall simply leave this out of my account for now.

The definition of people offered above is relatively uncontroversial. Most theorists, however, have not adequately grasped the building blocks underneath this definition of people. Let me begin with the question of what it means for members of a people to be in ongoing relationships. The presence of an ongoing relationship is characterized by a series of mutual interactions or joint actions that extend through time (Seglow 2013, 28; Gilbert 1989). However, unlike friends or family members or even club members, not all members of a people will be involved in each interaction. Think about any democratic regime. There will be many sites of participation, ranging from elections, discussion forums, to protests and other forms of contestation. Different citizens may choose to engage in different sites (and some may choose to refrain from participating altogether), but they nonetheless understand all these different engagements as constituting one unitary series of ongoing interactions. Furthermore, they distinguish these interactions from two other kinds of interactions. Firstly, they are different from non-political interactions such as practices of economic

exchanges, even though the boundaries between political and non-political can often be re-interpreted and contested. Secondly, they are different from political interactions with members of other peoples as these interactions are not understood as interactions that manifest a shared will to self-governance.

Because peoples are socially constructed rather than natural or primordial entities, there is no natural way to group some interactions together while excluding others. Instead, the plausibility of any grouping depends on how the people and these relationships are interpreted, and for these interpretations to be plausible, they have to be embedded within a web of narratives and other practices (Smith 2003, 31–43). In fact, the same goes for the will of self-governance. The plausibility of any reason offered as to why one wants to self-govern with this particular group but not others has to be interpreted within a web of narratives and other practices. Let me explain what narratives are about first. There is no *a priori* limit as to what these narratives have to be about, as long as they help support the conclusion that the group constitutes a people or help interpret particular interactions as relevant interactions between members of a people. These can be stories about the trust between members of a people, or the worth of a people, or about their shared experiences or characteristics (Smith 2003, 57). These stories may often include some exclusionary elements so they help individuate members of a people from non-members, but I leave aside the question as to whether these elements are inevitable or not (Smith 2003, 56). More importantly, because narratives are human constructions, there can be multiple persuasive yet conflicting narratives about the constitution of a people and about what interactions count, and how they count. That, coupled with the fact that how peoples are constituted can significantly alter mappings of power and affect existing interests, implies that sites of peoplehood narratives are often sites of contestation (Smith 2003, 53).

The contestation between competing narratives brings us to the idea of practices. By practices I mean three things. In the most obvious sense, I mean by practices coercive and violent practices that seek to bypass persuading individuals with narratives but instead force them to adopt one and abandon others. Some of the most obvious and extreme examples of these practices would be censorship regimes and “re-education” camps. I also mean by practices the social practices that constitute the background experiences we use to make sense of and make references to things. To cite an example, while we can explain an emotional term like “shame” by referring to situations that incite that emotion, these “shameful situations” could in turn only be understood by reference to the feelings of “shame” experienced in them. In the end, we can point to the person and say, “see, that is how you would feel in such a situation”, and that explanation only works because the person shares a grasp of the relevant social practices (Taylor 1985, 23). This is then a very broad category that constitutes a large web of shared practices, including both those practices understood as interactions that manifest a will to self-determination and practices that are normally deemed irrelevant, such as cultural trivialities and economic exchanges. Lastly, I mean practices in a third sense, in the sense that the making and giving of narratives are themselves practices.

The building blocks of narratives and practices explain how a people is constructed, transformed, and contested. I now want to turn to how an individual identifies with a people. Individually, the identification with a people for each individual is ultimately a belief, that “I am a member of people

x". A belief is simultaneously social and individual in its nature. It is social in the sense that a belief or a statement makes no sense in its atomistic form; a belief only makes sense and obtains its meaning when it is situated within a wider web of beliefs that sustain and inform it and against a background of social practices (Bevir and Blakely 2018, 21). It is individual in the sense that a belief is ultimately held by an individual and the individual can exercise her agency and be creative about what background beliefs and practices she uses to interpret or even modify a belief (Bevir and Blakely 2018, 27–29). The same goes for the individual's participation in and reception of competing narrational practices. A narrative can be unpacked into a series of statements, and an individual can exercise her agency to decide which beliefs she accepts and how, albeit against an inevitable social background.

However, the relationship between members of a people does not simply reduce to a convergence of individual beliefs. It also involves an irreducibly collective intention. The discussion of collective intention is closely associated with the idea of relationship goods. Collective intentionality consists crucially of a sense of doing something together, and this sense of "we intend" cannot be reduced to a series of "I intend" (Searle 1995, 24–25). When I play as a violinist in an orchestra, *I* may be playing a line as a first violin player, but *we* are playing a symphony together. Similarly, when I speak in a deliberative forum, *I* may be making an argument, but *we* are engaging in deliberation. In the context of self-determination, each person may be playing a different role, but they understand that they are participating in a political project together, and there is a joint we-intention that cannot be reduced to an I-intention. Intentionality has to be analytically differentiated from belief. Collective intentionality does not imply the existence of collective consciousness. Instead, each person individually commits to the we-intention and believes that other individuals within the "we" also share that intention. This also means that while the relationships that constitute a people are characterized by the relevant we-intentions, the meaning of these we-intentions can be contested and may be interpreted differently by different members of the people.

What seems to be a straightforward definition of a people, a group that shares a will to self-governance and an ongoing relationship that manifests that will, brings us to some slightly less straightforward building blocks about narratives, practices, beliefs, and intentions. These building blocks establish the logical inevitability of entangled peoples and that is going to complicate the entire picture offered so far.

Entangled Peoples

Narratives, practices, beliefs, and intentions can all change over time, and there is no necessary reason for these changes to be constrained by territorial boundaries. More importantly, our political world is organized both along the concepts of state and people, setting up for the potentiality for misalignment between the boundaries of states and peoples, and the histories of colonialism and conflict have turned this possibility into enduring realities. The confusions and tensions between the two ideals are further fueled by the idea that a people can only exercise their right to self-determination through a state. This idea conflates the ideal of self-determination with sovereignty, the latter understood as the full and exclusive control a state has over its territory and members. With this logic, for the state to represent the will of a people, the people needs to be able

to exercise that absolute control via the state. This logic allows for a state to be made up of multiple peoples, but for them to be part of the state, each people needs to have clearly delineated territorial and membership boundaries such that they can exercise control respectively. When the territories and membership of multiple peoples or states overlap, short of a radical redrawing of boundaries, some people(s) will have their right to self-determination undermined. I employ the concept of entanglement to comprehend the temporally extended misalignments between peoples and states in which peoples are geographically or institutionally within the territory of states they are not part of, and in which individuals have to navigate the competing memberships of entangled peoples and states.

To comprehend the logical potentiality of entanglement, let me start with the most conservative assumptions, that at a certain hypothetical point of time, the boundaries of all peoples map on to some neat and well-defined territorial boundaries, with no overlapping and no contestation. Let me further assume, for the sake of the argument, that narratives, beliefs, practices, and intentions remain static for everyone. Nonetheless, because individuals can and do move geographically across territorial boundaries, be it due to voluntary migration or involuntary displacement, boundaries of people and territory can and do come apart. This possibility is inevitable unless we either completely forbid individuals to move beyond stipulated territorial boundaries or force them to abandon their membership of their people and take up membership of a new people as they move territorially. The former option is neither feasible nor defensible. The latter can be successful to a certain extent, but given that the will to be a part of a people is in part about individual beliefs, there is no guarantee that every individual changes their beliefs accordingly. The possibility of territorial entanglement cannot be ruled out, even under such conservative assumptions.

But obviously, narratives, beliefs, practices, and intentions do not remain static. The will to self-governance involves in part a belief on the side of the individual, and individuals obviously have the agency to modify or even abandon that belief. While it is true that the intention to self-governance is a joint intention, it is still up to each individual as to whether they also share that intention or not. Similarly, if an ongoing relationship is characterized by participation in ongoing interactions or joint actions, individuals can choose to refrain from participation or participate in interactions with other peoples instead. While it may be true that there is a certain thrownness in these relationships such that individuals already find themselves to be members of a certain people, it does not follow that one cannot leave relationships and enter new ones (Iris Marion Young 1990, 46). Because individuals can and do change their beliefs and participation in relationship practices even as they stay in the same place, individuals who live in the same geographical space can end up holding different intentions and participating in different relationships, leading to the territorial entanglement of different peoples. This possibility is inevitable unless we force individuals to maintain their participation in relationship practices associated with a people and forbid them from participating in practices associated with other peoples. Such measures are indefensible, but even if they are implemented, that cannot stop individuals from privately changing their beliefs and therefore altering their people identification.

The explanation in the preceding paragraph applies to membership as well. On one hand, because individuals can change their beliefs and pursue different relationships, they can end up with a web

of beliefs and relationships that cut across boundaries of multiple peoples. On the other hand, because different narratives can interpret these practices and relationships differently, individuals may confront competing narratives that interpret them as participating in ongoing relationships with different peoples. Individuals are then caught in a associative entanglement, in which they are entangled between competing peoplehood narratives. One of these instances where competing narratives clash are instances of secession. The secessionists will claim that the relationships of a group of individuals separate them as a people from others, while assimilationists will claim that these relationships place the successionist group in a bigger people than the successionist would recognize. Each individual is then entangled in the narratives of these two peoples and have to make difficult choices between these competing narratives. However, regardless of what choice an individual makes, it does not change the fact that the individual is being claimed by multiple narratives.²⁴ The individual remains entangled in this sense.

To make sense of the concrete and differential manifestations of entanglement, this section develops a taxonomy (*Figure 3*) from studying the contemporary political reality of three peoples, with an attention to their respective histories: Tibetans after the exile of Dalai Lama in 1959 (people-in-exile), Puerto Ricans since the archipelago was ceded to the U.S. in 1898 (colonized people), and Mohawks situated across the U.S. and Canada territories subsequent to the 1794 Jay Treaty (indigenous people). While the histories of these peoples precede these events, they mark significant beginnings or turning points of the peoples' entanglements. It goes without saying that these histories differ from one another; the geo-politics that marks their entanglement with territorial states is also different. An examination of the continuities that run through these distinct cases also demonstrates that entangled political relationships are constituted against the Westphalian logic of territorial sovereignty and diffused across geopolitical spaces under the contemporary global order of states, undermining the often-made simplistic binary between the dominating West and the dominated non-West.

Figure 3: A Taxonomy of Entanglement

Institutions of Entanglement		Relations of Entanglement	
Territorial Entanglement		Associative Entanglement	
Between Political Communities		Between Individuals and Political Communities	
Geographical	Constitutional	Internal	Transnational

This taxonomy charts two main types of entanglement, territorial and associative. Territorial entanglements arise when the people live in or depend on the territory of a state they are not a part of, as that situation can create entangled geographical and constitutional relationships between that people and the state. As such, territorial entanglements refer to *institutions of entanglement*, within which the self-determination of one community can undermine another community doing the same.

²⁴ This does not preclude the possibility of an individual being a member of multiple peoples. Even in these cases, these different peoples may demand conflicting obligations with competing narratives.

In contrast, associative entanglements arise out of the ambiguities and tensions about individual membership between entangled peoples and states. For the individuals in question, they face both an associative entanglement with within their own people and transnationally with the entangled polities. Associative entanglements thus refer to the *relations of entanglement*, within which membership status fails to reflect the relationship one has with the entangled communities. Unless specified otherwise, I use throughout this chapter, and this dissertation more generally, the term *political community* to refer to both states and peoples, and the term *member* to refer to both citizens of a state and members of a people. To avoid confusion, I occasionally use the term *constituent* to refer to individuals who belong to a community but lack membership status. In the remainder of this section, I elaborate on the terms defined above.

Territorial Entanglement (Geographical)

Territorial entanglements consist of a geographical dimension, in which the land and place necessary for a people to exercise their right to self-determination are territorialized by another state. Following Cara Nine, I use *land* to refer to the physical and geographical features of a space without referring to its cultural or social meaning, *place* to refer to a location imbued with cultural and social meaning, and *territory* to refer to land claimed by states (Nine 2022, 159; c.f. Ochoa Espejo 2020, 161–66). Political theorists commonly recognize that a people has significant cultural, relational, and symbolic connections to a land that makes it their place, and hence the right to self-determination entails the right to determine the development of that place (Moore 2015; Miller 2012). The idea that land matters for reconfiguring territorial units has its roots in 18th century political thought (Sahlins 1989, 96–98), but has recently seen a revival in discussions in response to the misalignment between territorial jurisdictions and ecosystems (Nine 2022; Ochoa Espejo 2020). For instance, by being situated along the same river, the state in the downstream area is inevitably affected by the activities of the state in the upstream. Ecological connections between different spaces can be expansive and dynamic. To continue with the same example, the wellbeing of river catchment areas also has to account for hydrological cycles, atmospheric rivers, underground water, and various human interventions and broader ecosystems (Boelens et al. 2023, 1136). In this chapter, I dwell more on instances of territorial jurisdiction than ecosystems, but want to acknowledge here the relevance and urgency of both.

When the land a people relies upon is territorialized by another state, the self-determination of that people depends upon the choices of that state. Regardless of whether the Limiwas in the chapter's opening example are considered as a people of their own or part of the Tibetan people, they are territorially entangled with the Chinese and Nepali states' geography. When China fully closed their border to Limey herders in 1991, the herders lost access to Tibet's winter pasturelands. As a result, their traditional pastoralist ways of living were no longer sustainable, and many villagers had to leave the community to find alternative jobs to sustain their households. Meanwhile, Nepali lowlanders (referred to by Limiwas as *rongba*) were bringing their herds in the summer to the valley in increasing numbers, hunting wild animals into oblivion, and collecting high-value medicinal plants in large quantities. When Limiwas tried to stop the *rongba* from exploiting the land for material and religious reasons, the *rongba* retorted, "This is Nepal, and we are Nepali. This land also belongs to us" (Bate 2022, 9–12). The Chinese state, in exercising its territorial

sovereignty to control its borders, cut the Limiwas from the land they need for self-determination; the Nepali citizens, in utilizing the land considered as their state's territory, undermined the symbolic values Limiwas invested in the place as their site of self-determination. Geographical entanglement suggests these political communities are related, in the sense that the practices of one community can determine the geographical conditions necessary for self-determination of their counterparts.

Territorial Entanglement (Constitutional)

Beyond the geographical underpinnings which define many territorial entanglements, there is a constitutional dimension, in which the institutions of a people are determined by a state they are not a part of. A people's right to self-determination includes, as the International Covenant on Civil and Political Rights suggests, the right to "determine their political status",²⁵ implying that they have the right to determine their political, economic, social, and cultural institutions. This is neither the case for colonized and indigenous peoples, whose (conditions for) institutions are imposed by an external state, nor for peoples-in-exile, whose institutions exist in spaces authorized or tacitly permitted by other states. Consider Puerto Rico as an example of the former, whose status of U.S. unincorporated territory was foisted on them in *Downes v. Bidwell*.²⁶ The status of unincorporated territory has deprived Puerto Ricans from deciding their own tax policies and made the archipelago a tax haven within the U.S. This reality, coupled with other colonial legacies, plunged the Puerto Rican government into a grave debt crisis. In response to these debts, the U.S. federal government further imposed austerity measures on the Puerto Rican government and deprived it of a sufficient budget to maintain its infrastructure, rendering the islands vulnerable to crises such as Hurricane Maria (Morales 2019). These measures were enforced by the federally appointed Fiscal Control Board over which the Puerto Ricans have no say. Cognizant of its coercive nature, Puerto Ricans have since nicknamed this Board as *la junta* (Bonilla 2020, 6). While Puerto Ricans have challenged these measures both within and without their government structures, constitutionally the final say over their economic institutions has remained in the hands of the U.S. Congress. As such, the Puerto Rican situation exemplifies an institutional instance of territorial entanglement.

Compare this example with the Tibetan government-in-exile in India. India has allowed Tibet's exiles to have 35 official settlements and govern themselves in these settlements through the Central Tibetan Administration (CTA), the de facto Tibetan government-in-exile. This seems to be a preferable model in comparison to Puerto Rico, as the Tibetan settlements in India were designed, with the endorsement of the Indian government, to recreate Tibetan society with social, cultural, and geographical boundaries from the rest of the Indian society (Norbu 2001, 15). Yet, because the settlements are scattered across different states in India and because the government-in-exile is neither officially acknowledged nor sanctioned by the Indian government (McConnell 2016, 154), the resources and autonomy of these settlements depend on their relationships between the respective state governments (Grunfeld 1996, 196–200). More crucially, the government-in-exile depends on the permission of the Indian government, but this permission remains contingent. In 2018, for example, the Indian government issued a directive prohibiting its officials to attend CTA

²⁵ United Nations General Assembly, "International Covenant on Civil and Political Rights", December 16, 1966, Article 1.

²⁶ More recently in 2016 the Supreme Court affirmed in *Puerto Rico v. Sanchez Valle* that in spite of Puerto Rico's own constitution as a self-governing Commonwealth, its authority is "delegated by Congress". See *Downes v. Bidwell*, 182 U.S. 244, 21 S. Ct. 770 (1901); *Commonwealth v. Valle*, 136 S. Ct. 1863, 195 L. Ed. 2d 179 (2016).

events at the eve of a meeting between Indian Prime Minister Narendra Modi and Chinese President Xi Jinping (Purohit 2019). Even in this seemingly preferable scenario, then, the self-determination of the people-in-exile depends on the continuous permission and support of the state they now reside in. More generally, institutional entanglement suggests a relationship between political communities within which one community holds the final and unilateral authority over the institutions necessary for the other community to exercise their right to self-determination.

Associative Entanglement (Internal)

Associative entanglement refers to the entanglement of the political relationships within a political community when membership or citizenship no longer accurately reflects the political relationships held by an individual. The internal dimension of associative entanglement refers to when individuals are not recognized as members of a people, even if they commit to being part of that people and have relationships with fellow members of the people. The right to self-determination is understood to entail the authority of the collective to decide their membership (Song 2018), and while the authority of the collective to do so can be contested by excluded individuals (Abizadeh 2008), it is undermined by an external party in the case of associative entanglement. Take, for instance, the example of the Mohawks, an indigenous people with communities across northeastern U.S. and southeastern Canada. As a result, the Mohawks have been entangled with both states, who both have an interest to define and restrict the membership of indigenous peoples. The U.S. passed the Indian Reorganization Act in 1934 and imposed a blood quantum law to determine indigenous membership. Canada passed the Indian Act in 1867, determining the same with patrilineal criteria with which, prior to 1985 amendments, indigenous women, along with their children, lost their status when they marry non-indigenous men.²⁷

The Mohawks have attempted to resist both sets of membership laws. The Mohawks of Kahnawà:ke, for instance, began to pass and amend their membership law of 1981 and, in the preamble of their 2018 law, explicitly rejected “foreign laws that have presumed to define the principles upon which the membership of our community will be determined”.²⁸ These competing criteria of membership have undermined the ability of individuals to act as Mohawks. For instance, Mohawks have the right to travel between the U.S.-Canada border in accordance with the Jay Treaty of 1794. Yet, section 289 of the U.S. Immigration and Nationality Act stipulates that “such right shall only extend to persons who possess at least 50 per centum of blood of the American Indian race”.²⁹ Ida Goodleaf, a Kahnawà:ke Mohawk, spoke against the blood quantum requirement as metric of membership in 1994, “I go to the city—they say go to the reserve. I go to the reserve—they say go to the city; you don’t belong here” (Simpson 2014, 167). While Ida and others see themselves as part of the Mohawk people, this is not corroborated by their membership status. Membership entanglement suggests that because membership of a people can be determined by an external state, one’s membership status may not accurately describe the political relationships one has with the people.

²⁷ The Indian Act has since been amended multiple times, but First Nations Councils have argued that it should not be up to the Canadian government to decide (Deer 2019).

²⁸ Kanien’kehá:ka of Kahnawà:ke Law, K.R.L. c. M-1 (2003 [amended in 2018]), 2.

²⁹ Immigration and Nationality Act §289, 8 U.S.C. § 1359. See also (Ross 2021).

Associative Entanglement (Transnational)

The transnational dimension of associative entanglement refers to the disconnection between an individual's citizenship and their political relationship with the other political community, especially in the case of a state one does not necessarily identify with. While debate over criteria of citizenship abounds, and I shall delve further into the topic of citizenship in Chapter 4, to take one ideal as a point of departure: if the state is understood to be a vehicle for self-determination, then those who are subjected to the rule of the state should be its citizens (Abizadeh 2012; Lee 2021, 198–99). This and other similar ideals are disrupted when citizenship takes on additional political significance between entangled peoples and states. Consider the evolution of U.S. citizenship for indigenous peoples. Even after the passage of the 14th Amendment, U.S. citizenship was not available for indigenous peoples. With the Dawes Act of 1887, members of indigenous peoples can become U.S. citizens, but only by ceding their tribal land. Citizenship was used, in the words of Theodore Roosevelt, as a “pulverizing engine to break up the tribal mass” (Rollings 2004, 133). While U.S. citizenship has since become more accessible to indigenous peoples, many have found reasons to resist it. In 2010, for example, the Iroquois Nationals Lacrosse Team could not travel to the United Kingdom as they insisted to use the Haudenosaunee passport instead of American or Canadian passports. Speaking about their decision, the team's spokesperson declared, “We are representing a nation, and we are not going to travel on a passport of a competitor” (Rollings 2004, 133). In cases like this, state citizenship is understood to be an acceptance of state sovereignty at odds with the self-determination of the entangled people (Tsosie 2016; Champagne 2013).

Given that individuals navigate these entanglements differently, at times they may find themselves at odds with both the people and the state. The Tibetan government-in-exile often claims that their members refuse Indian citizenship so as not to stop being Tibetan (McConnell 2016, 139–41). This narrative, however, does not fit all Tibetans in exile. While most Tibetans in India are formally eligible for citizenship under India's Citizenship Act, many have had their case rejected; the first person who received Indian citizenship through this Act had to fight her way to the High Court of Delhi in 2010 (Seetharaman 2020, 100–101). Even after that instance, other Tibetan refugees who wanted to apply for Indian citizenship still faced significant administrative hurdles, exorbitant lawyer fees, lack of knowledge regarding the process and benefits of application, and criticisms within the Tibetan community. Specifically, while the Central Tibetan Administration has officially taken a neutral stance regarding the issue, many parliamentarians in the government-in-exile had spoken against it, arguing that “the people who take up citizenship for these benefits rarely think of the greater Tibetan cause” (Seetharaman 2020, 110). Citizenship entanglement suggests that as citizenship becomes an object of negotiation between individuals, peoples, and states, it no longer accurately indicates the direct political relationships at play.

This four-part taxonomy—including geographical, constitutional, internal, and transnational entanglements—has its descriptive and conceptual components, but it also constitutes a more expansive view of political relationships. If political relationships between members of a political community matter in relation to the right of self-determination, the two kinds of territorial entanglement illustrate how the right to self-determination of a people can depend on the decisions

of an external state. This dependence does not erase the agency of entangled peoples: the Tibetans, Puerto Ricans, and Mohawks have each found ways to resist, subvert, or navigate these impositions. Their agency should become clear when I discuss the resistance approach in the next section. It does not, however, diminish the obligation of the entangled parties: the potential consequences of state action for the entangled peoples extend the normative weight of political relationships among citizens to relationships of entanglement. Associative entanglements further complicate the story as they illustrate how conventional political relationships can get entangled such that membership no longer reflects one's relationship with the political community. To understand the full normative landscape of political relationships, one needs to go beyond the framework of political membership.

Crucially, this framework of entanglement alleviates the concern that entanglement as a concept is overly expansive. First, I want to point out that while entanglement can be generalized on to the relationships of other peoples (such as that between member states of the European Union), the concept arises out of the experiences and concerns of indigenous, colonized, and exiled peoples. As such, the concept gains its plausibility by its ability to track such experiences and concerns. Additionally, and for the sake of analytical clarity, as I proceed, I place institutional entanglement at the center of my theory and comprehend relations of entanglement as derived from institutions of entanglement. There are two virtues to this approach. First, I avoid the charge of seeing any relationship of affectedness as relationship of entanglement and hence avoid the problem of conceptual over-stretching. Second, I believe this ordering is justified by the taxonomy I have just offered. While this may not be the accurate historical sequencing, but for each category institutions play a significant role in either producing or maintaining that entanglement. It is precisely because the state in question has the authority to re-constitute the institutions of membership of its entangled peoples that we see some of the tensions regarding membership confronting these peoples. As I shall argue in the next chapter, this institutionalist understanding allows us to see that while entanglement is not necessarily problematic, it is susceptible to taking on forms of domination.

The Impossibility of Boundary Legitimation

Territorial entanglement implies that we cannot reliably expect that the boundaries of a people meet the boundaries of state territory. Because individuals can move geographically and can change their beliefs and intentions, those who relate to each other as a people can be dispersed across various geographical spaces, whereas those who share the same space may not share a joint intention or relate to each other in the way that self-determination demands. It suggests that if we understand people to be a group that shares a will to self-governance and has an ongoing relationship that manifests that will, there is no reason to believe that territorial boundaries bound individuals in a way such that they capture all and only the members of a people. If this is so, it at least partially undermines the self-determination argument from the territorial statist, because entangled peoples who want to self-determine with members of their people cannot do so if they are bounded by territorial state boundaries.

A further implication flows from the fact of territorial entanglement. As individuals get entangled territorially, so do their interests. On the most intuitive level, one's interest is partly conditioned by the objective conditions one is under, and these conditions are at least partly dependent on

various features of the geographical space one is in. If members of a people are dispersed geographically, it means that potentially members of the same people can have very different interests that cannot even be said to compete with each other; they may simply be disconnected interests. Conversely, members of different peoples may have overlapping interests simply because they are sharing the same geographical space. But the story complicates further. One's comprehensive interests and life plans depend not only on the conditions one is thrown into, but also the practices one engages in and the relationships one has with others. Therefore, members of the same people can again share similar interests despite being geographically dispersed, while members of different peoples can lack shared interests in important dimensions despite sharing the same space. This again undermines somewhat the territorialist argument that because interests are bound up with specific geographical spaces, and therefore peoples should be organized territorially. Interests might indeed be bound up with geographical spaces, but the degrees of connection between the two vary, and it is not obvious that the connection displays sufficient significance to justify the territorialist case.

Before turning to associative entanglement and the non-territorialist case, I want to examine one potential response from the territorial statist. This response comes from constitutive statist who believe that they can track the boundaries of the people through the territorial boundaries of the state because it is the state that constitutes the people. There is the familiar Hobbesian argument: a multitude of individuals cannot become a collective political agent unless they are constituted through some unitary institution, some such institution like a state is necessary for these individuals to be constituted into a people. Not all statist would agree that this is sufficient. Some may add further normative constraints, arguing that the constitution of a people is successful if and only if the members participate in the state willingly (Stilz 2019, 126). While they may agree with our definition of the people, they would argue that it is impossible for them to generate and sustain that collective will of self-governance and ongoing relationships of political cooperation without a state vehicle.

Not only does the statist account fail to track the boundaries of entangled peoples, but our understanding of entangled peoplehood also locates why the account generally fails to track boundaries of peoples. Entangled peoplehood shows that it is not necessary for a group to pursue relationships of political cooperation with the will to self-governance. While it is true that the Tibetans in exile organize themselves through the TGIE (assuming that the TGIE even counts as a state proper), that is an exception rather than the rule for entangled peoples. Take, for instance, the case of Hong Kongers. Relationships that demonstrate a will to self-governance as the people of Hong Kongers independent of PRC is understood by both the PRC and HKSAR government as seditious and thus outlawed. This is best captured by the slogan often used by HK protestors in 2019, "Liberate Hong Kong, Revolution of our Times (光復香港，時代革命)", a slogan ruled by the HKSAR national security court as a slogan that communicates secessionist meaning and incites others to commit secession (Ho 2021). The interactions of Hong Kongers that demonstrate peoplehood are thus all outside the state: protests, direct actions, boycotts, and participation in local and diasporic organizations deemed as illegal by the HKSAR government.

Nor does voluntary participation in a state sufficient for us to individuate a people. It is not sufficient because participation in a state does not track the intent of that participation. The Tibetans who have willingly participated in PRC's development initiatives do not necessarily intend to self-govern with other PRC citizens. They might have done so merely for economic reasons. This insight can be coupled with the more general argument that participation in the state is not sufficiently individuating because the state does not possess the unity posited by the constitutive statist account. While the state as an abstraction or theoretical construct may be useful for various purposes, the statist argument requires us to posit some unity of the state, such that the individuals who are participating in the state are actually share "an interlocking structure of cooperative intentions" or relationships (Stilz 2019, 108). However, if we understand the state as an institutional complex, even if the complex is represented in the legal or political realm as one unit, in practice there is no reason for us to expect the unity to be given. Instead, because institutions are aggregates of individual practices and because whether different parts belong to the same whole is in part a matter of interpretation, the unity of these institutions is at best partial and contingent upon the intentions and interactions of the individuals who make up and narrate these institutions (Hay 2014; Bevir 2013, 66). For instance, even if some of the British Cameroons had been "participating" in the same colonial state, those in the North and those in the South might have been participating in different parts of the state and cannot be said to really share meaningful cooperative relationships with each other.

The territorial approach can be recast in a more generalized manner that does not involve statist assumptions. It can perhaps be argued that each people is connected to some geographical space, and it is through the boundaries of that space that we identify the boundaries of a people. However, as the entanglement of peoples has illustrated, if this is true in some instances, it cannot be true in all instances. This is because peoplehood is constituted by narratives, and while many narratives may connect a people to land, they do not necessarily have to. Furthermore, as the cases of Israelis and Palestinians show, even if their narratives connect them to (overlapping) territories, a history of voluntary and involuntary movement of the two peoples implies that the members of the two peoples cannot be identified through the territorial boundaries stated by their narratives. It is one question to judge whether these peoples have a legitimate claim to the territory in question. It is another question to identify the people through the territory.

If territorial approaches fail to do the work, how about non-territorial approaches? Recall that these non-territorial approaches are unified by the desire to bound a people through a fact grounded in some normative principle, leading them to bound the people through affected interests or through shared subjection. At first, it seems that the entanglement of peoples does not embarrass non-territorial approaches in the way that it does with territorial approaches. Peoples may well be territorially entangled such that the interest groupings do not match neatly on to territorial units. Because non-territorial approaches are non-territorial and define peoples through interests or some other normatively grounded facts, it has no problem of defining a people that is dispersed across territorial space but united by the same normatively grounded fact. Additionally, while the individuals may be all affected by one issue but not all affected by another, non-territorial approaches have no issue in saying that they constitute a people in relation to this issue but not in another. For non-territorial approaches, peoples can be an episodic being.

Yet, a consideration of associative entanglement complicates the picture. While territorial entanglement implies that individuals of different peoples and spaces have their interests intertwined, associative entanglement implies that how these interests are intertwined, or what these interests are even, is a matter of interpretation. Is a Hong Kong protest against a local extradition bill a matter of interest for diasporic Hong Kongers in the U.S.? The answer depends on what narratives they buy into. One U.S. migrant, who described himself as a person who had left Hong Kong for many years, who has no family or friends in Hong Kong, and who had not been interested in politics so far, said he was moved by the stories of sacrifice of Hong Kong young activists, felt guilty about not being able to there and help, and felt a sense of obligation to “help the Hong Kong people” (Wong 2021, 121). In this case, the narrative of suffering and the narrative of guilt combined to connect the interests between Hong Kongers in Hong Kong and the Hong Kongers in the U.S. But of course there can be competing narratives. Compare, for instance, two hypothetical second-generation Tibetan migrants in the U.S. Do they have interests that would connect them to the Tibetans in India and Tibetans in China as a people? One of these migrants may narrate herself as part of the Tibetan diaspora, shares the intention of collective self-governance with other Tibetans, and participates in various Tibetan organizations such as the Tibetan Youth Congress. Even on the terms of an interest-based approach, she does have interests affected by PRC policies given her significant relationships with other Tibetans in India and in PRC. Meanwhile, the other migrant may not narrate himself as part of the diaspora, does not share such intention, and does not participate in any such organization. We could reasonably suggest that her interests are not affected by PRC’s policies in Tibet. There is indeed a certain thrownness in terms of their identity given their background as a second-generation Tibetan in the States, but their interests are constituted and mediated by how they narrate their situations and the relationships they participate in. The all-affected interest principle falls prey to what Fraser calls “the scientific presumption”: there are no “uncontroversial facts concerning who is affected by what” (Fraser 2009, 67–68), because there is no interest that is not constituted by and mediated by narratives and choices individuals make in terms of what they care about and what relationships they participate in. I would further contend that the All-Subjected Principle is not immune from this problem, because whether an individual is subjected to a structure of governance or instances of power depends on whether the interests and relationships an individual care about fall under that structure or not, and that again returns us to the question of narrative and agency.

Of course, both territorial and non-territorial approaches could retort that I am simply missing the point. Their major claim is less about how they can identify the boundaries of a people but more about how politics should be organized. Territorial approaches believe that territorial states are the best ways to realize the collective right of self-determination, while non-territorial approaches believe that politics should be organized according to interest or subjection for politics to be democratically legitimate. I shall not attempt a comprehensive response to the major claims of either approach. Instead, my response is simply that it is one thing to argue for politics to be organized in one way or the other; it is another thing to suggest that this legitimates the boundaries of a people. At the very least, I want to argue that a group bounded through either approach is not necessarily a group that shares a will to self-governance or an ongoing relationship of political cooperation, and that the constitution through a state or through shared interests does not necessarily a people made. This response may not seem satisfactory, in part because I have not

addressed about the beliefs regarding exclusion. If self-determination requires exclusion, then indeed exclusion requires some legitimate justification, and these approaches are trying to offer one. But what if the exclusion requirement itself is misguided?

Is Exclusionary Self-Determination a Coherent Ideal?

There are already peoples who are significantly entangled, like the Tibetans and Hong Kongers. And even for peoples who are not significantly entangled as of now, entanglement is a potentiality that cannot be pre-emptively avoided in the future. I argue that given the existence of entangled peoples and the potentiality for other peoples to be similarly entangled, exclusion in normativity is unachievable, exclusion in territory is normatively problematic, and exclusion in participation is incoherent.

Normative Exclusivity refers to keeping a people as a bounded community with common meanings and keeping their ability to set norms for themselves on the basis of those common meanings. These common meanings presuppose both that the members of a people all engage similar practices that constitute the social background against which these common meanings make sense and engage in shared interpretive practices such that they all can grasp these meanings in ways that each other could recognize. Furthermore, the ideal of normative exclusivity presupposes that the people can decide in some exclusionary manner how these norms should be set or transformed. These presuppositions do not hold up for entangled or potentially entangled peoples. As members of the same people disperse across geographical space, they no longer all engage in a tightly connected and closed set of practices. The Tibetan exile community in India had, for instance, tried to keep pristine their Tibetan norms within the Indian settlements. As the new Tibetan exiles who escaped from China in more recent decades have found as they moved to these Indian settlements, these so-called pristine Tibetan cultures are at some distance from the Tibetan cultures within the PRC, and that have generated some suspicion and misunderstandings between the two. The ideal of setting norms within the bounded community setting also does not hold up. As peoples find themselves associatively entangled, they find themselves continuously developing narratives to counter competing narratives, and the content of their narratives changes as a result of this competition. Less antagonistically, many members of a territorially entangled peoples will bring in concepts and norms they have obtained from relating with other non-members. We can of course still identify some shared meanings among members of a people that they can all recognize as theirs. My point, however, is that any attempt to erect boundaries around these shared meanings to prevent them from being corrupted by other norms and concepts and any attempt to set up norms by reference these meanings is bound to fail.

Territorial exclusivity refers to a people having a set of territorial rights in an exclusive manner. For now, I only want to focus on exclusive territorial jurisdiction. The argument that exclusive territorial jurisdiction is necessary for self-determination is premised upon the assumption that the boundaries of a people map on to territorial boundaries. When the two cease to match, exclusive territorial jurisdiction immediately makes less sense, as the territorial interests of members of a people outside those boundaries are no longer met through that exclusive jurisdiction. It is, however, normatively problematic for a deeper reason. It is problematic because then individuals who are not members of a people and yet share the share geographical space lose access to having

a decision over their territorial interests. A case in point would be the Palestinians who live under the Israeli state currently. Because the Israeli state is premised upon realizing the self-determination for Israelis, Palestinian residents' interests are simply disregarded if not actively undermined. Yet, a two-state solution that seeks to separate the two peoples would not work, and not merely because there lacks a political will among the two peoples. It also would not work because while on one hand some individuals have reasons to move across geographical space, others have reasons to stay where they are. Unless individuals are violently displaced and removed, peoples who are territorially entangled will often stay entangled for the foreseeable future. A right of self-determination premised upon territorial exclusivity is bound to neglect the interests of members outside the people's territorial boundaries and the interests of non-members within their territorial boundaries.

Participatory exclusivity refers to setting boundaries as to who can legitimately participate in a people's decision-making process. This ideal postulates that a people is self-determining when all and only the members of a people have access to participating in the people's decision making process. This ideal is incoherent for two reasons. It is incoherent firstly because there is no metric to bound the people in accordance with our understanding with what a people is. A people is a group of individuals who share a will to self-govern and participate in relationships that manifest that will. The constitution of a people will both exhibit some degree of stability and some degree of flux. It will be stable to some degree because relationships are sticky and many members will continue to engage in the same relationships. It will however be always somewhat in flux because individuals nonetheless have the agency to change their beliefs, intentions, and the practices and relationships they engage in. Therefore, there will constantly be new individuals joining a people and individuals leaving. Regardless of whether we bound a people through territory, interest, or subjection, the boundaries determined by these metrics will not match the changes due to the subjective choices made by these individuals. In this case, a bounded right of participation will always deny the right of self-determination to some individuals. It is also incoherent for a second reason. It is incoherent because it is based on a flawed notion of independence. Participatory exclusivity relies on an image of a purely independent people, an image of which members of a people make decisions together freed from the influences of anyone outside the boundaries of a people. This idea of pure independence is illusory.³⁰ Just as the right of self-determination of a people has to be recognized by other peoples within the international community, any decision made by a people has to be respected by others in the international community, and this respect is governed by both existent norms and the politics between peoples. For instance, how broad or narrow should the realm of decisions be accorded to the sovereignty of a people such that the consequences these decisions have for non-members are acceptable?³¹ The right of self-determination and the ways a people govern themselves inevitably require the participation of individuals who are not members of the people.

³⁰ I take insight for this argument from Robert Brandom's interpretation of the master-slave allegory in Hegel's *Phenomenology* (Brandom 2019, 269–77).

³¹ Goodin, for instance, contemplates the possibility of narrowing the decision-making power of a people such that decisions of a people affect only the members of a people, and concludes that that is impossible (Goodin 2007, 63).

Conclusion

In this chapter, I have argued that a people could be said to warrant the right of self-determination only if members of a people share a will to self-govern and ongoing relationships that manifest that will. I have further argued that this definition requires us to recognize how the constitution of a people can change due to individual agency involved in adopting and changing their beliefs, intentions, practices, and relationships and how these choices are embedded in and interpreted through competing narratives. I then showed that a grasp of this nature of peoplehood compels us to recognize the possibility of territorial entanglement and associative entanglement, and this possibility is an actuality for many historical and contemporary peoples. If we take the entanglement of peoples seriously, we should accept the implications that flow from it. We cannot define and legitimate any boundary of a people through any convenient metric. But maybe we don't have to. After all, the urge to bound a people flows from the assumption that exclusionary boundaries are necessary for the right of self-determination. The need and legitimacy for exclusion are also undermined by the implications of entanglement. While I have shown that self-determination cannot require exclusion, I have not yet shown how it would positively look like. This shall be my task for the subsequent chapters.

Political Obligations

“The land belonged to Nepal but the people belonged to Tibet” (Yeh 2021). Historically, this had been how the residents of the Limi Valley parsed their political relations. While they were part of the Tibetan people, the Limiwas resided in a valley, situated in the now-Humla district, in northwestern Nepal. Their political landscape was further complicated when the People’s Republic of China drove the Tibetan government into exile and signed the 1961 Sino-Nepal Boundary Treaty. This new borderline cut the Limi Valley off from trade routes and winter pasturelands in Tibet on which the valley community relied. To retain their access to the land that became Chinese territory, the Limiwas had to obtain border citizen cards. Issuance was conditional upon them suppressing their Tibetan identity, cutting their ties with the Tibetan government-in-exile, and subjecting themselves to the control of the Chinese state. While Limiwas paid lip service to China’s demands, they nonetheless maintained close economic, social, and religious ties with the Tibetan government-in-exile. At least by the mid-2010s, most children of the valley were still receiving their education in schools run by the Tibetan administration in Indian settlements, and the larger households of the community were to send one of their sons to become a monk at the Rinchenling Monastery, one of the oldest Tibetan Buddhist monasteries in Nepal. This practice, in recent years, came in sharp tension with Nepali state law that disallows Nepalese citizens from being forcefully kept in a village (Yeh 2021, 926–39).

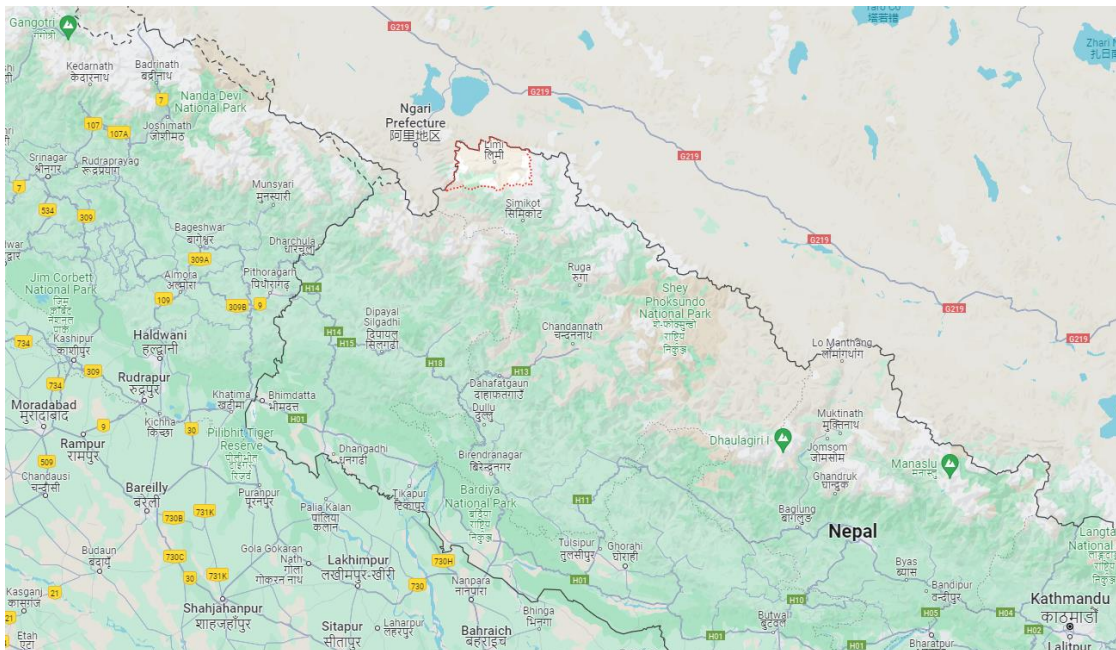


Figure 4, Map of Limi Valley (Indicated by Red Dotted Lines). Source: 2024 Google Maps.

The story of the Limiwas illustrates a broader predicament confronting colonized peoples, indigenous peoples, and peoples in exile—peoples who are entangled with territorial sovereign

states they “belong to but not a part of”.³² Peoples such as Puerto Ricans, Guadeloupeans, Hong Kongers, Mohawks, and Tibetans are all distinct political communities with an ongoing history of political cooperative relations. On those grounds, many of them have made claims to the right of self-determination, according to which each people should have the collective autonomy to decide their affairs in a relevant range of socio-political domains. These peoples, however, are subjected to the authority of territorial sovereign states that they are not a part of. The broader predicament consists of, as the experiences of Limwas disclose, not only the difficulty of exercising self-determination under such conditions, but also the challenge of navigating a complex landscape of political obligations. What obligations do entangled peoples have toward the states they are under? Does the former have to obey the authority of the latter? What obligations, in turn, does the state have toward its entangled peoples? Does the state have to respect the claims to self-determination by these peoples? For individuals differently positioned within these relations, what are their obligations to these entangled political communities respectively?

To answer these questions, one needs to understand and potentially revise the core concepts at play here, namely self-determination and political obligation. Self-determination, interpreted as the right of a people to decide and realize their ends for themselves, has been employed to ground and divide domestic and international obligations within a Westphalian framework. Its narrative goes as follows: domestically, the community’s effective exercise of self-determination presupposes the obedience of its members; internationally, respecting the right to self-determination entails that communities should refrain from interfering with each other. The plausibility of this divide, however, presupposes first that there is a relatively fixed boundary that differentiates between the jurisdictions of each political community. Furthermore, it presupposes that there is a fundamental similarity in the kind of cooperative relationship shared among members of a community that is not shared by those outside the community. As I shall argue in this chapter, neither of these assumptions captures the experiences of indigenous, colonial, or exiled peoples: while each of these peoples has their distinguishable web of cooperative relations, the boundaries of these webs are at best fuzzy and traversed by various cooperative relations between members of entangled peoples. As such, this Westphalian framework cannot, without significant modification, adequately comprehend the complicated landscape of entangled political obligations.

This chapter bridges this gap with the concept of entanglement. Entanglement picks out a set of relations between communities, within which at least one community has the institutional standing to decide how their counterparts are constituted. Thus defined, entanglement has the virtue of being a generalizable category that includes not only the asymmetric relations between the above-mentioned peoples and the states they are in, but also more symmetric relations such as that between member states of the European Union. With this definition in place, I make three claims in this chapter. First, entanglement undermines both the presuppositions of boundary and of relationality. Entangled communities have the institutional standing to transform their boundaries continuously and entail uneven cooperative relations among their members across these boundaries. Second, entanglement transforms both the obligations individuals have to their

³² This phrase is drawn from *Downes v. Bidwell*, in which the U.S. Supreme Court established Puerto Rico as “a territory appurtenant and belonging to the United States, but not a part of the United States” and gave the federal Congress plenary power over the archipelago. *Downes v. Bidwell*, 182 U.S. 244, 21 S. Ct. 770 (1901).

community and the obligations communities have to each other. Individuals embedded in entangled communities have relations that cut across community boundaries, and the exact obligations they have depend on the relations they have with each community. Entangled communities have the obligation to respect the right of their counterparts to have a non-trivial say in their own constitution, in addition to an obligation to offer support for their counterparts to engage with the consequences arising out of the entanglement. Third, entanglement takes on a dominating form when one community can unilaterally change the constitution of their entangled counterparts. This domination explains part of the wrongness when indigenous, colonized, and exiled peoples are stipulated as belonging to but not a part of the state, and explains why the state loses its legitimacy in these instances.

Section I of this chapter teases out the presuppositions grounding the conventional picture of domestic and international political obligations that preclude entanglement from its analysis. Section II develops the concept of entanglement as a political relationship. Section III paints the landscape of political obligations arising out of entanglement. In the process of arguing for the three above-mentioned claims, this chapter contributes to the study of political obligation, along with two additional themes of transnationalism and self-determination. Situated within the literature on transnationalism, relations of entanglement not only provide a frame to evaluate possible transnational institutions, but also engender concerns that cannot be captured by an undifferentiated cosmopolitanism. Situated within the literature on self-determination, this chapter builds upon relational conceptions of self-determination and illustrates how self-determination can be possible for communities that do not have a state of their own. This chapter, however, also demonstrates that arrangements which offer internal autonomy for a community are unlikely to protect their right to self-determination, unless the community is given a non-trivial say in the institutions that have the authority to define and change these arrangements.

Obedience at Home, Non-interference Abroad

The Westphalian picture of political obligations that pervades both academic and popular discourses goes as follows: domestically, citizens have an obligation to support their state by following the letter of its law; internationally, states have an obligation to refrain from interfering with the internal affairs of other states. While these claims have been challenged by cosmopolitans and transnationalists alike (Beitz 2000; Abizadeh 2012; Ochoa Espejo 2020; Nine 2022), the presuppositions that ground this picture persist in the discussion of obligations. To uncover these presuppositions, this section begins with a reconstructed Westphalian defense of domestic and international obligations. Theories of political obligation deviate from this reconstruction in different ways, but most nonetheless assume a sharp domestic-international division. As I shall illustrate, this division is motivated by a genuine interest in collective autonomy, with the right of self-determination being its expression. However, it is only rendered plausible because theorists either explicitly or implicitly make two additional presuppositions: a relatively fixed boundary between communities, along with a fundamentally cooperative relationship shared only among citizens.

Most contemporary theories of political obligation rely, either explicitly or implicitly, on some account of collective autonomy. Their shared premise is that individual well-being depends on the

successful pursuit of meaningful goals and relations, but these pursuits require the cooperation of others. Individuals therefore have an *instrumental* interest in valuing those who share with them similar approaches to cooperation, as this facilitates them to secure the social conditions necessary to define and pursue their goals (Margalit and Raz 1990, 450–51). Additionally, as goals do not acquire meaning in a vacuum, the meaningfulness of these pursuits is itself socially embedded and defined. Individuals can see the very process of social cooperation as meaningful and hence have an *intrinsic* interest in maintaining their cooperative relations (Moore 2015, 63; Miller 1997, 88–90). This interest is expressed by the right to self-determination which had, by the mid-20th century, attained the status of an international consensus (Hechter and Borland 2005). Article 1 of the International Covenant on Civil and Political Rights (ICCPR) states: “All peoples have the right of self-determination,” by which they freely determine their political status and pursue their economic, social, and cultural development. Thus defined, this right captures the interests individuals have in cooperating with particular others.

Theories of political obligation stipulate that for a group of individuals to realize their interests in collective autonomy, the group needs to establish a state and comply with its authority. Despite their other disagreements, most theorists of political obligation characterize the relationship among members of the same political community as fundamentally that of cooperation in which they jointly maintain the social conditions they live under share (Hart 1955, 185; Klosko 2005, 103; Brown 2020, 385; Scheffler 2018, 15; Lefkowitz 2022, 12). This cooperative enterprise is internally threatened by the plurality within the political community and the potential noncompliance of its members. To diffuse this threat, there needs to be a legitimate unitary institution, the state, which develops a coherent scheme of rights and policies that reflects the collective will of its members (Stilz 2009, 192) and interprets and enforces that scheme (Waldron 1993, 15; Wellman 2001, 747). The instrumental necessity of the state to the citizens’ collective autonomy, therefore, grounds the obligation of citizens to establish and support the state, primarily by obeying its laws.

While the term political obligation is often reserved for discussions of this domestic obligation, I see it as intimately connected to the belief that internationally, communities can only realize their respective interest in collective autonomy if they leave each other alone. This argument does not necessarily deny the interconnection between communities. However, this interconnection is seen as external to defining the relationship between communities. Each community is understood to be fundamentally self-sufficient and value having its own domain of action freed from the influence of other communities (Young 2009, 31–33; Rawls 1999, 119; Macedo 2004, 107–8). A simplified Westphalian version of this principle would simply identify this domain as the territory of the state. A more nuanced account would only require that each community has the right to non-interference within a set of relevant domains, subject to constraints such as that of human rights (Levy 2008, 68). With this caveat, the principle of non-interference can even be rendered compatible with more cosmopolitan obligations such as that of entering international organizations or offering humanitarian assistance (Rawls 1999, 37–38; Macedo 2004, 105–7). The baseline of the principle is that each community has a bounded domain over which other communities have no say, and every community has the obligation to respect this boundary.

While the discussions of domestic obligation and international non-interference rarely intersect, they constitute two sides of the same coin. Because each community is understood to be a bounded unit, self-determination requires its internal unity to be undisturbed by either disobedience at home or interference from abroad. By putting the two principles together, however, one can see that the plausibility of both principles relies on two key presuppositions. First, it is assumed that community boundaries are clearly defined and relatively fixed. In the Westphalian picture, each state has a clearly individuated and bounded territorial jurisdiction which defines the domain of self-determination for the community. Boundaries serve the functions of marking and limiting the domains of each community (Nail 2016, 36–38; Macedo 2004, 109), and are hence necessary for any framework that posits a domestic-international divide. When communities overlap with each other, non-interference is no longer a viable option, nor can individuals choose to only pay heed to their own community. At its limit, where the contested land sees a mix of different political communities who each lay claim to the land, even political theorists who otherwise support the Westphalian model agree that other forms of shared governance are needed (Miller 2014). These cases, however, are often treated as exceptions to the rule, leaving intact the imagery that most other communities have relatively well-defined and fixed boundaries. Call this the boundary assumption.

Second, it is assumed that members of a community are related in a way that is fundamentally different from the relations they have with non-members. To posit a domestic political obligation is to claim that there is an obligation that applies to only and all members of the community (Simmons 1979, 31–35). To meet this requirement, most theorists of political obligation claim that there is a kind of relationship shared by only and all members of a community. In the reconstructed account, I have characterized this relationship as one of political cooperation, while recognizing that some theorists may ground their theories with an alternative relationship, such as that of regularly affecting the rights of each other within a shared system of resources (Waldron 1993, 15). Such relations are essential to justify the standing individuals have in demanding their fellow members to do their part for the community (Gilbert 2014, 5), and hence the obligation of obedience to laws, understood as the agreed-upon rules of the community. Conversely, the absence of this political cooperative relationship among communities explains the lack of standing they have in making demands of each other, and hence the obligation of non-interference (Macedo 2004, 110). The limits of this presupposition can again be revealed by considering “exceptional” cases, such as that of individuals with multiple citizenships (Vasanthakumar Forthcoming; Tanasoca 2018) or those who are stateless (Gates and Klosko 2022). While theorists have discussed how domestic political obligation can apply to these individuals, this extension has yet to capture the implication of these cases: individuals are engaging in cooperative relations across community boundaries, and in ways that are neither necessarily nor sufficiently captured by their membership status. Call this the relationality assumption.

To push back against the urge to dismiss non-conforming cases as mere exceptions, I shall conceptualize a generalizable set of relations that cut across the domestic-international divide. This concept, entanglement, is motivated by the relations indigenous, colonized, and exiled peoples have with the states they are territorially situated within, but also captures other relations such as that between the EU member states. By drawing out the political obligations that arise from

relations of entanglement, I demonstrate that the Westphalian framework cannot account for these entangled obligations without foundational transformations. In making these moves, I can anticipate an objection against this overall enterprise. Some may question that I am no longer talking about *political* obligation, given that the debate over political obligations is motivated by the domestic question of why individuals should restrict their freedom and obey the laws of their state or country. They may claim that discussions of other obligations are at best tangential to the debate over political obligation, as only the latter debate concerns an entity with the authority to coerce its subjects (Simmons 2016, 15). As I shall elaborate later on, even if the discussion of political obligation only concerns coercive authority, it does not justify restricting the discussion to citizens of the state: institutions beyond the state may have such authority, and the state may exercise that authority over non-citizens. Furthermore, I shall argue that once we take on a more expansive view of political community that includes not only states but also stateless peoples, it should compel us to take on a correspondingly expansive view of political obligation as supporting the community in ways beyond obedience.

Relations of Entanglement

The Westphalian framework is, in a way, tautological: by only counting the relations among citizens of the state as political cooperative relations, it then claims that political cooperative relations only exist among citizens of the state. To introduce the concept of entanglement, I need to first replace this tautology with a more extensive view of political community. This view begins with a premise that theorists with Westphalian commitments also share: a political community is made up of a web of ongoing political cooperative relations. How can one discern if such a web of relations is present? The statist response points to the state as a reliable heuristic (Stilz 2019, 124–27), but nothing in the initial premise logically restricts us to a statist framework. Instead, we can operationalize the concept of relationship and break it down into an observable series of mutual interactions or joint actions that extend through time (Seglow 2013, 28). We can suggest that there is an ongoing cooperative relationship between individuals whenever we observe them engage in extended joint actions, but two further questions remain. What makes these relations political, and how do we group these relations into a unified web, such that we can say this is a political community? The answer to both is provided by a joint commitment to peoplehood (Gilbert 2014, 346–55): a commitment shared by members of the group to exercise their autonomy as a collective over a significant range of domains, or in other words, a commitment to exercise self-determination as a collective. This joint commitment renders the group political, as now the group has to decide, as a collective, how to organize and govern these domains. It also serves as the interpretive ground to group some while excluding other relations as a unified web.

As an illustration, consider colonized peoples, such as Hong Kongers and Guadeloupeans who do not have a state of their own, and often see their local governments as puppets of their colonizers. Despite their *de facto* statelessness, each has its own history of political cooperation, made up of social movements, resistances, non-governmental organizations, and labor unions. These interactions, practices, and organizations are united via a shared commitment, most explicitly expressed in slogans such as “Liberate Hong Kong, Revolution of Our Times” (Lam 2019) or songs like “Guadeloupe is Ours” (Bonilla 2015, 156–57). These practices enable us to tease out

distinguishable webs of political cooperative relations. Recall our starting premise: a political community is made up of a web of ongoing political cooperative relations. Nothing in this premise necessitates that this web has fixed boundaries or that it cannot overlap with other webs of relations. Hong Kongers, Guadeloupeans, and Tibetans are also situated within the states of Britain, China, France, or India, and as such, many individuals are implicated in multiple webs of relations. In fact, the same applies to the member states of the EU: Germany and France share many institutions, but nonetheless are distinguishable from one another. The expansive view of a political community demands that it can be distinguishable from other communities but requires neither Westphalian presupposition.

While the expansive view implies that a political community need not be constituted by a state of its own, institutions nonetheless play a constitutive role in even stateless communities. Institutions, defined as “systems of established and prevalent social rules that structure social interactions” (Hodgson 2006, 2), include a wide range of instances such as language, law, organizations, and informal norms. Institutions constitute a community, in the sense that they enable and structure the community’s political cooperative relations. As an illustrative case, consider Tibetans-in-exile, who, while lacking a state of their own, have established a government-in-exile in India. The Central Tibetan Administration (CTA) manages Tibetan citizenship, charges a voluntary tax (*chatrel*), holds elections, and administers a host of welfare services for Tibetans in refugee settlements. By determining the rules of membership, welfare, and other settlement policies, the CTA plays a constitutive role in making the Tibetan people. There is, however, a plurality of institutions beyond the “state institutions”. Tibetan relations extend beyond the CTA: other Tibetan organizations such as the Tibetan Youth Congress, the Students for a Free Tibet, and the Tibetan Women’s Association further forge cooperative relations among exiled Tibetans, even if their goals sometimes differ from or even contradict that of the CTA (Houston and Wright 2003, 224). Institutional plurality, coupled with the fact that institutional rules always require interpretive judgment in practice (Zacka 2017), implies that while institutions play a constitutive role, no single institution or set of institutions can exhaustively constitute a people.

Having expanded our understanding of political communities and established the constitutive role of institutions, I now return to the concept of entanglement. But as I do so, I want to make a note about terminology. I have previously argued that a political community can be distinguished by a joint commitment to peoplehood. Bracketing the question of whether there are other kinds of political community, this chapter’s focus is on entangled peoples. In the ensuing discussion, I shall use the term community to refer to both peoples and states. By people, I am referring to a political community that shares the commitment to self-determination regardless of state recognition. By the state, I am referring to not only a set of institutions, but also the political community that has a say over these institutions, with the understanding that this community may not be identical to the population residing in the state’s territory. For the sake of brevity, while I recognize that sometimes the state can represent the people, I shall mostly reserve the term people for political communities that do not have a state of their own, and use the term state to refer to those that do.

As a term, entanglement has been deployed widely, from quantum physics to philosophy, to refer to a relationship between elements that co-constitute each other (Noë 2023). Drawing from these

connotations, I define political entanglement as a relationship between communities within which a community has the power to institutionally constitute another community. Thus defined, the concept picks out a set of relations ranging from that between the member states of the EU to those between colonial states and colonized peoples. Because institutions play a significant constituting role, when one community has a non-trivial say in the institutions that constitute another community, the former thereby obtains some degree of power in constituting the latter. In the EU, for instance, each member state formally has some standing in constituting their fellow members, as they have each yielded part of their constituting power to shared EU institutions such as the European Commission (Hooghe and Marks 2001). While in the case of EU, this power is at least formally shared in a reciprocal manner, this reciprocity can be absent in other instances of entanglement. A colonial state, for instance, has constituting power over its colonized peoples without necessarily any form of reciprocity. Additionally, communities may be entangled in varying ranges of domains and extents. There are yet other variations that hinge upon the kind of constituting institution in question and its institution designs. Across these variations, the defining feature of entanglement is that a community gets a say in how another community should manage its political cooperative relations.

While political communities can be interconnected or even interdependent with each other economically, ecologically, or otherwise, entanglement has a distinct institutional dimension. The United States is at best only partially entangled with Canada. Although they are interconnected in almost every domain, not every one of these connections counts as entanglement. For instance, while both states are members of the North Atlantic Treaty Organization (NATO), as NATO lacks constituting authority, this relationship does not amount to entanglement. By contrast, the North American Free Trade Agreement (NAFTA) arguably has some constituting authority over the trading and labor practices of the two states and hence entangles them, even if its authority had in practice often been ignored by the United States (Tangeman 1996). Additionally, not all peoples within the same territory are necessarily entangled. For instance, while both Puerto Ricans and Mohawks are entangled with the United States, they are not entangled with each other, as neither people has the institutional standing to constitute the other.³³

Entanglement does not necessarily undermine a community's right to self-determination. To assume this is to already accept the Westphalian presupposition that self-determination requires non-interference. As a first step of that argument, I want to first demonstrate how entanglement can be compatible with practices of self-governance. Consider the Indian Civil Rights Act (ICRA) passed in 1968 in the U.S. It consolidated the power of indigenous peoples in the U.S. to handle their own judiciary affairs, but in that process formalized the institutions of tribal court, making them resemble that of the federal judiciary system. As Vine Deloria, Jr. and Clifford Lytle complain, "Traditional Indian society understood itself as a complex of responsibilities and duties...the

³³ A more complicated set of cases concerns entangled peoples under a constituting institution which none of them has a say in. For instance, indigenous peoples in the United States, by virtue of being subjected to the same set of institutions, are undeniably in a special kind of relationship with each other. They can sometimes adversely affect each other's constitution, such as in the case when the Quinault Tribe of Washington appealed to the Board of Indian Appeals to revoke the recognition of the neighboring Chinook Tribe (Sohn 2006, 160). It is unclear, however, that these communities have the reliable standing to directly constitute each other, and hence I bracket this set from my discussion.

impact of the ICRA was to make these responsibilities impossible to perform because the act inserted the tribal court as an institution between the people and their responsibilities. People did not have to confront one another before their community and resolve their problems; they had only to file suit in tribal court” (Deloria and Lytle 1984, 213). Clearly, the formalization of tribal court through the ICRA played a role in re-constituting how indigenous peoples in the U.S. organized their cooperative relations with each other, even if they are the ones who have authority in the tribal courts. But of course, to say that entanglement is compatible with self-governance does not imply that it is compatible with self-determination. For the second step of the argument, we need to understand what we mean by self-determination.

Recognizing that communities may have fuzzy boundaries or overlapping territories gives us reasons to understand why communities may find it beneficial or even necessary to develop relations of entanglement. However, the interest a community has in self-determination also gives it a reason to want these entangled relations to cohere with its collective autonomy. This coherence is achieved when none of the entangled parties is dominated by the other parties in the relationship (Rafanelli 2021, 166; Young 2009), with domination defined as one party having a power to interfere uncontrolled by the other party. Philip Pettit has defined this power as “the unvitiated capacity and uninvaded capacity to interfere or not” and the lack of control as the other party lacking a say over the terms this power is exercised on (2012, 50). While non-domination does not require strict equality between the entangled communities, it does require that each community has at least a non-trivial (but not necessarily final) say over how their own domains are constituted. In practice, the exercise of such say depends on a variety of factors, but entanglement necessarily involves an institutional dimension: the community needs to have the institutional standing to either participate in the decision-making processes or contest the decisions being made.

The lack of such standing reflects the problem in the relations many indigenous, colonized, and exiled peoples have with the states they are entangled with. In these instances, two or more communities are entangled under the same territorial state, and the state has constituting power over these communities. When one of these communities lacks a non-trivial say in the state institutions that constitute their own domains of cooperation, the community gets dominated by their entangled counterparts who have such a say. This domination can occur either directly, when the state dominates over what institutions should govern its entangled peoples, or indirectly, when the state dominates over what institutions its entangled peoples are permitted to have. To illustrate the former, consider Puerto Rico, whose status as an U.S. unincorporated territory was foisted on them.³⁴ The status of unincorporated territory has deprived Puerto Ricans of deciding, as a people, their tax policies, turning the archipelago into a tax haven within the U.S. Coupled with other colonial legacies, this has plunged the Puerto Rican government into a grave debt crisis. In response to these debts, the U.S. federal government further imposed austerity measures on the Puerto Rican government and deprived it of a sufficient budget to maintain its infrastructure, rendering the islands vulnerable to crises such as Hurricane Maria (Morales 2019). These measures

³⁴ Most recently in 2016 the Supreme Court affirmed Puerto Rico’s status as unincorporated territory in *Commonwealth of Puerto Rico v. Sanchez Valle*, stating that in spite of Puerto Rico’s own constitution as a self-governing Commonwealth, its authority is “delegated by Congress”. *Commonwealth v. Valle*, 136 S. Ct. 1863, 195 L. Ed. 2d 179 (2016). See also note 1.

were enforced by the federally appointed Fiscal Control Board over which the Puerto Ricans have no say. When Puerto Ricans protested against the Board and called it *la junta* (Bonilla 2020, 6), they aptly diagnosed their situation: as a people, their cooperative relations are structured by financial institutions over which they have no say.

To offer an alternative example of entanglement reflective of indirect form of domination, let me return to the Tibetans-in-exile in India. The Indian government, confronted with the ten thousand Tibetan exiles on its soil in the 1960s, had decided at that time they would neither allow them to all live in one area nor break them down into family units. Instead, the exiled Tibetans were scattered in 35 (later 36) settlements across different states in India, with each settlement expected to achieve self-sufficiency and self-governance economically and culturally (Goldstein 1978, 398). Additionally, while the Indian government has never formally recognized the CTA, the former has in practice treated the latter as having full administrative autonomy over the refugee settlements (McConnell 2016, 154). Although the Indian government has not generally imposed institutions on the Tibetans-in-exile, they have in effect structured how the Tibetans manage their cooperative relations. Given that the CTA has neither legal nor constitutional status, it can only make use of ideological appeals and economic pressures (Goldstein 1978, 409). At the same time, the way land and tasks were allocated among Tibetans played a role in changing the conventional feudal relations among Tibetans into more equitable ones (Goldstein 1978, 406). Furthermore, the fact that settlements are scattered in different states entails that the resources and autonomy of these settlements depend on their relationships with the respective state governments (Grunfeld 1996, 196–200), leading to a disparity among Tibetans in different settlements. Lastly, the ambiguous status of the Tibetans-in-exile in India renders their political rights vulnerable to changing geopolitics. Arrests of Tibetans-in-exile for protesting are common, and in 2018, for example, the Indian government issued a directive prohibiting its officials from attending CTA events on the eve of a meeting between Indian Prime Minister Narendra Modi and Chinese President Xi Jinping (Purohit 2019). The relationship between Tibetans-in-exile and India illustrates the various ways the state indirectly defines the rules that structure the cooperative relations of its entangled people, underlining the point that institutions refer not only to organizations and written laws alone.

Understanding relations of entanglement through these case studies helps us understand why neither the boundary nor the relationality assumption holds. Entangled political communities do not necessarily have fixed jurisdictional boundaries. Instead, these boundaries can be decided and changed by the institutions that constitute these communities. In a non-dominating entangled relationship, these changes likely result from collective decisions by the communities. In its dominating form, these boundaries can change despite the objection of these entangled communities. Take, for example, the presumed jurisdiction indigenous peoples have in economic affairs on reservation lands in the United States. In the second half of the 20th century, a number of indigenous peoples, finding it difficult to sustain other economic projects on reservation lands due to lack of support and federally imposed constraints, ventured into gaming businesses (Cattellino 2005, 188–89). In response, the states these indigenous peoples are situated in, such as Florida and California, attempted to regulate or shut down these gaming businesses. The contestation between these states and indigenous peoples eventually reached the Supreme Court in 1986, resulting in the ruling that states such as California do not have the right to exercise

authority over Indian country.³⁵ This ruling prompted the federal Congress to employ its plenary power and pass the Indian Gaming Regulatory Act (IGRA), which opened the door for states to step in via the requirement of tribal-state compacts in certain classes of gaming. Even though indigenous peoples presumably enjoy tribal sovereignty in the United States, having been designated as “domestic dependent nations”,³⁶ the contents and boundaries of their sovereignty are subjected to the interpretation of the Supreme Court and the decisions of Congress.

Turning to the second presupposition, entanglement reveals that relations do not begin and end at borders. Entanglement itself is a relationship that crosses both territorial and community borders. In its non-dominating form, entangled communities are connected in a political cooperative relationship, as they make collective decisions about how their respective communities should be constituted. As a further consequence, members of entangled communities often develop relations that span across community boundaries. This can be cross-bordered initiatives made possible by trade and labor agreements. It can also be because individuals themselves have crossed community boundaries, either voluntarily like individuals moving around within the EU, or involuntarily like Tibetans going into exile in India, or in some cases, because the boundaries move or because new boundaries are created, such as when the newly drawn Nepal-China border cut Limiwas off from their pastures. Because individuals often retain their relations with their initial community, these relations end up crossing the boundaries of the entangled communities in various ways. Some of these relations, such as a trading relationship, are not by themselves political, or are only political in a limited sense, to the extent that there is some joint effort to organize a particular domain. However, these relations acquire a political dimension by virtue of being conditioned upon the communities’ entanglement, as the entanglement itself is a joint political project.

The reverse can also be true: not everyone within a community shares the same kind of cooperative relationship. This is so especially if we consider the state as a community and if we consider the more problematic forms of entanglement. Members of such entangled peoples often do not see themselves as part of the state. This is most clearly demonstrated when they reject state citizenship. In 2010, for example, the Iroquois Nationals Lacrosse Team could not travel to the United Kingdom as they insisted on using the Haudenosaunee passport instead of American or Canadian passports. Speaking about their decision, the team’s spokesperson declared, “We are representing a nation, and we are not going to travel on a passport of a competitor” (Rollings 2004, 133). Others may nonetheless, sometimes unwillingly, have state citizenship, but this does not necessarily indicate the kind of relationship they have with their fellow citizens. While entangled political communities are made up of distinguishable webs of political cooperative relations, individuals may have their specific profiles of relations that cut across these entangled webs, undermining any neat domestic-international binary previously assumed under statist frameworks.

Defenders of the Westphalian presuppositions may push back, claiming that it is unfair for me to include, in my account of community, peoples that do not have a state of their own. This shift from state to people is problematic, they may argue, as the Westphalian framework is meant to apply to the relationship between states. Setting aside the obvious counterexample of the EU, I see this as

³⁵ *California v. Cabazon Band of Mission Indians*, 480 U.S. 202 (1987).

³⁶ *Cherokee Nation v. Georgia*, 30 U.S. 5 Pet. 1 1 (1831).

a broader objection to expanding the notion of political community. While it is beyond the space of this chapter to rebut every argument about the necessity of the state for a political community (Bevir and Rhodes 2015), it suffices to say that most contemporary arguments, especially those that see the state as functionally necessary, are normative rather than ontological. Regardless of whether it would be desirable for communities to have their own state, it does not change the fact that it is possible for there to be communities without one. These defenders may also question the coherence of my framework: if there are similar cooperative relations both within and across community boundaries, why should I insist that these are distinguishable communities, as in the case of the Guadeloupeans? There is a distinction between a political cooperative relationship *per se* and a web of relations unified by a joint commitment—recall how a plurality of relations among Guadeloupeans is joined by the expression “Guadeloupe is ours”. This web is grounded not by an interest in cooperation *per se* but rather by an interest in exercising autonomy over a range of domains as a collective. However, as I shall argue in the next section, while this distinction sustains a collective interest in not being dominated, it does not sustain a termination of obligations at the community’s boundary.

I am not the first to complicate the Westphalian framework—transnational and cosmopolitan theorists have long criticized the political exclusiveness and moral arbitrariness that plague statist accounts. In fact, some cosmopolitans may question why I stop at relations of entanglement and exclude other interdependencies, such as economic and ecological ones, that have a more global reach. Obviously, focusing on one set of interconnections does not render other interconnections irrelevant. My worry, however, is that cosmopolitan accounts often, by emphasizing that individuals are “entitled to equal moral consideration regardless of contingencies like their nationality or citizenship, among other factors” (Tan 2004, 40), risk offering a reductive account of political relationship that fails to account for the interests individuals have in exercising their collective autonomy with particular others. Some transnational theories offer a more differentiated view. Characterizing state boundaries as arbitrary, these theorists leverage upon alternative metrics such as the all-affected principle (Goodin 2007) or the all-subjected principle (Abizadeh 2012; Fraser 2009), contending that all those who are affected by the actions of or subjected to the authority of the state should be included in the demos that govern the state. However, these principles nonetheless presuppose that all relations of affectedness or subjection require the same moral justification or have the same moral implications (Simmons 2016, 228). Instead of searching for a foundational kind of relation that would reconstitute a transnational or cosmopolitan community, I find it more useful to begin with a specific set of relations that already cuts across community boundaries and contribute towards a cosmopolitan vision that accounts for the multitude of intersecting relations in this world.

My approach best approximates those who take a relational approach to cosmopolitanism. An exemplary scholar of this approach is Richard Miller. Instead of an undifferentiated cosmopolitanism, Miller attends to various transnational relations, including those of transnational economy, of international trade arrangements, of climate harms, and of the relations as constituted by the imperial powers of the U.S. As he forcefully argues, each of these interactions generates its own kind of obligation, and taken together, “the relational perspective is apt to yield a total pattern of fulfilled obligations with different contours than the perspectives of impartial global concern

that are generally labelled ‘cosmopolitan’” (Miller 2010, 5). This chapter can be situated in this broader project of uncovering the various transnational relations that generate obligations for us, with the emphasis being that each set of these relations has its unique features. In this case, to speak of the entanglement of political communities we first have to speak of communities. Because we care about the relations within our communities and because this caring manifests itself as an interest in self-determination, this gives us the normative grounds to discuss relations of entanglement and their ensuing obligations.

Obligations of Entanglement

Having rejected the boundary and relationality assumptions, how does the concept of entanglement transform the landscape of political obligations? The previous section extended the notion of political community via the shared premise that a political community is made up of a web of ongoing political cooperative relations. In this section, I follow a similar strategy and expand the framework of political obligations via another premise widely accepted among theorists with Westphalian commitments: political obligations arise out of political cooperative relations. Given that I have rejected the idea that these relations are constituted solely by the state, this premise entails that individual obligations extend beyond legal compliance. Recall that the value of political cooperation stems from the interests of individuals in self-determining as a collective, and that these individuals form a political community by virtue of sharing a commitment to collective self-determination. As parties to a joint commitment, they “owe each other conformity to this commitment” (Gilbert 2006, 156). This relationship grounds the obligation individuals have to support the institutions and practices that further this commitment. In communities represented by a state, this obligation can be discharged in part by the laws of the state, which help define, distribute, and enforce the duties among citizens (Stilz 2009, 21). However, even in these communities, the state can fail to do so justly, and in these scenarios members of the community have an obligation to instead act outside or even against the law (Delmas 2018). Therefore, legal compliance is but one means of fulfilling the more general obligation to support and participate in the collective affairs of their community (Parekh 1993, 243). Thus generalized, members of stateless communities can nonetheless discharge their obligations by supporting the institutions and practices that make up their community.

This framework of obligations needs to be further extended beyond community boundaries. If obligations arise out of relations, and if, as I have established in the previous section, many entangled individuals have relations that go beyond community boundaries, there is no reason for obligations to be bounded within the community. There is an added layer of complexity here, because, unlike the political cooperative relations of a community, these relations may not express a unifying commitment to self-determination. This is especially obvious in dominating relations of entanglement, where members of entangled peoples have to go beyond their community out of necessity. For example, Tibetans who applied for Indian citizenship often did so out of a need to gain access to the various legal, political, and economic benefits only granted to Indian citizens but not foreigners (Seetharaman 2020, 96–97), while Puerto Ricans who have emigrated to the mainland of the U.S. did so because of the worsening economic conditions of the archipelago (McGreevey 2018). Such entangled peoples may only have temporary cooperative relations with

members of another community and only in select domains. As a general rule, the extent and degree of cooperation should ground a corresponding level of political obligation, implying that entangled individuals may have an obligation to support another community in only the relevant domains but not in a fully-fledged fashion. There are yet two further complications to this framework. First, obligations arising from the individual's relationship to multiple communities can compete with each other (Vasanthakumar Forthcoming). These conflicts can be settled institutionally, such as how tax agreements between states settle the tax duties of individuals with multiple citizenships, but these institutional rules need to be evaluated in terms of criteria such as fairness (Tanasoca 2018). Second, the individual can have a mixed relationship with entangled communities, especially when the entangled relationship takes a dominating form. In this case, unnuanced support of another community may imply furthering the domination of one's community. These complications imply that the full specification of individual obligations requires filling out the details about the relationship and obligations between entangled communities, which I turn to below.

Recall that each community has an interest in preserving its collective autonomy. Combining this interest with the boundary and relationality assumptions, one concludes that communities have a mutual obligation of non-interference. Situate this interest instead within relations of entanglement, its protection requires instead a guard against domination. Given that entangled communities are subjected to shared institutions that have constituting power over them, a guard against domination requires that each entangled community has a non-trivial say in these institutions, especially in relation to the domains that make up its own community. To put it differently, for these constituting institutions to be legitimate, those who are subjected to the power of these institutions must have a say in the decisions made with this power (Abizadeh 2012, 877). That does not imply that every entangled community needs to have a strictly equal say. Rather, I suggest that a community has a non-trivial say when it can effectively prevent uncontrolled interference from another community. This right to non-trivial say translates into the obligation of each entangled community to ensure that the shared constituting institutions do not undermine this right of their counterparts. In cases where the communities have an asymmetrical standing within these institutions, the obligation of each community corresponds to the amount of authority they possess.

Entangled communities have, furthermore, an obligation to support each other in their relevant domains, such as their co-constituted economic and legal institutions. By virtue of sharing constituting power, the entangled communities essentially make joint decisions over how relations should be conducted in those domains. The communities thereby are in a relationship of political cooperation within a select range: as relations of political cooperation grounds political obligations, entangled communities therefore have an obligation to support each other at least in these domains. For instance, the financial entanglements between Puerto Ricans and the United States obligated the latter to offer support when the former fell into debts. The set of relevant domains is, however, broader than those that are directly subjected to the shared constituting institutions. Consider, for example, how an agreement to allow labor to flow freely between two communities brings about not only economic but also cultural and social consequences. Furthermore, consider how even if every entangled community has a formal say in the constituting institutions, as the experience of the EU has revealed, the power asymmetries in their cooperative practices can effectively

undermine the ability of some communities to exercise their say (Schweiger 2015). Because these intended and unintended outcomes arise out of their entangled relationship, the communities have an obligation to support their counterparts, such that these outcomes do not undermine their capacity to self-determine.

When entangled communities refuse to grant their counterparts the appropriate institutional standing or offer the relevant support, they are violating their obligations. This explains the wrongness in the dominating forms of entanglement. In the cases of colonized, indigenous, and exiled peoples, they are entangled under a territorial sovereign state, which holds the unilateral authority to constitute all domains of the entangled peoples, or what has been dubbed as the meta-jurisdictional authority—"the right to create or alter jurisdictions" (Buchanan 2003, 233). Given the sweeping authority of state institutions, this entanglement becomes dominating when at least one of the entangled communities lacks a non-trivial say in these institutions. Under such a scenario, their entangled counterparts can unilaterally decide and change the domains and terms within which the community in question can exercise their collective autonomy. This was the wrong that the indigenous peoples in the United States faced with the regulation of tribal gaming under the IGRA. First forced to cooperate with the states they reside in under this legislation, the terms of their cooperation changed again especially after *Seminole Tribe*, in which the Supreme Court ruled that indigenous peoples cannot sue states over tribal-state compact disputes as the latter enjoys sovereign immunity under the 11th Amendment.³⁷ This ruling exacerbated the power asymmetry between them, compelling indigenous peoples to accept broad regulatory and revenue-sharing demands from the states in fear of losing their ability to operate gaming businesses (Sohn 2006, 150–56).

In allowing this dominating form of entanglement to persist, the United States violates the obligation they have to the indigenous peoples entangled with them. This wrong is further amplified when the entangled peoples face difficulties as a result and do not receive support in the relevant domains. This is the wrong Puerto Ricans faced when they lacked the finances to build resilient infrastructures that can withstand Hurricane Maria, and yet received delayed and insufficient support from the United States even in its aftermath (Bonilla 2020). While some have parsed such wrongs as grounds for secession (Buchanan 2004), this is neither the only nor always desirable remedy. Disentanglement is not always politically viable, nor is it necessary. Instead, the remedy demanded here is for the community with the privileged institutional standing to offer support to its entangled counterparts and reform their shared constituting institutions such that each entangled community has a non-trivial say in these institutions. To see what such reforms may look like, consider the recently rejected referendum proposal on Indigenous Voice in Australia. The referendum calls for a representation of "the Aboriginal and Torres Strait Islander Voice" in the parliament and the executive government of Australia "on matters relating to Aboriginal and Torres Strait Islander peoples" (Australian Government, n.d.). While this 2023 proposal only calls for an advisory role and hence still falls short of the threshold of a non-trivial say, even this change would nonetheless help, in the words of its supporters, "provide certainty, durability and stability so that First Nations communities can plan and build for the long term" (The Uluru Statement,

³⁷ *Seminole Tribe of Florida v. Florida*, 517 U.S. 44 (1996).

n.d.). Recognizing that many of these reforms take time to implement, the communities that dominate these constituting institutions minimally have an obligation to actively make progress towards recovering a non-trivial say for their entangled counterparts, and for the time being, an obligation to offer support in the relevant domains.

Some may argue that this framework fails to appreciate the usefulness of non-interference in protecting the rights of entangled communities. As a principle, the argument goes, non-interference requires a clear delineation of the jurisdictional domains of each community and states that these domains are not up for negotiation. Without such delineation, the community with the weaker standing could be negotiated *ad infinitum* by its entangled counterparts (Levy 2008, 73). This argument, however, only holds sway if none of the communities has the authority to constitute the other, but this is precisely a defining feature of entanglement. The upshot of this threat of excessive negotiation should be dealt with by ensuring that entangled communities have a sufficient say in the system, along with the necessary resources to exercise that say.

The legitimacy of the co-constituting institutions depends on them being non-dominating, or in other words, on each subjected community having a non-trivial say in the domains that concern them. When this legitimacy is undermined, the entangled communities are no longer obligated to respect the authority of these institutions. In the case of indigenous, colonized, and exiled peoples, this can imply that the state no longer has legitimate authority over them, especially in the relevant domains. This permission to disregard the rules of these institutions implies more than acts of disobedience. It also implies that the entangled communities have the right to ignore the rules of the constituting institutions and create new institutions, spaces, and practices that further their political cooperation, such as when the Puerto Ricans bypassed the federally imposed Fiscal Control Board with citizen public debt audits (Murphy 2022). That the authority of these institutions is undermined also has implications for how members of these entangled peoples were to navigate their landscape of political obligations. To the extent that a community is dominating another community, it undermines its standing to make demands of those that cooperate with it. A member of an entangled people, then, has reasons to deprioritize their obligations to the state that dominates the people, even if the member as an individual participates in the political cooperative practices of the state. Because entangled communities can violate their obligations in some but not other domains, and in varying degrees, the normative implications of this violation need to be contextually defined. However, as a general principle, entangled obligations are defined reciprocally, so when one party fails to do their part, until they remedy that failure, they lose the standing to make demands of the other parties.

Critics may object that this extended framework of political obligations is overly complicated and unrealistic. Instead of “simply” obeying the laws of their state, kept separate from other states via the principle of non-interference, individuals now have to diagnose their various relations to figure out their obligations and the obligations of their political community. The average person, the accusation goes, has neither the time, expertise, nor motivation to make such judgments (Adams 2017, 161). This objection can be defused in practice: just as the state institutions have been deployed to define and distribute obligations within a community, the same role can be performed by the constituting institutions shared by entangled communities. Yet, the force of entangled

obligations is not contingent upon the success of these institutions. There is, as George Klosko argues, a “distinction between questions concerning people’s abilities to assess their moral requirements and questions as to whether they in fact have the requirements” (2023, 43). Lastly, it is not obvious that the obligation to obey the state is that much simpler in practice. Citizens have to exercise their judgment over whether the state is legitimate (Pitkin 1966; Fossen 2014), and as the debates over political obligations under unjust states have shown, this judgment similarly requires an attention to changing contextual details (Mokrosinska 2012, 138–72).

Others yet may wonder why, given my focus on indigenous, colonized, and exiled peoples, I have only briefly mentioned secession and have said nothing about historical rectification. There is a wealth of literature on both issues, and I see my work of entanglement as adding to and yet independent of these existing works. I have said little about secession because my interest is in the landscape of obligations assuming that entanglements persist. While I believe an ongoing violation of entangled obligations can buttress a case for secession, I nonetheless believe that the relationship between entanglement and the justification of secession constitutes a different research question that requires its own chapter. As for historical rectification, my framework of entangled obligation is compatible with the view that to the extent historical injustices are present, there can be an obligation to rectify such historical injustice in addition to obligations of entanglement (Bufacchi 2017). In scenarios where colonized and indigenous peoples continue to be entangled with another state, reforming the co-constituting institutions should be guided by criteria beyond compensating for past injustices. Furthermore, when the state does not have the goodwill to fulfil its obligation, members of these peoples face a complicated normative landscape arising out of their entangled relations, a landscape which my account sheds light on. Lastly, not all entanglements have a dimension of historical injustice. In the case of Tibetans-in-exile, the Indian people is not responsible for colonizing or pushing them into exile. Nonetheless, the fact that they are in relations of entanglement is sufficient to generate obligations between them.

Conclusion

This chapter was motivated by the belief that the conventional picture of political obligation does not capture the normative landscape that indigenous, colonized, and exiled peoples are situated within. I have argued that this picture is made plausible by the presuppositions of fixed community boundaries and a sharp binary between domestic and international relations, neither of which apply to entangled communities. I have then expanded the frameworks of political community and political obligation accordingly. Political communities, made up of their respective webs of political cooperative relations, are entangled with each other when they share institutions that have the authority to constitute the relations of at least one of the communities. Entanglement extends the framework of political obligations beyond that of legal compliance at home and non-interference abroad. Individuals situated within entangled communities have a *prima facie* obligation to support the communities with which they have a political cooperative relationship. Entangled communities have an obligation to guard each other from domination and support each other in their entangled domains. A further differentiated picture of obligations for both individuals and communities emerges in the cases when one of the entangled communities fails to discharge its obligations.

In the process of making these claims, this chapter has contributed to three major conversations, with the primary intervention being that of political obligation. The debates about political obligation are often framed in wholly domestic terms, and almost entirely in terms of the obligation to obey the law of the state. In fact, there has been little attempt to explicitly draw the principle of non-interference and the domestic obligation to obey together. By bringing these discourses together in this chapter under a reconstructed Westphalian account, I have sought to reveal that they are connected to and supported by a more general statist system of beliefs and presuppositions. Additionally, by countering these presuppositions and by relaxing the framework of obligation, this chapter has opened a much broader terrain for theorists to explore. Our global society is made up of all sorts of braided relations, with each kind of relationship giving rise to its corresponding obligation. Once we free ourselves from the statist framework, we see a complex, rich, and very much under-explored terrain of obligations.

The last point brings me to the secondary interventions, namely cosmopolitanism and transnationalism. The relationship of entanglement, by virtue of crossing community boundaries and undermining statist assumptions, is transnational. This chapter has made the case that focusing on a particular set of existing relations is a productive way to proceed for transnationalists and cosmopolitans alike. Given that we often think of our world through abstract representations, a focus on particular relations grounded in empirical cases can unsettle these representations, just as the focus on entangled communities unsettles a state-centric representation of the world. While this chapter has focused on these statist presuppositions, future research can use these specific relations to adjudicate between different transnational theories. This focus on specific relations further enables theorists to bring in both the empirical research of these relations and the relevant institutions and practices. By doing so, this chapter has illustrated how one could develop a critical framework that differentiates between problematic and non-problematic entanglement and a practical account that offers guidance for remedies, institutions, and practices. Through these efforts, this chapter has demonstrated the fruitfulness of beginning with already-existing transnational relations and leveraging upon them to bring into existence transnational and cosmopolitan ideals.

Finally, this chapter has spoken to the conversation on self-determination. While self-determination has often been employed to justify state sovereignty, it has led to considerable confusion as to how indigenous, colonial, or exiled peoples, who do not have a state of their own, were to exercise self-determination. This chapter builds upon the scholarship that suggests self-determination need not be contingent upon the people having successfully seceded from the state they are under (Young 2009). On this basis, this chapter has disclosed the crucial role institutions play in constituting the relations that make up the community. This can further lines of research that specify how self-determination manifests in each socio-political domain, and through what particular institutions. Additionally, this chapter has offered an evaluative principle of any arrangement of internal autonomy or self-governance for entangled peoples, instead of assuming that some sort of federation can suffice as a final answer. Lastly, this chapter has ventured into contemplating the implications of self-determination in cases where the state does not have the goodwill to respect this right of its entangled peoples and where secession is not an option. Given

the persistence of problematic entanglements, it is crucial to further understand what self-determination means to peoples who are continuously denied self-determination.

While I have offered a schematic account of entangled political obligations in this chapter, future research is needed to specify how these schemes can be institutionalized. First, how should entangled peoples who lack a state democratically define and fairly distribute the obligations among their members? Within political communities that cooperate across a decentralized set of institutions, organizations, and practices, what norms should connect these relations and govern the entire set? Second, what kind of institutional standing counts as a non-trivial say? The answer to this question depends on the particular domain and the geopolitical context, along with the number of stakeholders in the constituting institutions. It may sometimes take the form of a simple majoritarian vote among the members, and in other times each community may need to hold an effective veto power, but future research remains imperative here to further tackle this question. Third, how much support can be required of the entangled communities, and how should this support be institutionalized? Fourth and finally, when entangled communities disagree over their respective obligations, how should these disagreements be adjudicated or settled?

A week after the Australian referendum on Indigenous voice failed, the Central Land Council, a council of 90 representatives elected by the Aboriginal peoples in Central Australia, released a statement, claiming that “we live in a country that does not know itself” (Central Land Council 2023). This claim is corroborated by this chapter: when a community refuses to acknowledge its entangled relations and obligations, the community is refusing to come to terms with its constitution.

Citizenship

Hannah Arendt famously claimed that it is the legal and political status of citizenship that confers the “right to have rights”, and that, for the stateless people “who were no longer citizens of any sovereign state”, human rights become “unenforceable” (Arendt 1976, 293). As I was writing this chapter, it dawned on me that I have never been a “citizen” of any “sovereign state” in my life, at least not in the formal sense of the word. Born and raised in Hong Kong in 1991 to parents who themselves were also born and raised in the city, I was designated by the British colonial government as a “British Dependent Territories Citizen”, which differentiated me from a British citizen proper. The British government terminated that status in 1997 when Hong Kong was handed over to the People’s Republic of China. I was instead given the new status, in relation to the United Kingdom, as a “British National (Overseas)”, the significance of which have changed over the years.³⁸ In relation to Hong Kong, I have the status of a “permanent resident” as defined by my right to abode, but there is no such thing as a Hong Kong citizen, as both the British colonial government and the subsequent HKSAR government has found it more fitting to employ a category that can be “devoid of normative rules” and “altered periodically to suit the exigencies of imperial politics” (Ghai 2001, 162). My Hong Kong passport suggests that I am a Chinese “national”, and yet at the same time I am not a Chinese citizen and lack most of the civil rights associated with Chinese citizenship in mainland China. Finally, since coming to the United States for graduate school, I have acquired a “resident alien” status that explicitly precludes any pathway to American citizenship on its own.

Between my various national and residential statuses, it is not that I did not have any rights to speak of. Rather, I did have a patchwork of rights as defined by these different statuses. However, Arendt is nonetheless on point to suggest that I may lack “the right to have rights” in the current global order, which is grounded by the following presupposition: “all human beings were citizens of some kind of political community; if the laws of their country did not live up to the demands of the Rights of Man, they were expected to change them, by legislation in democratic countries or through revolutionary action in despotisms” (Arendt 1976, 293). Importantly and yet not often mentioned, Arendt’s discussion of the right to have rights begins with her reading of the Minority Treaties negotiated after WWI. Arendt’s grievance with the Minority Treaties, and more generally with Peace Treaties, is their territorial-statist orientation, lumping multiple peoples into a single state and designating any remnants as “minorities” (Arendt 1976, 270). While the different “minorities” in Europe banded together as a Congress to sidestep this territorial inclination, the League of Nations nonetheless ignored the transnational character of the minorities and concluded treaties on state basis, resulting in the Minority Treaties that followed a statist logic that deprives stateless peoples means to enforce their rights (Arendt 1976, 274–75). My reading of this passage suggests, first, that citizenship concerns not only one’s political standing domestically within their

³⁸ In 2024, the Hong Kong Scots, a Hong Konger organization in Scotland, submitted a report to the United Nations arguing that the BN(O) status is a discriminatory status that violates the International Covenant on Civil and Political Rights. For their submission, see https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT/CCPR/CSS/GBR/57444&Lang=en

own state but also one's standing internationally in a world ordered by states. Furthermore, this latter standing depends on recognition: the problem Arendt identifies with the Peace Treaties is that the "minorities" were recognized as part of their respective territorial states but not as part of their respective political peoples that traverse state boundaries.

The questions of standing and recognition are particularly important in the context of entanglement. While the previous chapter focused on the relationship between the entangled peoples, this chapter zooms in and attends to the individuals who are situated within these relationships of entanglement, whom I shall refer to as entangled individuals. Entangled individuals are often confronted with not statelessness *per se*, but instead have to navigate through a patchwork of statuses,³⁹ which in turn defines their standing within a web of entangled relations. This patchwork of statuses raises a problem within the framework of self-determination, which postulates a mutually supportive relationship between self-determination and citizenship: the value of membership in a political community grounds the community's right to self-determination, and this right in turn implies an interest of the community to determine who gets to be part of the community. How, if at all possible, can the principle of self-determination be reconciled with entangled individuals having differentiated statuses across multiple political communities? Does an understanding of entanglement undermine the claim that a people has the right to determine its own citizenship, or does the claim instead demand the necessity of disentanglement in the domain of citizenship?

To grapple with this question, I turn to the literature on citizenship in social sciences, which understands citizenship as an interconnected web of institutions and practices associated with political membership which can be broken down in four primary dimensions: legal status, rights and obligations, political participation, and belonging. With this broadened understanding, we can comprehend how citizenship as institutions and practices can be disaggregated. I draw further on the literature on transnational and colonial citizenship to understand how citizenship institutions can be differentiated and entangled across political communities. With these tools, I argue that we can argue that institutions of citizenship are entangled on two levels. On the first level, citizenship becomes an institution of entanglement when one people has a non-trivial say over the citizenship institutions of another people. For instance, while indigenous peoples in the United States have the authority to decide their own citizenship institutions, these institutions are nonetheless entangled as they are limited by both the U.S. Constitution and the plenary power of Congress. On the second level, citizenship as an institution of entanglement defines the standing of individuals not only within one political community but rather across the several political communities that are entangled with each other. For instance, to be recognized as a Tibetan by the Indian government implies a differentiated status eligible for certain rights within the Tibetan settlements in India while excluded from political rights such as the right to vote open to an Indian citizen.

Grounded by this conceptual understanding, I develop a normative framework that revises the relationship between entangled citizenship and self-determination. The first part consists of a recognition that institutions of citizenship are embedded within broader relations of entanglement. If one people continues to dominate their entangled counterpart in other socio-political domains, there is no way one could reform the institutions of citizenship so as to satisfy the demands of self-

³⁹ While the terms of "standing" and "status" have arguably different connotations, I do not see the two terms as incompatible terminological choices. Rather, I see the two as interconnected: a differentiated citizenship status confers a differentiated standing in the community. On the debate between status and standing, see (Shklar 1991, 2–3; Brubaker 1992, 62; Cohen 2009, 32).

determination. The second part argues for a qualified right to exclude in the domain of political participation. I argue that for a people to exercise non-trivial say over their relevant domains in relation to their entangled peoples, they need to have that right of exclusion in determining who gets that say. This right, however, is qualified by the need for differentiated spaces of political participation for entangled individuals who intend to participate but lack the relevant statuses. The third part argues that self-determination does not imply that the distribution of other rights and resources should be tied to citizenship. Instead, I argue that in many cases the unbundling of these rights and resources lowers the stakes of citizenship and makes it easier to reconcile the politics of citizenship with the demands of self-determination.

Citizenship and Self-Determination

While entangled individuals are confronted with all kinds of legal and political statuses with various labels, in this chapter I interpret all of them as institutions of citizenship. It is then incumbent upon me to first clarify what I mean by citizenship, not least because of the frequent complaints about citizenship being an “overworked term” invoked for all kinds of questions and purposes (Bosniak 2006, 1). In the most general sense, citizenship refers to some form of membership in a political community, but this formulation leaves too many ambiguities. I define citizenship as interconnected web of institutions and practices, that can be analytically divided into four dimensions: legal status, rights and obligations, participation, and sense of belonging ((Bosniak 2000)). Political theorists have sometimes, as an ideal of citizenship, valorize some dimensions over others. One debate of this kind would be the debate between liberal and republican conceptions of citizenship. The liberal conception of citizenship understands citizenship to be a matter of having the appropriate legal standing within a political community, a standing defined by the bundle of rights and obligations under law. By contrast, the republican conception defines citizenship as a matter of active engagement with the political community, emphasizing the need for participation and the limitations of a legalistic understanding (Honohan 2017). My approach here, following the advice of Linda Bosniak, is to treat citizenship as a “core political idea that is conventionally used to designate a variety of different practices and experiences and institutions” and use that interpretive ground to investigate how these practices, experiences, and institutions entangle with each other (Bosniak 2006, 26–27).

Current frameworks of self-determination often begin with a more republican conception of citizenship but conclude with implications over all four dimensions of citizenship. Habermas argues that “the concept of citizenship developed out of Rousseau’s concept of self-determination”, in the sense that a self-determining community is a political community of “citizens who actively exercise their rights to participation and communication” (Habermas 1996, 495). For Habermas, political authority can only be legitimated if it is transformed into self-legislation, a transformation that requires the political community “structured by relations of mutual recognition in which each person can expect to be respected by all as free and equal” (Habermas 1996, 496). This recognition includes a recognition of individuals as citizens who will “regulate their living together” (Habermas 1996, 496). I begin with Habermas’ account for two reasons. First, his account explicitly connects the different dimensions of citizenship. First, he recognizes that citizenship is a legally institutionalized status connected with a host of civil and political rights, but also contends that the reproduction of this status requires a participatory culture with which citizens make use of

and defend their rights (Habermas 1996, 499). Additionally, Habermas' own account of citizenship is actively anti-nationalist as he is contemplating over the future and desirability of a European Union citizenship (Habermas 1996, 506). In this sense, he offers an account in which self-determination is not tethered to the nation state, as what ties the citizens together is a joint commitment to a set of "universalistic constitutional principles" that regulate the political community (Habermas 1996, 513).⁴⁰

Habermas' account of self-determination, however, seems to deviate from a conventional understanding of self-determination as the right to determine one's future with *particular others*. By defining the political community through a universalistic constitution, Habermas fails to explain why we may have an interest to self-determine as part of this but not that community. Under this more common reading Margalit and Raz have argued that "the right to self-determination derives from the value of membership in encompassing groups" such as a people (Margalit and Raz 1990, 456). The argument here is straightforward: individual well-being depends on the successful pursuit of meaningful goals and relationships, and because these goals are defined relationally within these encompassing groups, members of the group are best placed to determine their collective interests (Margalit and Raz 1990, 457). In turn, theorists have also argued that the right to self-determination entails the right to determine their citizenship institutions and practices. As Sarah Song puts it, "part of what it means for a political community to be self-determining is that it controls whom to admit as new members" (Song 2018, 73). This connection is made on both consequentialist and deontological grounds. Consequentially, self-determination entails that a people should have a range of policy options or should have control over the particular goods they are pursuing, and to the extent that immigration would have an effect on these policies or goods, the people would have a right to control immigration (Miller 2016, 62; Song 2018, 65). Deontologically, self-determination entails that a people should the right to define the collective, and the decision of whom to admit (or reject) is a core part of this defining process (Song 2018, 66; Miller 2016, 69; Wellman and Cole 2011, 31).

In this narrative, self-determination and citizenship are mutually grounding concepts: the value of membership within a people grounds the people's right to self-determination, and the people's right to self-determination in turn justifies their right to control who gets to become a member. The narrative, as it stands, rests upon two presuppositions. First, that the political community has a unitary regime of citizenship such that every citizen is recognized to have an equal standing in exercising their collective right to self-determination. Second, that the political community is bounded, such that citizenship plays a functional role in defining who has that standing to participate in the self-determining community. In short, for the connection between self-determination and citizenship to work, *all* and *only* those within a bounded political community should have an equal standing in that community.

The first presupposition is threatened by narratives that delineate the differentiation of citizenship within a political community. This differentiation has often been observed in colonial states in which the regime differentiates between the governing citizens and the governed colonial subjects, and these differentiated institutions often get inherited by or influence postcolonial states

⁴⁰ For a further discussion of Habermas' view on this matter, see (Song 2009).

(Mamdani 1996; Merry 2004). Self-determination theorists can, perhaps, write off these differentiated regimes by arguing that the principle of self-determination pinpoints exactly what is wrong with these regimes when individuals do not have an equal standing within the political community. However, it is less clear that a unitary regime of citizenship can guarantee such equal political standing. Instead, as Iris Young argues, a differentiated citizenship “best institutionalizes fairness under circumstances of social oppression and domination” (Young 1989, 264). In fact, as Elizabeth Cohen attempts to uncover with the concept of “semi-citizenship”, the norm in most democratic polities is that of a differentiated and not a unitary regime of citizenship: citizenship rights are frequently disaggregated and re-bundled for different groups such as children, guest workers, refugees, military officers, so on and so forth (Cohen 2009, 72).⁴¹ Differently, Margaret Somers points out that when public services and goods are privatized, even those who have the same *de jure* citizenship have a differentiated *de facto* citizenship since now they have an unequal access to rights associated with citizenship (Somers 2008). If it proves to be neither desirable or even possible for political communities to dispense with differentiated regimes of citizenship, self-determination accounts either have to reconcile their accounts of citizens having differentiated standing within the political community or make a stronger case as to how a unitary citizenship regime is possible and desirable.⁴²

The second presupposition gets complicated by narratives that take citizenship beyond the realm of the state, with notions of transnational, post-national, and cosmopolitan citizenship have gained traction in academic and political discourses since the late 1980s (Balibar 1988).⁴³ Focusing on the literature of transnational citizenship as it best relates to my interest in entanglement between communities, the meanings of the term have split along the four dimensions of citizenship (Fox 2005, 174). Grounded by the liberal tradition, scholars have broadened the definition of citizenship as a “relationship in which parties enjoy rights or entitlements as part of that relationship, and incur obligations, duties, or responsibilities to each other as a result of that relationship” (Mason 2009,

⁴¹ For a related discussion on the category of “quasi-citizenship”, see (Smith 2017). Frameworks of semi-citizenship and quasi-citizenship raise the question of which rights should count as citizenship rights. Cohen argues that citizenship rights could be distinguished by their “fundamental relationship to the idea of political membership” (Cohen 2009, 64). On an abstract level, it could be debated as to which rights necessarily have that relationship to political membership. In this chapter, I bypass that debate as I begin instead from the ground up, examining rights that are either legally connected to citizenship status or understood by the participants to have such connection.

⁴² I read Walzer as making such an attempt in *Spheres of Justice* when he argues that guest workers need to have a legitimate pathway to citizenship, but (a) it remains to be seen whether this move can be expanded to all citizenship statuses and (b) this still leaves intact an ongoing differentiated regime of citizenship even if all individuals eventually will end up in one category. See (Walzer 2008).

⁴³ The discussions of transnational citizenship intersect and overlap with the literature on post-national and cosmopolitan citizenship. It is beyond the scope of this chapter to exhaustively compare the various conceptions of the three kinds of citizenship. It is, however, noteworthy to point out that the post-national model of citizenship was put forward by Yasemin Soysal to highlight a logic of attributing membership rights according to universal personhood instead of national identity, while nonetheless recognizing the state as the agent that manages and distributes citizenship (Soysal 1994, 149). Differently, Kok-Chor Tan registers a democratic strand of cosmopolitan citizenship that defines it as the rights and responsibilities of individuals to participate democratically in transnational institutions and organizations (Tan 2017, 697–99). While the two projects invoke different dimensions of citizenship, they both align with accounts of transnational citizenship that seek to decouple citizenship from the nation state in their respective dimension, without assuming that the global order of states is withering. See (Bloemraad, Korteweg, and Yurdakul 2008, 164–69) for a comprehensive discussion of the three kinds of citizenship.

282). These rights can range from the “thinner” basic human rights to “thicker” civil and political rights such as the right to vote (Fox 2005, 192). These accounts focus especially on, in addition to the special case of the European Union, the extension of rights to immigrants and emigrants (Collyer 2017; Fox 2005). The participation-based account, on the other hand, interprets citizenship along its more “active” dimensions, either in terms of political participation or sometimes as ties of belonging. With a focus often on diasporic communities, these accounts examine transnational political activities that range from making rights claims in the host community, organizing diasporic associations, and participating in political or social actions directed to the homeland, be it lobbying politicians or taking part in demonstrations or voting (Bauböck 2010, 299; Müller 2022; Khayati 2008). Put differently, if transnationalism refers to political activity across territorial borders, transnational citizenship refers to the engagement with these transnational activities (Bauböck 2003, 703). The presence of transnational citizenship institutions and practices offers the possibility of relaxing the second presupposition made by self-determination theorists, but one could make an even stronger claim. If more domains of our collective life take on a transnational dimension, it would become insufficient for us to exercise self-determination on the level of the nation state. Instead, we will have to figure out ways to extend our theory of self-determination beyond the confines of the political community.

My point is not to settle which conception of citizenship is reasonable on a universal or fundamental level. My point rather is that once we examine citizenship in its four different dimensions, we can see how the practices and institutions within each dimension can plausibly take on differentiated and transnational forms. The above-mentioned accounts of differentiated and transnational citizenship raise important normative questions, especially in relation to the questions of colonial legacies, expanding citizenship, external citizenship, and multiple citizenships. There is nonetheless a sense in which these different discourses of citizenship are talking past each other as they are concerned with different questions about citizenship and focus on different dimensions of the concept. Instead of trying to directly respond to or refute these different conceptions, my objective instead is to employ them for my own project. As I shall argue in the next section, entangled citizenship is both differentiated and transnational. This raises the challenge as to how entangled citizenship can be (re-)fashioned so as to be reconciled with the principle of self-determination. My argument does not constitute a take-down of these theories, but will most directly pertain to the debate over whether self-determination implies a political community having the right to exclude others from citizenship, and will indirectly extend conversations over differentiated and transnational citizenship by illustrating the usefulness of these concepts in helping us understand the interplay between actual regimes of citizenship and normative political theory.

Entangled Citizenship

Political entanglement as a relationship between communities within which a community has the power to institutionally constitute another community. Thus defined, the concept picks out a set of relations ranging from that between the member states of the EU to those between colonial states and colonized peoples. Because institutions play a significant constituting role, when one community has a non-trivial say in the institutions that constitute another community, the former thereby obtains some degree of power in constituting the latter. While entanglement need not be a

problematic relationship, it is often susceptible to becoming relations of domination, especially when placed within a global order of states with a history of colonialism and imperialism.

Citizenship is one key institution of entanglement, in two different ways. First, a political community's institution of citizenship is entangled when another political community has a non-trivial say over the institution. This is the case when a colonial state has the power to determine the citizenship of a colonized people. Second, the institution of citizenship plays a key role in the negotiation of rights, participation, and belonging between the entangled peoples. In other words, citizenship is not merely about where one stands within a political community, but also about where one stands between the entangled political communities. While not all entangled peoples have their institutions of citizenship directly entangled in the first sense, even in those cases, citizenship still plays a key role in relations of entanglement in the second sense.

Citizenship as Institution

In a way, the main point I want to make here is straightforward: when one political community gets a non-trivial say over the institutions of citizenship of another community, we can call this an instance of entangled citizenship. To take an example, the citizenship criteria of the indigenous peoples in Taiwan are governed by the Status Act for Indigenous People, which was passed and can only be amended through Taiwan's Legislative Yuan.⁴⁴ Thus, we could say that the citizenship of the indigenous peoples in Taiwan is entangled with the Taiwanese state. To explain the force and implications of this entanglement, however, I need to further elaborate on the substance and means of entangled citizenship.

To begin with, to speak of entangled citizenship in the first sense is to refer to the entanglement of citizenship as institution. Therefore, the focus here is the entanglement of statuses and rights, although as I will argue in the next sub-section, this entanglement is closely related to the dimensions of participation and belonging. To suggest that the entanglement is that of statuses and rights nonetheless compels us to go beyond formal labels and examine what is in the package. For instance, Puerto Ricans are formally American citizens, at least since the extension of citizenship in 1917 with the passing of the Jones Act. This formal extension is, however, deceptive. As U.S. senator Joseph Foraker explained, "in adopting the term 'citizens' [for Puerto Ricans] we did not understand, however, that we were giving to those people any rights that the American people do not want them to have" (cited in Meléndez 2013, 110). As established in *Balzac v People of Porto Rico* (1922) by the U.S. Supreme Court, Puerto Rico's "unincorporated territory" implies that citizens in Puerto Rico are not entitled to the same Constitutional rights as other U.S. citizens. While they enjoy a package of civic rights, among them most crucially the right to travel to and work in the U.S., till this date they lack many political rights and among them a right to representation in the federal government (Valle 2019, 30–32; Thomas 2010, 7). To draw on the point made by Elizabeth Cohen on semi-citizenship, once one dispenses with the myth of full citizenship, one can see that underneath the same formal title is a differentiated and yet entangled citizenship institution.

⁴⁴ Status Act for Indigenous Peoples. <https://law.moj.gov.tw/ENG/LawClass/LawAll.aspx?pcode=D0130001>.

This institutional entanglement also dispenses with yet another confusion. Are we talking about Puerto Ricans as citizens of Puerto Rico or as citizens of the United States? The practical possibility of answering that question depends on the nature of the institutional entanglement. For those Puerto Ricans who wanted to abandon their second-class American citizenship, they have found their own Puerto Rican citizenship entangled with that American citizenship. The Supreme Court of Puerto Rico has ruled, in *Ramírez de Ferrer v. Mari Brás* (1997), that there exists an independent Puerto Rican citizenship even for those, in this case Juan Mari Brás, who renounce their U.S. citizenship. In response, the U.S. State department revoked in 1998 its recognition of Mari Brás' renunciation of U.S. citizenship and refused to permit other Puerto Ricans from renouncing their U.S. citizenship (Smith 2001; Font-Guzmán 2013). The challenge of speaking of a Puerto Rican citizenship in isolation from U.S. citizenship, then, stems from the entanglement between the two citizenships. The upshot of this is that in instances of entangled citizenship, one political community may have the disproportionate power to determine whether and how the two communities share and differentiate their regimes of citizenship. To assume that because the two communities are one just because they have overlapping citizenship is to overlook this feature of entanglement.

A key feature of entanglement is that of recognition. When two peoples are entangled across various socio-political domains, for an individual to realize their citizenship status, that status has to be recognized by both peoples. A patch of citizenship institutions emerges when this recognition does not fully align. Consider the Tibetans in exile. The Tibetan Government in Exile created its citizenship regime with the *jus sanguinis* principle that defines as eligible citizen anyone born to at least one parent of Tibetan descent. This citizenship, however, is not formally recognized by the India government. For exiled Tibetans in India to make claims to various civil rights in the country and travel out of and into the country again, they need instead an Indian Registration Certificate for Tibetans (RC) and on that basis an Identity Certificate (IC) issued by the government of India. The RC and IC come with rules different from Tibetan citizenship. They apply to Tibetans arriving in India either between 1959 and 1979 or after 2003 with a Special Entry Permit, in addition to the descendants of these Tibetans. This noticeably left Tibetans who went into exile between 1979 and 2003, a period during which China and India enjoyed better diplomatic relations, ineligible for RC and IC. Additionally, exiled Tibetans have found that the periodic RC application can be contingent upon the decisions and interpretations of local Indian officials, which could vary significantly across different settlements (McConnell 2013). While an entangled people may attempt to determine their own citizenship institutions, if these institutions are not recognized or only conditionally recognized, they nonetheless remain entangled with the other institutions that distribute citizenship statuses and rights.⁴⁵

There are three dominant ways in which a people have a non-trivial say in another people's citizenship institutions in three ways: direct determination of citizens, indirect determination of institutional rules, and adjudication over interpretations of these rules. As an example of entangled institutions can evolve over time, consider the entanglement between the United States and the

⁴⁵ This non-recognition can also take a harsher tone, such as when the Government of Bhutan issued an ultimatum to the exiled Tibetans in Bhutan to either take up Bhutanese citizenship or face deportation (Gamble and Ringpapontsang 2013, 37).

American indigenous peoples. The General Allotment Act of 1887, which intended to break up common land of indigenous peoples into individual property, created an incentive for the Federal government to step in and determine who count as indigenous, appointing eventually the Dawes Commission which assumed the role of accepting and rejecting citizenship applications in one of the “Five Civilized Tribes” (the Choctaw, Creek, Chickasaw, Seminole, and Cherokee) with some reference to existing tribal rolls, but ultimately had the authority of preparing the final rolls for each tribe (Carter 1999). In defense of the General Allotment Act of 1887, the Supreme Court ruled in *Stephens v. Cherokee Nation* (1899) that “the United States Court in the Indian Territory is a legislative court, and was authorized to exercise jurisdiction in these citizenship cases as a part of the machinery devised by Congress in the discharge of its duties in respect of these Indian tribes” and “that Congress possesses plenary power of legislation in regard to them, subject only to the constitution of the United States”.⁴⁶

With the end of the Allotment era in 1934, the federal government took a step back from overt direct control, and instead emphasized that indigenous peoples came up with their own constitutions and citizenship rules. In that process, however, the federal government required tribal citizenship to demonstrate a “bilateral, political relationship” between the citizens and the tribe, which in turn is believed by the government to be measurable by blood quantum (Gover 2010, 126).⁴⁷ This does not imply that indigenous peoples did not have agency in negotiating or interpreting these rules (Harmon 2001; Tallbear 2003). It does mean, however, that the state has a non-trivial say in the matter. In the Self-Determination era from 1965 onwards, indigenous peoples were said to have sovereignty over their citizenship institutions, even though Congress has never retracted their plenary power. Nonetheless, the American judiciary, while much more reluctant, still have the authority to step in and adjudicate citizenship conflicts. They did so over the controversy between the Cherokee Nation and the disenrolled Freedmen, which ended up with the district court ruling in *Nash v. Cherokee Nation* (2017) that the Freedmen should have Cherokee citizenship status as per the 1966 treaty, thereby overruling the decision of the Cherokee Nation (Wilkins and Wilkins 2017, 132–33). This history illustrates that entanglement does not necessarily imply that one people has full control over the citizenship of another people.

While I have focused on, in the preceding paragraphs, entanglements that take on a more dominating form, this point needs to be qualified. First, it is not the case that entanglements *have to be* dominating. Hypothetically, two peoples can come together and determine on equal terms what their citizenship institutions are, their citizenship institutions thus determined would be bilateral and not dominating. One could argue that European Union institutions that allow a union-wide right to travel and work approximate this hypothetical ideal. Second, one should not conflate domination with the lack of agency on the side of dominated peoples (Merry 2004, 576). To the

⁴⁶ *Stephens v. Cherokee Nation*, 174 U.S. 445 (1899), 478. More than half a century later, *Santa Clara Pueblo v. Martinez* (1978) was perceived to be much more affirmative of the rights of indigenous peoples to define their own citizenship policies, but nonetheless retains the clause that these rights can be limited by the plenary power of the Congress. *Santa Clara Pueblo v. Martinez*, 436 U.S. 49 (1978), 56.

⁴⁷ More generally, it has been argued that by virtue of requiring indigenous peoples to adopt formal institutions of citizenship, the state has already forcefully altered the customary practices of citizenship that had previously been in place. For an account of such institutions in relation to the indigenous peoples in Australia and New Zealand, see (Gover 2010).

extent these entanglements operate through legal institutions, many entangled peoples have turned these institutions into sites of contestation. Indigenous peoples in Taiwan have, in recent years, challenged the constitutionality of the Status Act in various ways. One of their recent notable victories includes getting the Supreme Court to declare unconstitutional the requirement for descendants of intermarriages between indigenous and non-indigenous parents, in order to be qualified for indigenous status, to take on either the surname of the indigenous parents or a “traditional” indigenous name (*Taipei Times* 2022). These contestations can also take on an extra-legal dimension, such as when Puerto Ricans made their own “passports”, known as “Fufiporte” and attempted to travel abroad with them in spite of the hostile reactions from the U.S. State Department (Font-Guzmán 2013, 30). These are citizenship practices that contest current institutional citizenship rights and statuses and that enable individuals to make status and rights claims in some but not other domains (especially if there are competing regimes of recognition among the entangled peoples).

Entangled peoples have variegated says over the citizenship institutions of their own and of their counterparts, and their institutions are (un-)recognized to varying degrees. The interplay of these institutions and practices creates a differentiated patchwork of statuses and rights for individuals embedded in these relations of entanglement. Exiled Tibetans in India, for instance, have differentiated statuses and rights depending on whether and how they were recognized by the CTA and the Indian government respectively. This, again, shows the need for us to extend the word “citizenship” beyond formal titles as if all citizenship titles confer full citizenship, but instead unpack the concept in its four respective dimensions. Additionally, as I shall argue in the following, this differentiated constitution of citizenship conditions both the negotiation of entangled relations and the politics of citizenship, especially in terms of who is included/excluded as citizens of an entangled people.

Citizenship as Standing

Citizenship defines not only where one stands within one’s community but also where one stands in the matrix of entangled relationships. Whereas in the preceding sub-section I argued that the first sense of entanglement refers to the legal status and rights of citizenship, in this sub-section I connect these two dimensions of citizenship with the dimensions of participation and belonging. Through the institutions and practices of citizenship, entangled peoples define, negotiate, and contest how one is legally recognized within this matrix, how rights and benefits are distributed, who gets to participate in re-negotiating the entangled relations and on what terms, and ultimately who belongs to which people(s) and how.

First, citizenship as an institution defines whether the entangled peoples have a say in their relationship, and how. To flesh this point out, let me return to the case of Puerto Ricans. Given the entanglement between Puerto Ricans and Americans, Puerto Ricans would have an interest in having a say over the terms of this entanglement. However, the designation of Puerto Rico as “unincorporated territory” has ensured that this citizenship confers to individuals born and residing in Puerto Rico lack the right of federal representation (Valle 2019; Meléndez 2013; Smith 2001; Thomas 2010, 7). Coupling this with the plenary authority of Congress over Puerto Rico, it implies that Puerto Ricans do not, even as citizens, have an effective say in either their affairs or their

relationship with the United States. While Puerto Ricans may be able to vote if they move to the continent, by denying the possibility of them voting in Puerto Rico as Puerto Ricans, it renders it difficult if not impossible for Puerto Ricans to, as a collective, have a say in how their relations of entanglement. As the literature on uneven citizenship reminds us, citizenship can be distributed and differentiated on unequal terms in multiple dimensions (Smith 2022). The power of the state to define and differentiate the citizenship of its entangled peoples concerns not only ability of individuals to participate in the internal affairs of their people but also to participate in negotiating the terms of entanglement between the entangled people and the state.

Second, by making citizenship an institution that distributes rights and resources, it also influences the inclusionary and exclusionary politics of citizenship among entangled peoples. Consider the entanglement between Taiwan's indigenous peoples and the Taiwanese government. The indigenous peoples in Taiwan have six reserved seats in the Legislative Yuan. However, these seats are divided not among tribes *per se* but rather between two arbitrary administrative categories, the "Mountain indigenous peoples" and the "Plain-land indigenous peoples". These categories followed arbitrary residential categories stipulated by the Japanese colonial government and inherited by the current government, and as such cut across tribe boundaries. Therefore, Taiwan's indigenous peoples do not vote as citizens of their tribes but rather citizens of one of these two categories, each with three representatives. This has created a few observable outcomes. One was that the elections have been dominated by the larger tribes, with smaller tribes having trouble to see their members getting elected (Simon 2010, 731). The other was electoral district was cast at a nation-wide level, and because the two residential categories were archaic categories, they do not reflect or indicate where members of the electorate currently live. This has created difficulties for electoral candidates and political parties to figure out who is part of the electorate, their interests, needs, or even where to find them (Jian 2023). Finally, a number of tribes, grouped together as the Pingpu Peoples, were not recognized by the Taiwanese government on the basis that they have already assimilated with the Taiwanese people. The Siraya tribe, one of the Pingpu Peoples, fought over the years for indigenous recognition and won in 2022, making the Supreme Court to judge that that Status Act for Indigenous Peoples is unconstitutional for not recognizing the Pingpu Peoples. One of the controversies in recognizing the Pingpu Peoples is that according to the census there are 980 thousand Pingpu members, and if the Pingpu Peoples were counted as part of the Plains peoples (which currently have 270 thousand people), that would "dilute", among their other rights and resources, their right to political participation as now they would be competing for representation on a much larger pool (*The News Lens* 2022; Hioe 2022). Much of course depends on how the electoral design will reflect the newly recognized Pingpu peoples. My point here is that if we see these electoral seats as key to negotiating the relationship between the Taiwanese government and its entangled indigenous peoples, citizenship defines who gets to participate in this negotiation and how this negotiation is conducted.⁴⁸ Or rather, to put the point differently, what

⁴⁸ There is also the further point about electoral system design and the design of Taiwan's reserved electoral seats has prevented the rise of a pan-indigenous party and prompted more clientelist politics. An additional, yet different, example I have in mind would be the increasing trends of disenrollment of members among indigenous peoples in the United States over distribution of revenue and resources. See (Wilkins and Wilkins 2017).

is at stake in the politics of inclusion and exclusion is the distribution of resources as delimited by another state.

Finally, the negotiation between these entangled citizenships also generate tensions and trade-offs between belonging and other dimensions of citizenships. Given that individuals navigate these entanglements differently, at times they may find themselves at odds with both the people and the state. The Tibetan government-in-exile often claims that their members refuse Indian citizenship so as not to stop being Tibetan (McConnell 2016, 139–41). This narrative, however, does not fit all Tibetans in exile. While most Tibetans in India are formally eligible for citizenship under India's Citizenship Act, many have had their case rejected; the first person who received Indian citizenship through this Act had to fight her way to the High Court of Delhi in 2010 (Seetharaman 2020, 100–101). Even after that instance, other Tibetan refugees who wanted to apply for Indian citizenship still faced significant administrative hurdles, exorbitant lawyer fees, lack of knowledge regarding the process and benefits of application, and criticisms within the Tibetan community. Specifically, while the Central Tibetan Administration has officially taken a neutral stance regarding the issue, many parliamentarians in the government-in-exile had spoken against it, arguing that “the people who take up citizenship for these benefits rarely think of the greater Tibetan cause” (Seetharaman 2020, 110).⁴⁹ The entanglement of citizenship becomes especially difficult to parse especially when the entanglement manifests in multiple dimensions: on one hand, citizenship becomes an expression of one's commitment to the people; on the other hand, the choice of and between citizenships comes with the stakes of acquiring or giving up significant rights, resources, and opportunities.

Rethinking Citizenship on Entangled Terms

The principle of self-determination assumes that individuals can exercise self-determination as a collective. Thus, this principle sees citizenship and self-determination as mutually supportive of each other. Entangled citizenship, in its two meanings, seems to threaten this relationship, at least in its current formulation. First, by definition, the entangled peoples in question lack the power to fully self-determine their own citizenship institutions, severing the link from self-determination to citizenship. More fundamentally, however, entanglement also renders it more difficult to derive self-determination from the current citizenship, which depends on the value and legitimacy of the constitution of the people. It is not only that the citizenship of a polity is arbitrary, an argument against which theorists have argued that arbitrary relations such as that of parent-child relations can nonetheless have value for those in the relations. The point I make here is a more specific one: entangled citizenship institutions do not fully track the political relations that individuals are in and value. This could stem from entanglement in the first sense, when a people's citizenship institutions are determined by another people. Or it could stem from entanglement in the second sense, when individuals and collectives alike have to negotiate between different dimensions of

⁴⁹ Refer also to the earlier mentioned example of Puerto Ricans renouncing their U.S. citizenship. Similarly, some indigenous peoples have opted to resist the citizenship of the states they are entangled with. In 2010, for example, the Iroquois Nationals Lacrosse Team could not travel to the United Kingdom as they insisted to use the Haudenosaunee passport instead of American or Canadian passports. Speaking about their decision, the team's spokesperson declared, “We are representing a nation, and we are not going to travel on a passport of a competitor” (Rollings 2004, 133). In cases like this, state citizenship is understood to be an acceptance of state sovereignty at odds with the self-determination of the entangled people (Tsosie 2016; Champagne 2013).

citizenship, among which belonging is only one dimension. The driving force of this threat is not a hypothetical arbitrariness but rather the actual tensions that entangled peoples such as Puerto Ricans and Tibetans face in navigating the citizenship institutions available to them.

Against these challenges, an obvious response might be that entanglement is the problem here, and the solution is that we need to disentangle these citizenship institutions. In other words, the challenge is resolved by suggesting that the principle of self-determination requires these entangled peoples to have their own say over their citizenship institutions. This seems to be, for instance, Rogers Smith's position in his discussion of Puerto Rican citizenship. Having offered a genealogy of Puerto Rico's status and citizenship institutions, Smith concludes that "the legal roots of the current status of Puerto Ricans are bitter", such that it is not enough "to spray the plant with legal herbicide", but instead "the roots must be torn up" (Smith 2001, 386). In more concrete terms, Smith believes that the discussion of Puerto Rican citizenship should not rest on a history of unjust federal laws and judiciary decisions, but instead "Puerto Ricans should be seen as legally entitled to decide their status for themselves...without giving any unwanted weight to their imposed U.S. identity" (Smith 2001, 385). Smith's conclusions align with the response I am suggesting here: that to satisfy the principle of self-determination, it is a necessary condition for entangled peoples to have control over their own citizenship institutions.

I found this to be a theoretically coherent and indeed attractive proposal, but nonetheless limited in that it does not attend sufficiently to the situation of entanglement. First, as I argued in the previous section, citizenship institutions only function when they are recognized by one's entangled counterparts. While the Tibetan government-in-exile issues its own Green Books, these are not recognized by other governments and as such for Tibetans navigating the terrains in India, Bhutan, and Nepal, they still have to rely on the institutions created by these latter governments. While the response by an ideal theorist here might be that these other states should offer such recognition, a response which I would readily endorse, we should recognize that the radicality of this proposition. This radicality becomes apparent when we recall that these are not separate sovereign states each with their bounded territory. Instead, we are discussing peoples with entangled territories and are entangled on various socio-political domains. Under this proposition, each people in these shared domains would have full control over defining the package of statuses and rights for its citizens and who gets that package, and recognized by the other people as such. It is a proposition that would radically deviate from dominant frameworks of territorial sovereignty. This brings me to the second point: complete disentanglement may neither be possible nor desirable when the two peoples are heavily entangled across a range of socio-political domains. Because citizenship defines crucial rights such as rights to travel, to work, to legal protections, if there are multiple frameworks of rights, not to mention resource distribution, need to be made compatible if not coherent within these shared domains. Finally, as I have illustrated regarding the politics of citizenships, even when a people seems to have the power to determine their citizenship institutions, when they remain entangled in other domains, these domains nonetheless condition how the politics of these institutions play out. This does not imply that therefore a people should not have the right to citizenship self-determination. It does, imply, however, that the formal power to do so may not be, at least not by itself, sufficient for self-determination in the context of entanglement.

My contention here is that an apt framework of citizenship that adheres to the principle of self-determination should account for the intricacies of entanglement, since it is in these situations of

entanglement where the gap between citizenship and self-determination becomes most apparent. What does it mean to account for entanglement?

First, we should take the current citizenry of the people as an imperfect and incomplete starting point in thinking about the constitution of the people. Ideally, a people should be constituted by individuals who are committed to self-determining with each other as a collective. In that sense, the citizenry of entangled peoples is both over- and under-inclusive. It is over-inclusive as individuals might have become citizens of the people without having to share that commitment to the people. Puerto Rico, for instance, has been made a tax haven by the federal government, attracting venture capitalists and tech professionals who share no concern for the land or people of Puerto Rico. It is under-inclusive because individuals who nonetheless are engaging with the political relations of the people have been excluded from the citizenship of the people due to the various political dynamics I have discussed in the preceding section. This applies in especially clear terms for the Tibetans in Bhutan, Nepal, and China who had to disavow their connections with the Tibetan government-in-exile. However, this is nonetheless *a* starting point. Because the institutions and practices of citizenship play a crucial role in re-constituting the people especially in shaping who have the rights, interests, and incentives to participate in the domains of that people, we cannot in practice identify the “real” members in isolation from the current citizens, although we can, from this starting point, identify the various deviations, gaps, and tensions between the citizenry composition and those who have active political relationships with the people.

Second, we need to account for the non-ideal politics of citizenship as embedded in a context of entanglement. To recall, citizenship refers more than belonging and is rather an institutional regime that distributes and differentiates statuses, rights, and participatory roles. When it comes to entangled peoples, these dimensions of citizenship are distributed not only within one people but among the entangled peoples. Situated as such, the politics of citizenship becomes, among other things, a struggle for resources. In some cases, individuals were to made to denounce their citizenship in order to have access to the resources of another people. In other cases, an entangled people limits its citizenship or even banishes existing citizens in face of resource scarcity (sometimes artificially created by the people’s entangled counterparts).⁵⁰ The upshot here is that one cannot talk about the inclusivity or exclusivity of citizenship in the abstract, but instead has to factor in the interplay between citizenship and entanglement. On one hand, the framework of citizenship should take into account how that framework would manifest in the given context of entanglement. On the other hand, it also implies that if entanglement continues to persist in a dominating form in other domains, such domination can infect any proposed institution of citizenship. In such cases, one should expect ongoing tensions within the citizenship regime not necessarily due to the regime being defective but rather due to it being embedded in dominating relations of entanglement.

Third, citizenship is a relational matter, not only within but also across entangled peoples, in the sense that citizenship as an institution plays a role in defining the relations between the entangled peoples and the differentiated standings individuals have in such relations. This offers grounds for thinking citizenship not only in terms of what makes sense within a community, but also what makes sense in terms of the relationships between entangled communities. To draw from the literature on transnational citizenship, one can conceive a web of entangled relations along the

⁵⁰ An ongoing example of this would be the politics of disenrollment among indigenous peoples in the United States. See (Wilkins and Wilkins 2017).

lines of transnational relations. The question then is not only what principles such as political equality demand for citizenship within a community, but rather what may be demanded of in terms of these entangled relations. To continue the line of logic from the previous chapter, individuals are entitled to some form of equal standing in determining these entangled relations if they were not to be dominated in this entanglement. The caveat here is that there is not an additional “transnational” institution of citizenship that transcends domestic citizenship. Rather, these relations are determined by the various seemingly domestic institutions of citizenship. To take a quick example, it is the unequal American citizenship between Puerto Ricans and Americans on the mainland that define their entangled relationship.

With these remarks in mind, my inclination is to suggest that any specific normative theory of citizenship needs to develop with the contextual entanglements in place. It is not only implausible to design a one-size-fits-all regime of citizenship for all entangled peoples. It is also the case that we cannot re-invent a clean slate and have to begin with what we currently have. Nonetheless, I believe something can be said in general terms about the inclusion/exclusion dynamics.

Generally, the considerations I have put in place so far suggest that the problems of entangled citizenship may be tractable if we unbundle the different dimensions of citizenship while attending to the interconnections between these dimensions. One dimension that should be isolated out is that of participation, as it is the participation within the community and the value of that participation that grounds the value of self-determination. On such grounds, I would argue that each entangled people should, with some qualifications, have the right to determine their citizenship institutions in relation to the participatory rights in the relevant domains of socio-political life. The entanglement of domains and institutions between political communities makes it crucial for each community to be able to identify who their respective citizens are. This is especially the case if we want to avoid the dominating forms of entanglement. To do so we need to ensure that each people can exercise a non-trivial albeit not necessarily conclusive say over the relevant socio-political domains. This ideal presupposes that we can to some extent distinguish between the members of each people, while recognizing that there may be a partially overlapping membership. Without this distinguishing ability, this non-trivial say can be rendered trivial when one people has the disproportionate power to determine the citizenship of the other people. This threat can manifest in two ways. On one hand, the dominating people can exclude any individuals they consider problematic from the citizenship of the entangled people to ensure that their domination goes unchallenged. On the other hand, the dominating people can include their own citizens as citizens of the entangled people so as to forcefully assimilate the latter. This has been the threat especially under colonial and settler-colonial states, where migration was used as a colonizing tool to reshape the demographics of a geographical community.

This right, however, has to be qualified. To begin with, the functioning of citizenship institutions is embedded in the broader relations of entanglement, so it matters as to whether the people have full authority over the related domains or if the participation within these domains are shared across the entangled peoples. The configuration of these respective socio-political domains should then inform how best the citizenship institutions should be constituted so as to enable individuals to exercise their right of self-determination as part of their people in these domains. More fundamentally, as I have just argued, the current citizenry who gets to make this decision on further shaping the composition of the community is an imperfect starting point, it implies that there will be individuals who are engaged or intend to engage in political relations with the community that are excluded at the starting point. This entails that for the entangled people to respect the principles

of self-determination, they should leave space for dynamic transformation and contestation, such as to enable their citizenship institutions to better track ongoing participatory relationships. Furthermore, the entanglement between peoples implies that some individuals probably are engaging in some domains but not in other domains. They may also be participating with ambiguous relations with both communities. Taken together, these may call for an approach to differentiated citizenship in the different domains, with which some domains may be more inclusive than other domains. For an exemplar of this approach, consider San Francisco's 2016 proposition to let non-citizen vote in schoolboard elections.⁵¹ This proposition was motivated by an understanding that while non-citizen parents may or may not be active in other domains, if their children are attending school in the district, they have significant interests in this domain and hence grounds for participating in the self-determining processes in it regardless of their citizenship status (Hayduk and Coll 2018, 343–45).

While self-determination grounds a more exclusionary right in relation to political participation, this right does not necessarily extend to other legal and civic rights. As the literature on semi-citizenship and the experiences of entangled peoples make obvious, these rights could and often are unbundled from the right to political participation. In the context of entanglement, individuals often have to navigate across the boundaries of political community even just as a means to maintain their material lives. These are strong reasons to enable individuals to have the mobility to travel and work across these boundaries at relative ease and be entitled to a sufficient degree of legal protection while they do so. It is crucial to differentiate this from a cosmopolitan case that has been made in relation to migrants in general. While I am sympathetic to the cosmopolitan case, the argument I make here is more targeted: because these are entangled political communities, the boundaries are internal to rather than external to the cooperative enterprises citizens of these communities are engaging in. Boundaries that differentiate the legal and civic rights among these citizens end up enabling some to cross these boundaries while resigning others to only certain sectors of a cooperative enterprise that they are part of. This does not necessarily imply that all legal and civic rights need to be made accessible in the same way to all those embedded in the same web of entangled relations, but merely that they should not follow the same logic of exclusivity that makes sense in terms of political participation.

This unbundling between participation and the other legal and civic rights serves yet another function. It helps to alleviate the tensions present in the entangled politics of citizenship. On one hand, some entangled peoples have tried to exclude individuals from their citizenry as they see these individuals as wanting citizenship only in order to compete for the limited resources they have. On the other hand, some individuals end up having to choose between citizenship as participation and citizenship as rights, as they find belonging in and want to participate within one political community but find it impossible to sustain themselves materially without opting for citizenship in its entangled counterpart. The problem here is that citizenship is made to do too much work and comes with stakes that are too high, catching individuals in impossible positions within the webs of entanglement. By dividing citizenship in the respective spheres, it would be easier for the entangled peoples to work out the principles they want to abide by within each sphere.

It may be objected that, along the lines of Walzer's critique of guest workers, that it is unjust to leave a group of individuals permanently with only access to civic but not political rights. In

⁵¹ The proposition was passed by the city's voters but is currently challenged in Californian courts. See *Lacy v. San Francisco*, CPF-22-517714 (Superior Court of California 2022).

response, I would argue that the plausibility and seriousness of this charge depends on how the broader relations of entanglement are configured. Ideally, the entangled peoples have worked out how they cooperate or divide each socio-political domain they are entangled within. Additionally, ideally the relations of entanglement themselves are such that each entangled people have an equal say in how these relations should go on or change. If so, being a (differentiated) citizen of at least one of the peoples gives you a say in these relations of entanglement as part of that people. Most relations of entanglement will deviate from this hypothetical ideal in different ways, and the institutions of citizenship should be negotiated with the contextual deviations in place. In these non-ideal situations, however, I maintain that bundling the four dimensions of citizenship heighten the stakes involved such that it is much more likely to incur toxic exclusionary citizenship politics and force individuals into dilemmas whether they have to choose one dimension of citizenship at the expense of others.

Conclusion

Situated within my broader book project on entangled peoplehood, this chapter addresses three questions. First, it addresses the question of the membership of entangled peoples. The terminology of entangled peoplehood suggests an innate tension: on one hand, it suggests that these are distinguishable groups that can be counted as peoples; on the other hand, it also suggests that these peoples are entangled with each other and hence at best have fuzzy boundaries. Under this context, I argued in this chapter that it is misleading to try to ask, in the context of entanglement, which person *really* belongs to which people. Instead, we should be asking how the interplay between citizenship institutions and practices have differentiated individuals embedded in these webs of entanglement, resulting in the tensions between the distinguishableness and entanglement among these peoples. Second, it addresses the mutually supportive relationship between self-determination and citizenship. I argue that given the entangled nature of citizenship institutions, self-determination does not stem straightforwardly from the value of the current citizenry, and given the broader relations of entanglement that are in place, nor does self-determination straightforwardly support a people's right to control their citizenship institutions over all its dimensions. Instead, I argue that in order to retain the relationship between the two in the context of entanglement, citizenship has to be understood not as a concept internal to a self-determining community but rather as a set of institutions and practices that regulate the relations between self-determined yet entangled communities. Finally, I offer a general approach as to how entangled citizenship institutions could be designed, especially in terms of the principles that should regulate their inclusivity and exclusivity.

This chapter is nonetheless situated within a broader citizenship literature. I extend the literature on differentiated citizenship with a focus on the differentiations that are created and maintained across the borders of entangled political communities. In that regard, I offer an account of what could be called differentiated transnational citizenship. It is neither a celebratory nor damning account of such citizenship regimes. Instead, I argue that it is, for many of these entangled peoples, an inevitable starting point from which they have to begin with. Additionally, my chapter illustrates how we can offer potentially expansive accounts of transnational citizenship without incurring the risk of over-stretching. I do so by beginning with the entanglements in terms of legal statuses and rights, before illustrating how the dimensions of participation and belonging connect and interact

with these two dimensions. This essentially rules out political practices that are completely divorced from the distribution and contestation of statuses and rights and hence preserve the conceptual usefulness of citizenship. Finally, my normative arguments could be understood as an intervention in the debate over open and closed borders. Instead of taking one side over the other, I contend that the intractability of the debate, at least in contexts of entanglement, stems from citizenship being asked to do too much work and the toxic politics of citizenship that stem from its overly high stakes. By unbundling the different dimensions of citizenship, we make the problem much more tractable and stakes more diffused.

Conclusion

Regine Yau Wai Ching, a newly elected pro-independence Hong Kong legislative council member at the time, made a provocative statement to summarize the plight of Hong Kong teenagers: “Even when we want to bang, we could not find the room do so.” (Redbrick Campus Radio 2016, 58:50). Curiously, her statement was made in a public forum on the topic of “Resistance in the Legislative Council and the Debate Between Unification and Independence (議會抗爭與統獨之爭)” in 2016. After the forum, Yau further elaborated on her claim, “What we need is not only a space to have sex, but a path to a future of our own. If we cannot expect this from the government, then we have to fight for it ourselves, take the question of sovereignty seriously, and choose a democratic government that will really open up the world for us.”⁵² Yau’s statement captures an important observation that this dissertation has repeatedly returned to: entanglement is not merely an abstract ideational matter but rather a relationship that manifests materially across the different domains of our life. When entanglement takes on a dominating form, to use Yau’s terminology, the people gets trapped in a position that is subjected to the planning of the other (被規劃嘅位置) without their own say. For Yau, independence implies, among other things, the capacity of the people to redistribute land and resources so as to track the interests of the people. At the same time, however, Yau also made this statement as part of a broader argument against Chinese immigrants. She argued that until there is stricter control over immigration, any welfare policy would constitute a lure for more immigration and a misdistribution of resources from Hong Kongers to outsiders.



Figure 5, Hong Kong Public Housing Estates. Source: Tomomi Wong.
<https://www.flickr.com/photos/tomomiwong/16883146845/in/photostream/>

⁵² “我們要的不止是一個扑野的空間，更是我們未來的出路。若不能假手於政府，就由我們自己爭取，正視主權問題，重新選擇一個真正為自己開天闢地的民主政府。” Cited in (*Apply Daily* 2016).

Yau's speech, if taken out of context, could easily be written off as populist and xenophobic (Ip 2020, 69). Interpreting contextually, however, her speech reflects the tensions engendered by entanglement. Yau's argument resonated with many other Hong Kongers as they shared the frustration of not having a say over their land and resources. As they reflected upon that sense of frustration, they rightly located it in the dominating relationship of entanglement between Hong Kong and China. However, as they reached out for the available political resources to respond to this problem, they were confronted with a false binary: assimilating as part of China or fighting for independence. For those who opted for the latter, Chinese immigration was interpreted as a means for the PRC to colonize Hong Kong by replacing its population with new Chinese immigrants (Anonymous Hong Konger 2023). The point of this dissertation is to offer the resources for us to go beyond this binary without dismissing the tensions of entanglement. A relational approach to self-determination, as I have argued, does affirm Yau's frustration in requiring that Hong Kongers have a non-trivial say over the distribution of land and resources. At the same time, however, it also requires Hong Kongers to attend to the differentiated positionality of individuals within relations of entanglement, which Yau failed to do sufficiently.

I could not help but feel a sense of futility to evaluate Yau's speech at this point. Shortly later that same month as Yau made that comment, she got barred from taking her seat in the legislative council for her pro-independence stance (*The Guardian* 2016). In 2020, Hong Kong government passed the National Security Law and, under that new legal framework, charged 47 pro-democracy candidates for the Legislative Council for conspiracy to commit subversion of the state (Lau and Gan 2023). In 2023, a Hong Kong student studying abroad in Japan was arrested for sedition as she entered Hong Kong, on the grounds that she shared on Facebook posts that advocate for independence (Leung 2023). In 2024, the Hong Kong government further passed under the rubric of Article 23 an additional set of security laws, effectively outlawing, not only discourses of self-determination and independence, but also all forms of protest and dissent. At the same time, since 2020, an increasing number of Hong Kongers have emigrated from the city or even gone into exile (Chan et al. 2022). To the extent that there are overt protests against Hong Kong government, it is by diasporic and exiled Hong Kongers. Intriguingly, not all of these protests were seen favorably by Hong Kongers, especially when these protests pronounced that the city as dead or ending. Hong Kongers continued to debate whether one should stay or leave the city, and how those who left and those who stayed behind should relate to each other (Arran Dog and Themistocles 2021).

Read through the framework of entanglement, the deepening of repression by the Hong Kong government did not dissolve relations of entanglement by making Hong Kongers Chinese. Instead, it merely re-configured these relations. On one end, the Hong Kong people became further internally differentiated with its members emigrating to different countries with varying citizenship statuses. On the other end, as they did so, the Hong Kong diaspora was growing in both size and significance. With Hong Kong Democracy Council actively lobbying in Washington, D.C., Hong Kong Community Center spreading across multiple continents, and a "Vote for Hong Kong 2024" Campaign mobilizing Hong Konger voters to vote in the United Kingdom to increase the leverage of Hong Kongers in the country (VOTE4HK, n.d.), the Hong Kong people was also increasingly entangled with other peoples across the world. The challenge, both for the increasingly transnational Hong Kong people and the other peoples entangled with them, is to

figure out how they can each approximate the principle of self-determination in ways that are compatible with others doing the same.

It was in light of this challenge that I chose to focus on colonized, indigenous, and exiled peoples simultaneously in this dissertation. On one hand, entanglement as a concept covers a much broader terrain and I could have cast the discussion on more general terms and made more references to supranational institutions such as the European Union. On the other hand, many book-length projects have zoomed in just colonized or indigenous peoples so as to do justice to their geopolitical specificities and complexities. I chose to locate my analysis on this specific scale as this these peoples, in spite of their vast differences, all share a commitment to peoplehood, experience entanglement to some degree as a form of domination, and yet simultaneously find this entanglement to be inescapable. It is among these peoples that the conflict between peoplehood and entanglement can be viewed in the clearest light. The differences among them are as significant to me as their similarities. As the chapter on citizenship clearly illustrated, entanglement manifested as domination in different forms for different peoples, and each people chose to respond to such domination in their own way. In practice, many of these peoples were already learning from each other. My goal is to clarify some of the contextual and interpretive resemblances (and differences) so as to facilitate that inter-fertilization process. In that process, I do not intend to romanticize any of these peoples and pretend that somebody, myself included, has figured it all out. Instead, by focusing especially on the tensions not only between but also within entangled peoples, I seek to highlight how entanglement, when it takes on a dominating form, makes it impossible for any people to figure it out, at least not on their own.

This is because while entanglement is bi-directional: if Puerto Ricans are entangled with Americans, the reverse also holds true, even though in this case it is Americans who are dominating Puerto Ricans and not the other way around. In this sense, this project is never simply about colonized, indigenous, and exiled peoples. It is also about all the other peoples who are entangled with them. This is also why colonized, indigenous, and exiled peoples cannot figure it out by themselves, as any satisfactory configuration of the entangled institutions and relations would require their entangled counterparts to also participate and comply with the relevant principles. If these peoples seem invisible, or irrelevant, to some of us, it is because we still view the world with a statist lens: we can see ourselves as being part of a people or a state, but we cannot see how, by virtue of this fact, we also are in relations of entanglement with peoples we do not identify or even directly interact with. In Chapter 4, I discussed the Indigenous Voice referendum in Australia. The reconfiguration of entanglement requires a necessary change in constitutions and institutions that govern these relations, and it is the obligation of every Australian to understand those who are entangled with and dominated by them. I also made clear that this is not merely a problem for the Global North or for the West. Taiwan's indigenous peoples are entangled with Taiwan, Hong Kongers are entangled with China, and so are Tibetans, along with several other South Asian peoples.

On a broader level, these relations of entanglement are further embedded in the current international order. This is still an order of nation-states founded upon the ideology that international peace requires each state to have absolute sovereignty within its respective territory. To the extent

that the principle of self-determination and relations of entanglement seem threatening, it is because they are not compatible with this absolutist conception of territorial sovereignty. And to the extent that many of the tensions of entanglement I discussed throughout the chapters seem so acute, they are engendered by the institutional structures of nation-states that do not recognize alternative organizations of social life. On the flip side, between the codification of self-determination as fought by post-colonial states and the extension of self-determination advocated by indigenous peoples, the struggles of many entangled peoples are tethered with the progress in our international laws and organizations. The question is how we should go forward. A reading of these previous struggles tells us that one key step, among other things, is that international bodies such as the United Nations need to give greater recognition and standing to peoples who are not constituted by states, such that they have a say in how the different domains in international law and policy should be re-made.

This position, and the general position of this project, can be situated within the debate between statist, nationalists, and cosmopolitans. This debate could be retold along various axes, but in this conclusion I want to focus on the role self-determination plays in this debate along one particular axis: which entity, or entities, should wield political authority over a specific territory or group of people (Miller 2012, 252)? The statist position, as exemplified by Anna Stilz, contends that there needs to be “one objective scheme of rights and obligations” over a specific territory defined and enforced by the state, so as to resolve conflicts and disagreements among the individuals who live in that territory (Stilz 2009, 192). In her characterization, this modern state, a hierarchical, coercive, impersonal, and involuntary institution, could satisfy the principle of self-determination when individuals subjected to the authority of the state willingly participate in the state (Stilz 2019, 121–25). Her position is a moralized institutionalist one: “a ‘people’ is constituted when a state is upheld through the willing participation of its members” (Stilz 2019, 126). In her framework, while there are states without peoples (when their members do not willingly participate), there cannot be peoples without states. Nonetheless, Stilz recognizes that indigenous and colonized peoples have a claim to self-determination as “internal minorities” that do not willingly participate in the state (Stilz 2019, 135–36). Stilz argues that these claims to self-determination do not necessarily have to be satisfied by an independent state. Instead, she advocates for institutionalization of internal autonomy for these minorities and an international legal framework that can provide remedies when this autonomy is violated (Stilz 2019, 137–39).

I agree with Stilz that self-determination does not require an independent territorial state. Furthermore, I agree with Stilz on the usefulness of institutionalization and a reformed international legal framework. However, I believe that for these recommendations to work, they necessarily would contradict Stilz’s statist commitments. First, one may question, if these “minorities” can satisfy their right to self-determination with institutions that are not a state, then why do we insist on the necessity of a state-based world order? An interpretation of Stilz’s justification of state authority yields the following response: in our contemporary world, the state is the only means for us to define and enforce a just scheme of rights and obligations over a specific territory, but there can be multiple non-statist ways to realize the principle of self-determination. If the state allows for its minorities to exercise internal autonomy through some federated institutional structure, these minorities thereby exercise their right to self-determination without

jeopardizing the functions of the state. This response, and the general statist framework, encounters a dilemma that motivates this dissertation. If the state retains the final authority over the territory, the state could at any point redefine or infringe upon the internal autonomy of these minorities. I have discussed this relationship in terms of the plenary authority the U.S. Congress has over Puerto Rico or the indigenous peoples in the U.S., or the one-country-two-systems that China employs to offer the illusion of autonomy to Hong Kongers. To the extent that this power is wholly in the hands of the state, the state dominates these peoples in question in violation of the latter's right to self-determination. Stilz does not seem to endorse implication, as she suggests that there should be an international governance framework that could preclude such domination. If so, however, the state no longer is the single authority that determines the rights and obligations over a specific territory, and to the extent that these arrangements are viable and desirable, we are already one degree removed from a statist framework.

Nationalists, along with theorists of peoplehood, underline that the appropriate holder of territorial rights is the nation, or the people. I believe that there is a significant overlap between theories of nationhood and of peoplehood, but whereas nations are often defined in relation to some shared culture (Miller 1997), peoples usually are understood to encompass a broader range of communities that are constituted politically, with no presumption of a shared culture (Moore 2015). I have engaged in extensive comparisons between my own account of peoplehood and those of prominent theorists such as David Miller, Margaret Moore, and Sarah Song, so I do not intend to reiterate these comparisons in full here. The general position of these theorists is that there are reasons for the boundaries of political institutions to coincide with the boundaries of nations and peoples (Miller 1997, 82). And because the political community's ability to shape and maintain its collective ways of life depends on the particular institutions and features of the place they live in, their right to self-determination entails a territorial right to the land they are on (Moore 2015, 40–42). Additionally, their interest in maintaining the constitution of the people entails a right for them to decide over their membership (Song 2018, 73).

My position is, as suggested by the title of this dissertation, most indebted to theories of peoplehood. By defining a people in relation to a joint commitment to self-determination, I too adhere to a political conception of peoplehood. Furthermore, I agree that a people can only exercise their right to self-determination under the appropriate conditions, with both land and membership being two of the most significant conditions. Additionally, because theorists of nationhood and peoplehood do not need to commit to a global order of sovereign states (although many of these theorists nonetheless see states as the primary institutional vehicles for peoples to realize their self-determination), when they propose alternative institutional arrangements for entangled peoples (Miller 2014), they do not face the same difficulties that plague statist accounts. Nonetheless, I do not think existing nationhood or peoplehood theories have taken entanglement as seriously as they should have. Even as they turn to the more difficult cases, they merely assume that these are between peoples who have overlapping or conflicting claims to land and membership. What they have omitted is the differentiated and transnational relations of entanglement within and between these peoples. By attending to these relationships, I have argued that self-determination is not simply exercised by the people *per se*. Rather, individuals participate in self-determining processes through the relations and institutions that make up but also differentiate and go beyond the people,

and only by rendering these relations and institutions compatible with self-determination can we say that the right has been realized.

Finally, let us turn to cosmopolitanism. There are multiple brands of cosmopolitanism, but I am specifically concerned with brands of political cosmopolitanism that understand themselves to be compatible with, rather than opposed to, the principle of self-determination. Seyla Benhabib understands cosmopolitanism to be a set of norms which, if effective, could establish a “conceptual and juridical space for a domain of rights-relations that would be binding on *nonstate actors* as well as upon *state actors* when they come into contact with individuals who are not members of their own polities” (Benhabib 2006, 24, emphasis original). She reconciles cosmopolitanism with the principle of self-determination by suggesting that we should allow for and respect cosmopolitan norms to be mediated through and contested in local politics, with the hope that the people will eventually identify themselves with cosmopolitan norms (Benhabib 2006, 70–71). Differently, Cécile Laborde proposes a republican brand of cosmopolitanism, arguing that we should be sensitive to not only domination within a polity but also domination beyond it (Laborde 2010). For Laborde, “national self-determination is important for republicans only insofar as it supports political liberty”, and she sees no problem in re-interpreting anti-colonial struggles as struggles for political liberty rather than for self-determination (Erez and Laborde 2020, 200). Nonetheless, while Laborde advocates for more representative and accountable international organizations, she sees that as compatible with and crucial to collective self-determination. As she puts it, “states that are subjected to outside domination are unlikely to be able [to] establish non-dominating rules domestically” (Laborde 2010, 63).

I see great value in these cosmopolitan accounts. Benhabib’s framework enables us to theorize the feedback loop between politics of varying scales, whereas Laborde’s focus on dominating relations and structures beyond the state sensitizes us to a much broader array of political relations than a statist framework could. To the extent that cosmopolitanism implies some form of democratic world governance but not world government (Tan 2017), my dissertation is fully compatible with a cosmopolitan position. Yet, seen from the perspective of my project, these theories of cosmopolitanism are not without problems. They do not seem to have the resources to engage with the tensions arising from competing claims of self-determination (Wellman 2019). To the extent that states serve a functionalist value of preventing domination, securing justice, or working towards a cosmopolitan future, cosmopolitans seem to be stuck between acknowledging existing states and taming them with international institutions. This problem is coupled with a general lack of attention to transnational relationships and practices on the ground (Valdez 2019). By contrast, my framework of entanglement begins precisely with the institutions and relationships where the tensions of self-determination are at their highest and illustrates how these tensions could not be resolved either by an undifferentiated statist or cosmopolitan framework. In this sense, what I offer is an approach towards a differentiated configuration of transnational institutions and relations that track both the competing interests on the ground and the critical purchase of cosmopolitanism.

One could therefore position this project as part of the burgeoning enterprise on transnationalism in political theory (Bauböck 2010). Alternatively, I would also suggest that this project is about bringing the debates between nationalism and cosmopolitanism to a broader terrain of political

theory. While the “bounded political community” is no longer the default position in conversations about justice, territory, and immigration, it is still very much so in other topics of political theory. I examined the problem of such a position in the discourse of political obligation, which has been narrowly defined as the obligation of citizens to obey the law of their state. This presupposition is problematic not only because it undermines the plausibility of existing theories of political obligation. More importantly, it restricts the normative vocabulary we have in discussing relations of entanglement. As the experiences of indigenous peoples have shown, to the extent that many of our normative concepts remain tied to a statist framework, entangled peoples have to struggle at great lengths to make those concepts work for them without also binding themselves to a statist framework.

It is my hope that this dissertation has contributed to the struggles of building a normative language that can attend to our entanglements in this world. Looking forward, I see this dissertation as a building block for the following research directions. First, it points to the need for further study of self-determination in the history of political thought. Specifically, there is a need to better track and capture the competing accounts of self-determination, the connection between these accounts, and the respective transformations of these accounts. These historical accounts will enable us to understand how we can re-formulate self-determination such that it coheres both with existing international laws and the demands of entangled peoples. Second, I have argued in this dissertation that a meaningful relational approach to self-determination requires us to contextualize it in specified relations and domains. I have, especially in the final chapter, examined how this contextualization could be done in the domain of citizenship. Another key domain that this dissertation has touched upon but deserves its own article-length, or even book-length, treatment is that of territory. How could entangled peoples exercise their respective rights to self-determination if they reside and rely upon overlapping geographical spaces? Third, it points towards further research on practical resolutions and institutions. This dissertation currently focuses on elucidating the relations of entanglement that are at play and illustrating how theories of obligation, citizenship, and the like could be reconfigured to track these relations. These illustrations demonstrate that secession and incorporation are not the only options for entangled peoples, but further research could be done to compare various institutions of entanglement with the recommendations within the existing literature on self-determination. Finally, as my concluding treatment of cosmopolitanism and transnationalism demonstrates, there is a need for more studies on the normative features of the specific relationships that cross the boundaries of political communities. Relations of entanglement are distinctive from other kinds of transnational relationships in that they are concerned with groups with an interest in self-determination and with co-constituting institutions. Nonetheless, we can employ relations of entanglement as a starting point to comprehend the features of other transnational relations, and our understanding of the interplay between entangled relations could help us comprehend how a broader array of relations interact with each other. Ultimately, this project is an attempt to aid us in better understanding the world as a matrix of relationships and comprehending where we stand in this matrix.

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