

## Article

# Time, Kinship, and the Nation

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**Abstract:** There remains both a great deal of confusion over the nature of kinship and an inappropriate resistance to understanding the nation as one form of kinship, specifically, territorial kinship. Although one finds the relatively early and occasional analysis of the nation in terms of kinship, for example, by Lloyd Fallers, anthropologists, including paradoxically Ernest Gellner, have avoided understanding nationality in this way. Despite Anthony Smith's attention to ethnies, those associated with nationalism studies have also generally avoided analyzing the nation in terms of kinship, as can be seen by the ill-informed hostility to the category "primordial". This article rectifies this mistake by re-examining the category of kinship, along both its vertical, temporal axis and horizontal, geographical axis, with attention to nationality in general and, in particular, in antiquity.

**Keywords:** nation; territory; kinship; primordial; time; nationalism; boundaries; tribe; ethnic group

## 1. Introduction

The study of nations has suffered from a persistent and fundamental misunderstanding arising from an inability to recognize nationality as an anthropological category, as a form of kinship. One, if not the primary, source of that misunderstanding is confusion over the nature of kinship. That misunderstanding has been further aggravated by an unwarranted periodization of nationality as predominately or even exclusively modern, and an attendant assertion of one, or a few, historically recent factors that are thought to account decisively for the existence of nations. Thus, understanding properly nationality—a term used here to encompass the myriad, diverse manifestations of nations throughout history—requires both that kinship as an analytical category be clarified and that its applicability to nationality be recognized.

## 2. Approaches and Problems

To be sure, there have occasionally been anthropologists who rightly analyzed nationality as a form of kinship, for example, Lloyd Fallers (Fallers 1974), David Schneider (Schneider 1968), and Thomas Eriksen (Eriksen 1993). One finds a much earlier, albeit implicitly, similar approach by the anthropologist Robert Lowie (Lowie 1927) in his criticism of Henry Sumner Maine's (Maine [1861] 2002) contrast between status and contract. Lowie could hardly have taken issue with the merit of the analytical distinction between status and contract or ascription and achievement, between, respectively, social relations based upon the significance attributed to the individual's birth in a family, that is, where the individual's rights and duties are a consequence of modes of behavior distinctive of kinship, and social relations determined by each of the individual's voluntary decisions, free from considerations of birth. However, he rightly objected to an unequivocal historical periodization or disjunction between them; for Lowie recognized that kinship, as a form of status dependent upon birth, persists into the present, not only obviously through the blood or genetic relations of the family but also, and with, in fact, *increasing salience*, through what he called the "territorial tie" (Lowie 1927, pp. 51–73).

If there is specificity to the category of nationality that justifies its heuristic usefulness to refer to the otherwise Protean appearance of nations throughout history, it is as a social relation formed around the image of a bounded, yet relatively extensive territory—what Lowie referred to as the territorial tie—that distinguishes it from the categories of the territorially confined city-state, the territorially expansive empire, and other social relations where territory is relatively insignificant, for example, a religious sect or business firm. In proceeding this way, Lowie's attention to the historically perennial classification of the self and others who share the recognition of being native to an area of land, whether by birth or residence, thus recognizing one another as being related, opened up the possibility for anthropologists to understand the category of nationality as a social relation of territorial kinship. Nonetheless and despite their numerous examinations of kinship, anthropologists have all too often not taken up nationality per se as a proper subject of anthropological research.

At times this avoidance has been quite paradoxical. For example, Ernest Gellner, who, as we shall see, wrote so well about kinship (Gellner [1960] 1987, Gellner [1963] 1987), assiduously avoided extending his proper analysis of kinship to nationality, confining the existence of the latter merely to meet the requirements of a modern, mobile, and educated workforce of an industrialized economy (Gellner 1983). Needless to say, there have been numerous political scientists, for example, Anderson (1983), Horowitz (1985), and more recently Azar Gat (Gat 2013), who have resorted to the anthropological category of ethnicity in their analyses of nationality; and there have been numerous anthropologists, too many to cite, who have written on aspects of nationality. But even in these latter cases, although the reason differs from one to another, there has usually been reluctance to understanding nationality as a form of kinship. For example, Anderson viewed nationality as a "social construction," with seemingly little objective basis other than what he called "print capitalism" which allowed for the emergence of distinct, uniform cultures. Gat, while like Horowitz emphasizing ethnicity, restricts nationality primarily to a consequence of the political mobilization of ethnicity. Clearly there is some merit to each of these analyses; for nations are historical phenomena, appearing over time. As such, their existence and continuation are influenced by numerous factors, certainly including the political activities of the state. Thus, to this extent, they are "socially constructed"; but this observation actually contributes very little to our understanding of nationality, and especially so when the historical appearance of nations can be neither adequately accounted for by the effect of one "mechanism," for example, industrial capitalism or modern means of communication and transportation or democratic citizenship or political mobilization, nor confined to one historical period, for example, as many historians and political scientists argue, to after the Treaty of Westphalia (1648 CE), the result of which was generally one predominant religion for the territory and population of a particular state.

In contrast to this historical segregation of nationality to what is categorized as the "modern" period or "modernity," a brief consideration of just a few of the many examples of the appearance of nationality in earlier periods and outside of Europe will properly complicate and thereby significantly qualify such a periodization. First, note the classification involved in the description of humanity in Genesis, chapter 10.

These are the descendants of Japheth in their lands, with their own language, by their families, in the nations (*gôyim*, singular *gôy*).

The descendants of Ham: Cush [Nubia], Egypt, Put [Lybia], and Canaan . . . These are descendants of Ham, by their families, their languages, their lands, and their nations.

These are the descendants of Shem, by their families, their languages, their lands, and their nations. These are the families of Noah's sons, according to their genealogies, in the nations. (Genesis 10: 5–6, 20, 31–32)

Of course, the translation of the biblical Hebrew *gôy* as nation has to be defended; but this has already been done (Grosby 1991, 1993, 1995; Cody 1964; Speiser 1960). Irrespective of that defense, we find in this quotation from Genesis an anthropological classification of territorial kinship, where one

people is distinguished from another by the “families” or “genealogy” (and language) of a particular land, that is, where the image of that land is inseparable from the image of (the genealogy of) that people and vice-versa.

We find a similar classification in Herodotus’ *The History* (1.172) in the description of the Caunians of western Anatolia.

There were foreign rites established among them, but later they turned against them and resolved to follow none but their own gods; and so all the Caunians, putting on their armor—all, that is, of military age—advanced to the boundaries of their country, beating the air with their spears and saying that they were driving out the gods of the foreigners.

Here, Herodotus (Herodotus 1987)’ reference to the boundaries of the Caunians’ land, as bearing on the self-understanding of the Caunians, seemingly indicates that we are dealing with territorial kinship—a kinship reinforced by an apparent monolatry, where the jurisdiction of the god (or gods) of one people is confined to that people’s territory.

To take another example, it seems clear enough that the idea of “Iran” as a territory inhabited by Iranians was established by the first half of the third century CE. Certainly, the term was politicized by the Sasanians (224–651 CE), as their propaganda indicates the existence of a conception that they ruled over a territory which was designated as *Ērān*/*Ērānšahr* (Iran/land of Iran) and a people *Ērān*/*Ērānegān* (Iran/people of Iran) (Daryaee 2010, 2005; Frye 1993; Gnoli 1989). The conflation between the term designating a territory, *Ērān*/*Ērānšahr*, and the term designating a people, *Ērān*/*Ērānegān*, is characteristic of the conceptual expression of territorial kinship, for example, in antiquity, Israel/Israelite, and, today, England/English (Grosby 2017, pp. 592–96). Although the Sasanians had imperial ambitions resulting in their rule over other lands, thereby complicating and even potentially undermining an Iranian territorial kinship, the realization of those ambitions did not compromise the existence of a conception of Iranian territorial kinship. In fact, the Sasanian empire confirmed that kinship, for the Sasanians distinguished between the geographical area of *Ērān* and those other areas under their military control that were understood by them to be non-*Ērān*, a distinction similar to the ancient Egyptian contrast between the land of Egypt and those areas under their military control, for example, Canaan.

The recognition of this Iranian territorial kinship in no way implies that it was timeless or unchanging. The earlier Zoroastrian understanding of the term *Arya* evidently signified that to be *Ēr* meant that one was Zoroastrian. However, over time, and as a consequence of numerous factors, above all, political, to be Iranian acquired a territorial connotation—one that helps to account for the subsequent Muslim Samanids (819–999 CE) edict establishing Persian as the language of the land of Iran, resulting in their translation of the Qur’an from Arabic into Persian, and the later adoption of Shi’ism by the Safavids (1502–1736 CE), thereby further distinguishing the Iranians from the Sunni Ottomans.

To take but one more among many examples, note the fourth of the “Ten Injunctions” of King T’aejo (943 CE) of *Koryŏ* (Lee 1993, p. 264).

In the past we have always had a deep attachment for the ways of China . . .

But our country occupies a different geographical location and our people’s character is different from that of the Chinese.

Here, we find an understanding of a relation between the distinctive geographical location of a land and the distinctive character of a people. Concomitant with this relation is also that conflation between a term signifying a land and a term signifying those who inhabit that land, respectively, Korea and Koreans—a conflation indicating territorial kinship. To be sure, here, too, other factors contributed to the emergence of that kinship. One is geographical, as Korea is a peninsula bounded in the north by the Yalu River, separating Korea—both, initially, the kingdom Goguryeo and, subsequently, in the aftermath of the so-called “*Koryŏ* period” (900 CE–1300 CE), when that northern kingdom had

been incorporated into Korea—from China. The second was political, namely, that very consolidation, as a result of the political expansion of the peninsula's most powerful kingdom, *Koguryō*, beginning in the fourth century CE. Other factors contributed to this development of the territorial kinship of the Korean nation, such as the spread of Buddhism that compromised the otherwise divisive, local shamanism and ancestor worship; the composition, during the twelfth century CE, of a history of *Koryō*, the *Samguk sagi*; and a state bureaucracy with qualifying examinations. Needless to say, continuing military conflicts with China, Japan and the Mongols abetted further the formation of this territorial kinship (Don 1997).

As these few among a number of other examples indicate, the appearance and continuing existence of the territorial kinship of the nation can be confined neither to one historical period nor to one, modern structural mechanism, for example, democracy or industrial capitalism. While any number of political factors, for example, security or sovereignty, are clearly and unavoidably intertwined with the existence of a national state, concentration on those factors either avoids or obscures territorial kinship as the key criterion of the category nation.

There are two important exceptions to this scholarly avoidance of the territorial kinship of the nation. Those behavioral ecologists or sociobiologists who have dealt explicitly with nationality, for example, Pierre van den Berghe (Van den Berghe 1987) and more recently Frank Salter (Salter 2003), have understood ethnicity and nationality as super- or extended families, constituted by the propensity of the preference—the adaptation of one's behavior—toward those who are genetically related, thereby maximizing the reproduction of one's genes through one's kin, the latter encompassing ethnicity or nationality. The merit of this approach is that it takes seriously the divisions within humanity, of which nationality is one example, and attempts to account for them. The limitation or problem with this approach is that it can't avoid collapsing the gap between, on the one hand, the traceable kinship of the family and, on the other, those more extensive forms of relatedness to which kinship has been attributed and which may or may not over time coincide with genetic kinship. After all, the divisions of humanity to which kinship is attributed may have been a consequence of a behavioral preference for familiarity that arises out of habit, custom and tradition, for example, speaking the same language, rather than interest in the continuation of one's genes through inclusive fitness. Of course, over time there would be a correlation between genetic similarity and the population of a territorially bounded area of familiarity; but the catalyst in the formation of the latter could have been a consequence of the extension of those borders through war or the incorporation of groups of people into what is understood to be “native” as defined by a law of the land in contrast to personal law.

The analysis of these behavioral ecologists is often subtle. Contrary to how behavioral ecology has often been characterized, it is not necessarily deterministic as it recognizes wide variability in the forms of kinship arising from the intervention of the mind, that is, as a result of numerous cultural and historical factors. Even so and especially when it attempts to account for this variability, its analysis suffers from circular arguments and tautologies, what Stephen Jay Gould (Gould 1978) characterized as “just so” stories. Nevertheless, behavioral ecology deserves a more extensive examination than this brief summary; but I will say no more about it here for a reason that will be subsequently provided.

The second, important exception to the avoidance of kinship in the analysis of nationality is the impressive body of work by Anthony Smith (Smith 2009, 2001, 1986). He consistently and rightly recognized the significant place of ethnicity, for our purposes, kinship, in the origin and continued existence of nations. His ethnosymbolic analysis of nationality focused on the transmission of symbols of ethnicity in the formation and continued existence of nations—a transmission that he recognized to necessarily revolve around the “subjective elements of memory, value, sentiment, myth and symbol over *la longue durée*” (Smith 2001, pp. 57–58). This attention to what amounts to the tradition of kinship, including its modification over time in the service of the demands of the present, in the formation of nations was and remains proper; and we will have reason to refer to it again several times. However, this focus, while important and necessary, unfortunately tended to distract one's attention from explicitly recognizing the nation as an anthropological category, from the centrality of territorial

kinship in nationality. The distraction consists of not making clear that when one speaks of ethnicity, one is dealing with a form of kinship.

Putting aside for the moment both an examination of kinship and its bearing on nationality, a focus on the nation as a form of kinship assumes a distinction between nationality, as constituted by a recognition by its members of being territorially related, from the national state, as an apparatus of the nation to act in the world through the administration of power (Grosby 2017). Of course, the character of that perceived relation, already noted, will have to be further clarified. For the time being, I restrict further comment on the territorial kinship of nationality to the observation that the perceived relation of being a member of a nation provides the jurisdiction for the state. This elementary distinction between nation and national state was already observed by Johann Gottfried Herder (Herder [1774] 2004; Grosby 2001b, pp. 121–24). The distinction is logically and historically justified; it is not dependent upon Herder's metaphysical assumptions about Providence. It is logically justified as it recognizes the difference between, on the one hand, a relation (the nation) and, on the other, the control or regulation of that relation (the national state). It is historically justified, as there have been both nations without a state, for example, Poland during the nineteenth century or the Kurds today, and states encompassing more than one nation, for example, the former empires of Austria–Hungary, the Soviet Union or, today, Great Britain and Spain. Furthermore, the distinction between the exercise of power and the jurisdiction of that exercise is in no way intended to deny that the state may and often does have a bearing on the formation of that shared self-awareness of being related to others who share that awareness of the self, for example, through the state's policy of an official language of the land, an early example of which was the ninth century CE edict establishing Persian as the language of Iran, or the state's prosecution of war that reveals a historically "dynamic interplay between state and the formation of nations" as war (and the memory of war) not only contributes to the consolidation of a nation but also may free an already existing nation through the defeat of an imperial state (Hutchinson 2017, pp. 35, 30, and chp. 2). Before turning to a brief examination of kinship, a few words on the distinction between ethnicity and nationality are necessary.

There is no sharp distinction between ethnicity and nationality. When the territorial referent constitutive of the social relation of nationality recedes in significance but various markers of that relation remain, for example, a common language, religion, or various customs, we have what we may designate as an ethnic group. But for both an ethnic group and a nation, there exists a reference to territory. Perhaps the variation of the salience of that reference was captured in Anthony Smith's distinction between nation and ethnic group, where a nation is "a named human community occupying a homeland," while an ethnic group is "a named human community connected to a homeland" (Smith 2001, pp. 12–14). Irrespective of the merit of distinguishing "occupying" from "connected to," it is a fluid distinction; and it is a distinction to which we shall return later. Crucially important here is to make explicit what is implicit in Smith's otherwise valuable definitions, namely, key to the category of nation is an image of a territory around which the social relation of nationality is constituted. What remains to be clarified is the anthropological implication of that territorial image, specifically, the bearing of that image on kinship.

### 3. Kinship

The category of kinship has to do with the generation and transmission of life. Specifically, it refers to the classification of the self in relation to others through traceable lines of descent. The most straightforward expression of this relation of kinship is the family. It is the most obvious because of the objective, that is, unambiguously traceable, relation of the generation and transmission of life between mother and child. The traceable or observable relation between the father and child would be supported through monogamy, as the father would then be presumed to be known. From this traceable line of descent between parents and child, further traceable relations of descent are included: those of the brother(s) and/or sister(s) of both the mother and father, the results of which are the categories of uncle, aunt, and of their children, cousins. As anthropologists know, there are various



permutations of traceable lines of descent as described here, for example, adoption, and especially in the determination of cousins ([Radcliffe-Brown \[1941\] 1952](#)). Putting aside those variations and their attendant complications to traceable lines of descent, what emerge are the lines of descent of the family and extended family. These relations, because of the observable, or unambiguously traceable, lines of descent arising from biological reproduction, are sometimes thought to be “real.”

In contrast to what is sometimes understood to be real, or actual, or physical kinship is a relation of kinship thought to be “fictive,” where kinship, rather than being clearly traceable or physical, and, in this sense, objective, is attributed to relations different from the family or extended family. The problem before us and for any investigation into nationality is: how to evaluate this characterization of fictitious kinship?

All the historical and anthropological evidence we have indicates that humans have always been members of not only families, as described above, but also larger collectivities, whether clans, tribes, city-states, nations, or empires. Membership in these larger collectivities is not merely political, for example, when a person has the legal status of a citizen, because the individual, as a member of the collectivity, understands himself or herself as a part of the larger collectivity, entailing a classification of both the self and the self’s relation to others, both within and outside that collectivity. The self-classification usually includes an attribution of a kind of kinship which, following Gellner ([Gellner \[1960\] 1987](#)), can be characterized as “social kinship”, thereby seemingly distinguishing it from the objective, traceable lines of descent of what may be characterized as the “physical kinship” of biological connection. There are, of course, social relations where there isn’t this attribution, specifically, Roman Catholicism and Islam, although even in these latter two instances numerous compromises between the religious universalism of a recognized anthropological equality of all human beings and various forms of kinship exist, for example, in the Catholic tradition, saints as patrons of a nation, and, in the Islamic tradition, however conceptually paradoxical, Islamic nations such as Iran. Why this attribution of kinship to larger collectivities occurs remains a puzzle, despite the various attempts, previously mentioned, to account for it.

It may be, as the behavioral ecologists argue, that the likelihood of reproducing one’s genes is over time increased through the individual’s membership in a culturally and territorially bounded ethnicity and/or nationality. Nevertheless, the analytical difficulty here is the intrusion of a cognitive factor into what is viewed as primarily a biological mechanism; for the formation of the social relation of an ethnic group or nation is different from, certainly significant larger than, the extended family, as they are constituted around the acceptance of various traditions (here: cognitive factors), for example, recognition of a territory, a common language, a god of the land and the people who inhabit that land, and so forth. Previously I alluded to the gap between the traceable, physical kinship of the family and other forms of relatedness, such as being members of a national state over which there is control of, sovereignty over, a territory. This gap, collapsed by behavioral ecology, is between the physical facts of birth, on the one hand, and a conceptual extension of those facts, for example, the image of the fatherland of the nation, entailing the perception of a certain kind of significance that we will soon clarify. But before doing so, let us dwell on this conceptual extension.

The nation (and ethnic group) is dependent upon the recognition, through tradition, of being related. Thus, the formation of nationality has an evaluative component: once again, a perception of significance, such that their members recognize themselves as being related in a way different from either a political or civil or religious relation. Of course, these latter social relations may become intertwined with the nation. Clearly, they historically often do. But for clarifying the nature of the significance of the social relation of the nation, those relations should be kept analytically distinct. We are justified in doing so because the objects or purposes of different social relations are respectively qualitatively distinct, for example, the Christian goal of worshipping God is the salvation of the soul, while the goal of a business firm is to make an economic profit.

If the existence of a nation requires the recognition of being related, necessarily involving the traditions that bear on that relation, acceptance of that recognition for any number of reasons,

for example, defeat in war, may falter; and, if so, the nation risks dissolution. What this possibility—often historically realized—indicates is that the conceptual extension of being related conveyed by the social kinship of the nation is “artificial” in a way that the tie (literally, too, that is, the physical tie of the umbilical cord) between mother and child is not. It is this place of the cognitive, evaluative component in the social relation of nationality that accounts for the possibility of its absence or even rejection, when the significance of kinship is consciously ignored, thereby also failing to reproduce one’s genes, most notably, but not only, in the examples of Christian and Buddhist monasticism. In these latter examples, the individual perceives greater significance in the goal of one meaning of life—salvation through religious asceticism—than to the significance accorded to the continuity of one’s life through the reproduction of one’s genes. By this use of the term “artificial,” I mean nothing more than the cognitive intrusion of an evaluative criterion, that is, an act of the mind—an intrusion implied by references to tradition or history as contributing factors in the formation of nationality. The problem now becomes one of how to understand this intruding, cognitive or evaluative component in the classification of the self as a member of a nation.

To address this problem posed by this evaluative component, let us turn to clarifying the character of the perception of significance attributed to the nation as a form of kinship. Acknowledging the artificiality, that is, the historical contingency, of collectivities larger than or different from the family does not mean that the existence of those larger collectivities is arbitrary. The analyst of nationality must be mindful of the distinction between artificial and arbitrary.<sup>1</sup> There are two reasons for this conclusion. The first is that while the mother and father are necessary for the generation and sustenance of the life of the child, so, too, is land life-sustaining. Necessary for the generation and continuity of life is not only the “flesh and blood” transmitted through familial descent but also the produce of the land absorbed into the body. The second reason is that the individual recognizes that his or her life is, to some degree, dependent upon the existence of this larger collectivity, the cultural horizon of which, as the individual develops from infancy into adulthood, largely shapes the self-understanding, hence self-classification, of the individual.

It is likely that these reasons account for the intermingling or conflating, that is, conceptual extension, of the image of the physical, biological connection of mother or father to the child with an image of territorial residence which we find in the conceptions of “motherland” and “fatherland” of those “ethnogeographic” collectivities like the nation. Thus, while the use here of the characterization “artificial” accounts for both the variability of forms of kinship arising from the cognitive evaluation or attribution of significance and the rejection of kinship, that variability and even rejection in no way implies an arbitrariness. Quite the contrary; for the facts of birth include not only the physical, traceable connection to the parents, but also the physical, areal location of one’s birth and, thus, the collectivity in which one is born and develops into adulthood. Let us clarify further this distinction between artificial and arbitrary.

Parallel to the necessity to distinguish artificial from arbitrary is the related, rarely acknowledged but crucial distinction between an “act of the imagination” and “imaginary.” An act of the imagination, while artificial in the sense that it is influenced by evaluative acts of the mind conveyed through tradition and its reception, should not be understood to imply imaginary, that is, as being arbitrary or capricious. The mistaken equation between the artificial act of the imagination and the arbitrarily imaginary is seen when the territorial tie of the national territory is thought to be “imagined,” an “imaginary,” because it is not observed directly or experienced directly by the individual as is the familial home. As the observable, traceable lines of descent from mother (and father) are thought to be real, so, too, is the area of the familial home thought to be real because it also is observable and experienced directly by the individual. It is the locus of the generation, habit, and familiarity of the life of the family. Thus, in contrast to the real, familial home, the territorial tie of the nation is often

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<sup>1</sup> For the distinction between artificial and arbitrary, see (Hume [1739] 1960, pp. 475–580).

thought to represent an imaginary “fictitious kinship.” But this understanding of the nation as the fictitious kinship of a social relation obscures the distinction between artificial and arbitrary, between acts of the imagination and the imaginary, because the territory of the nation, its homeland, while clearly historically contingent and beyond the direct observation and experience of the individual, actually exists, even though that existence often can only be conveyed symbolically, for example, through history and maps. The analytically crucial point here is that the significance—an act of the imagination—accorded to the nation revolves around the physical fact of the land, even though that significance, including the contours of the physical fact itself, is mediated through a constantly changing and never uniform combination of traditions.

As descent within the family and extended family is traceable, so, too, is descent within the nation. It may be traced through descent in the territory of the nation or descent from parents who are members of the nation, the difference having a bearing on the legal criterion for citizenship in the national state, respectively, *ius soli* or *ius sanguinis*. However, these are not merely legal categories of citizenship. They are categories of legal anthropology, as both involve (the traceable lines of) descent. The important point to emphasize here is that the social relation of the nation is formed around an object—the land of the nation—that is, a physical fact, although, as a territory, one that is a product of history. It is for this reason that the distinction between real and fictitious kinship should generally be set aside; for the latter has too often been understood to imply being arbitrary or imaginary, thereby jettisoning or at least obfuscating the physical facts that have been subjected to the artificial or acts of the imagination. And this is this problem with the fashionable idiom “socially constructed”: either that idiom is nothing more than a commonplace, for all social relations entail a cognitive evaluation of attributed (or rejected) significance; or it implies an arbitrariness of the imaginary that willfully ignores the physical facts that are, in fact, the bases of the social relation. The distinction between real and fictitious kinship has been an obstacle to understanding properly both kinship in general and the nation in particular. Once again, all of the anthropological and historical evidence that we have indicates that individuals have been born into both families and larger collectivities.

At the risk of being repetitious, let us take a step back and take stock of the relevance of these observations for understanding nationality. If the category “nation” has any heuristic utility, distinguishing it from other social relations, it is because it conveys an understanding of a relatively extensive, yet bounded social relation of territorial kinship. The “we” of the nation is constituted by reference to the territory of the nation, accounting for the terminological conflation observed earlier, for example, between Iran and Iranians, or Korea and Koreans, and so forth. We take it for granted that the nation is a product of history, specifically, that a territory emerges over time; and that it does so as a result of numerous factors, including the policies of the state, for example, establishing a uniform law of the land, or an official language, or acts of war, etc. What distinguishes a territory from merely a geographical area is that the former has temporal depth: it not only takes shape over time, but it does so with references to the past—references often conveyed with contestation into the present. To the extent that this is so, the nation, as, in fact, are most social relations, is artificial; that is, where cognitive acts of evaluation contribute to forming the nation and its territory. However, the object around which the “we” of the nation is formed is by no means capricious, arbitrary or imaginary. A national territory, while infused with this temporal depth, is a physical fact which, moreover, lends itself to existential evaluation, that is, the attribution of significance to the life of the individual, precisely because of its life-sustaining property. And it is this existential significance—the generation, transmission and sustenance of life—which is conveyed by kinship.

The physical facts as bases for social relations must not be lost sight of. Those facts are obvious in what we may, following Gellner (Gellner [1960] 1987), describe as the “physical kinship” of the family. However, physical facts are also the bases of what we may, again following Gellner, call “social kinship.” There is, as Gellner (Gellner [1960] 1987, p. 72) correctly observed, a “substrate of the co-ordinates of physical kinship [for social kinship] whose basic pattern is, for the purposes of social science, *given*” (emphasis in original).



This “given” was understood by Clifford Geertz ([Geertz 1963](#), p. 109) to represent the “primordial attachment.” For Geertz, the given was not only the immediate contiguity and kin connection but also beyond them: the givenness that stems from being born into a particular religious community, speaking a particular language, and following social practices. He thought that the “congruities of blood, speech, custom, and so on are seen to have an ineffable and, at times overpowering, coerciveness in and of themselves.” There is merit to Geertz’s description of the primordial attachment, specifically, the experienced, ineffable coerciveness of these givens, that is, the feeling of dependence as a consequence of the sometimes-vague awareness of being conditioned by them. Nonetheless, it wrongly blurs the distinctiveness of the facts of nativity per se: the connections of kinship arising from birth—from the propagation and transmission of life itself—as Shils ([Shils \[1957\] 1975](#)) formulated the category of the primordial and as [Grosby \(2001a\)](#), following Shils, understood the category when he extended it to include the territorial tie (1995). The mistake made by Geertz in his use of the category primordial was to conflate those facts of nativity with a shared religion, language, and various social practices, when they should be kept analytically distinct. For example, the givenness of being born a Muslim or Christian is clearly distinct from that of one’s self-understanding as a part of a family, ethnic group, or nation. By proceeding this way, Geertz also obscured the distinctiveness of the category of kinship, namely, the life-generating and life-transmitting physical properties around which kinship is formed.

There are, thus, two poles in the analysis of kinship that must be kept in mind. Neither should be ignored. There are both the physical facts as the bases of kinship, and there is the interpretation of, or significance attributed to, those facts—what Gellner referred to as the substrate of the social kinship. Because of those facts, social kinship is neither arbitrary nor imaginary. However, this does not mean that the intervention of the mind—what has been referred to as artificial, acts of the imagination, the attribution of significance, or evaluation—are absent from even biologically obvious, real, physical facts. That this is so can be observed from even the kinship arising from the traceable, physical relations of the family. For the traceable lines of descent of the family, this second pole of interpretation is also present, as can be seen in the variation between matrilineal and patrilineal descent, or whether or not the biological father is also the provider of the family, and so forth. This second pole is obviously of increasing importance for the larger collectivities of social kinship. But, once again, as Gellner ([Gellner \[1960\] 1987](#)) rightly observed, the kinship ascribed to larger collectivities is “superimposed on to, or recruited in terms of, a pattern of physical relationships that are biologically given.” The biologically given also includes birth in a location, upon which the territorial tie is constituted. What Gellner curiously failed to realize, or at least what he avoided emphasizing, is that often the clan and tribe, and certainly the nation have, at their bases, the biological or physical fact of a territorial relation. As has already been observed, all anthropological and historical evidence indicates that humans have been members of not only families but also larger collectivities of social kinship. The latter can’t always be easily separated from physical kinship, even though their existence is a consequence of numerous historical additions, omissions, and, as Renan ([Renan \[1882\] 1896](#)) observed, distortions in a way different from the kinship of the family. In fact, historically perennial territorial kinship is a clear, if not the primary, reason not to do so, as Lowie observed long ago.

#### 4. Time

Since territorial kinship—traceable descent in the land—signifies significance accorded to a geographically expansive, yet bounded understanding of oneself and one’s relation to others, the axis of the relation is horizontal. The boundaries of the territory determine the horizontal limits to the relation, distinguishing the native-born from the foreigner. Those boundaries may be precise and constant; and, as such, are designated as “borders.” When borders are precise and unchanging, determination of territorial kinship is relatively stable. However, boundaries may be imprecise and changing. When they are imprecise and relatively fluid, they are designated as “frontiers.” In the

latter case, the social relation of territorial kinship lacks stability, and manifestly so on its periphery, the “frontier zone”; that is, the determination of membership of the territorial relation may fluctuate.

Borders may be marked by physical barriers, for examples, oceans, deserts, mountain ranges, as the Zagros for northwestern Iran, and rivers, as the Yalu for Korea. Borders may also be imagined, as lines connecting two points, for example, as one finds in the description of the territory of ancient Israel (the land of Canaan) in chapter 34, verses 2–12, of the Book of Numbers. Borders, as lines connecting two points, although imagined, are real. While a consequence of historical development, these borders are not imaginary. They designate the territorial jurisdiction of law and the power of the state through officials to enforce the law. Two examples from antiquity of territorial kinship that conveys this jurisdiction through legal categories are the Akkadian *awīlum*, the free individual, and the Hebrew *‘ezrāh ha ‘ares*, the free Israelite.

The Akkadian *awīlum* appears frequently in numerous collections of Mesopotamian laws over a period spanning more than one thousand years, from the Laws of Ur-Namma (c. 2100 BCE) to the Neo-Babylonian (c. 700 BCE) (Westbrook 2003; Roth 1997). The *awīlum* signifies an adult individual who has the legal capacity to exercise control over his or her possessions, in contrast to the indentured servant, slave or foreigner (Von Dassow 2011; Snell 2001). The Hebrew phrase *‘ezrāh ha ‘ares*, literally “native of the land” (and its abbreviated expression *‘ezrāh*, “native”), appears nineteen times in the Bible. It signifies a legal distinction between the free, adult Israelite who is native to the land, on the one hand, and the *gēr*, the “resident alien”, and the *nokrî*, the foreigner, on the other. Both the *awīlum* and *‘ezrāh ha ‘ares* are categories of legal anthropology, conveying criteria of birth and residence—being native in a land circumscribed by its borders; as such, they indicate the existence of a territorially constituted legal community.

The territorial reference of the relation of these legal communities was implicit in the Akkadian *awīlum*, referring to an adult, free member of one of the Mesopotamian city-kingdoms or geographically larger territorial states such as Babylonia and Assyria. The territorial reference becomes explicit when the *awīlum* was qualified, as it often was, by the description of being a “son of” a collectivity, where the latter was not a clan or tribe, but his or her city or territorial state, thereby signifying the existence of a territorially bounded kinship. Corresponding to, and reinforcing, this territorial kinship of the inhabitants of these Mesopotamian city-kingdoms and territorial states was recognition of one god as protector of that city-kingdom, for example, Šara as the god of the Sumerian city Umma, or as protector of that territorial state, for example, Marduk as the god of Babylonia or Aššur as the god of *māt Aššur*, “the land of Aššur,” that is, Assyria (Postgate 1992, p. 251). Note the conceptual extension or conflation between the deity Aššur and Assyria, conveying an Assyrian understanding that the land of Assyria was an extension of, or identical with, the territorial jurisdiction of that deity (Tadmor 1986, p. 205; Machinist 1993, p. 81). As one would expect with territorial kinship, we shall see in the conclusion of this paper that this territorial conflation was expressed in the understanding of who was understood by the Assyrian to be an Assyrian.

The territorial reference in the social relation is explicit in the Hebrew *‘ezrāh ha ‘ares*, “native of the land,” designating the Israelite, or “son(s) of Israel.” And here, too, Israel had its own god, Yahweh. Once again, the kinship of being native, being a “son of,” conveyed by these legal terms is not that of the blood relations or genetic descent of the family, extended family, clan, or tribe; rather, it is territorial, hence, geographically horizontal. Clearly, territorial kinship and its associated, relatively formal, legal criterion of birth in the land, *ius soli*, is not exclusively or even predominately modern. The existence of these terms of legal anthropology and what they signify account for the tendency among scholars to translate both *awīlum* and *‘ezrāh ha ‘ares* as “citizen” (for further discussion, see Von Dassow 2011; Kuhrt 1995, pp. 610–20; Milgrom 2000, pp. 1416–20, 1704, 2127).

The existence of symbolic borders of a territory in antiquity is by no means limited to the description of Numbers 34 of the land of ancient Israel (for other examples, see Grosby 2018; Spring 2015). The often-made claim that in antiquity territories were demarcated only by geographically imprecise, physical frontiers and not by precise and relatively stable borders is factually

incorrect. However, the axis of territorial kinship is not only horizontal. It is also vertical; that is, territorial kinship is also constituted by a temporal depth.

What distinguishes an area of land from a territory is that the latter, as a bearer of significance, represents a transformation of the former into the latter. To dwell in a territory means something to the individual who inhabits that territory in a way different from merely existing in its area. In a way, the land of the territory has been animated by, infused with, a spirit, as is clearly the case when the inhabitants of a territory worship a god whose jurisdiction is that territory. In a less religious idiom, the transformation of an area of land into a territory is a consequence of that territory having taken shape as a part of a number of geographically delimited traditions that are not merely geographically focused but, more importantly, are constituted around references to that location, for example, as previously indicated, a law collection that distinguishes native from foreigner, or the jurisdiction of the deity of the land, or the territory of a language as conveyed in the above quotation from Genesis 10. There is a territorial kinship when those territorially delimited traditions are referents in the individual's understanding of the self, in his or her classification of the self, and the self's relation to others who share that self-understanding. Territorial traditions that convey greater significance and, as such, persist over time, so that they are factors in the historically developing classification of the self and the self's relation to others, are those that have to do with the generation, transmission and protection of life and which are understood by the inhabitants to be inseparable from that location, for example, foundings or discoveries, the conquest or taming of previously inhospitable areas into fertile regions supportive of life, and obviously those events that are so determinative of the fate of individuals, battles and wars.

These traditions and events are often physically embodied in cultural artefacts, such as monuments and statues, an obvious example of which was the statue of Marduk for Babylon, and transmitted over time through customs, various institutions, and histories. In fact, one indication that a territorial kinship has achieved stability, allowing it to persist over time, is the emergence of a national historiography, for example, the literary complex of Genesis through 2 Kings for the ancient Israelites, or the Korean, twelfth century CE *Samguk sagi*, or the Persian *Shahnameh* by Abolqasem Ferdowsi completed in the early eleventh century CE. Such traditions or memories, shared among individuals who, by sharing or accepting them, understand themselves as continuators of those traditions by virtue of having been descended in the land, are necessary components of the relation of territorial kinship. One observes an example of this temporal depth of territorial kinship continuing over, and thereby connecting, one generation to another in the Athenian tragedian Aeschylus (1991) *The Persians* (lines 401–402), “Advance, O sons of the Hellenes, Free your fathers’ land.”

The existence of this second axis—temporal depth—of territorial kinship necessarily involves all the complications of temporal duration. The most obvious complication has to do with the transmission of territorial kinship over time. As with the reception of tradition in general, recognition of territorial kinship takes place by bringing the past into the present; as such, recollection of the past is subject to, and in the service of, the demands of the present, in the above example from Aeschylus' *The Persians*, the territorial unity of the Hellenes in their war against Persia, despite the distinction between Athenians, Spartans and Corinthians. Thus, by bringing the past into the present in the service of what the present understands to be meaningfully relevant, the past is selectively recalled and, thereby, transformed. In this selective, hence, modified recollection, we have the exercise of acts of the imagination, what was earlier referred to as a superimposition of current significance. However, that superimposition is, once again, not free-floating, for it is on the pattern of physical relations of what Lowie called the “territorial tie.” To be sure, this interpretation of the past or superimposition of the present on a past understanding of these physical relations is often contested; for the demands of the present and the representatives of those demands, for example, political parties, are never homogeneous. This contestation can be seen in the tensions within Greek tradition, for example, the continuing salience of the territorial heterogeneity of the Greek city-states co-existing with a shared awareness of the more geographically extensive, common land of the Hellenes; or in ancient Israelite

tradition, for example, the conflicting evaluations of David, Solomon, and kingship in general, and even different conceptions of the deity, both monolatrous and monotheist; or, in Iranian history; the tension-filled relation between a Persian and Islamic past; and so forth. For the analyst of the territorial kinship of nationality, this contestation is the vexing problem of the relation between continuity and change.

The reception of the traditions of territorial kinship may even have a bearing on how the contours or boundaries of that kinship are understood, for example, as a consequence of immigration, or when territorial borders are extended through military conquest or retrenched through a territorial secession of a minority. However, the contestation over their reception is not only a consequence of the demands of the present being different from those of the past, but also because no tradition or set of traditions is uniform. That this is so was observed above from the passing references to the tensions within ancient Greek, Israelite and Iranian traditions. These tensions, both in the reception of a combination of traditions and among those traditions within the combination, are characteristic of the territorial kinship of the nation. The existence of these tensions does not dissolve the category of territorial kinship as a unity that persists, even though often dramatically changed, through time. For the analyst of the territorial kinship of nationality, recognition must be made that unity does not and should not imply uniformity. It does, however, indicate that while a symbol, as properly recognized by the ethno-symbolic analysis of nationality (Smith 2009), may persist over time, for our purposes, the name of both the territory and the territorial kinship, that symbol can also, over time and at any particular time, convey different contents (Hutchinson 2004).

The axis of time—temporal depth—may pose a complication to this analysis of territorial kinship, in particular to its anthropological and historical pervasiveness. We know that there are structures of kinship that involve the conceptual ascendance of a temporal boundary of the location of a particular past, specifically, that revolve around determination of the biological ancestor, and where, as a consequence, territorial relations have little or no significance, for example, the family, where descent is traced back in time usually to three generations. It is sometimes thought that a similar temporal emphasis, but now for social kinship, takes place in the determination of an eponymous ancestor, an obvious example of which would seem to be what we designate as “tribe”, and, occasionally, as an “ethnic group.”

The ethnic group would appear to be a category of social relation that is, in fact, derivative of territorial kinship. Its derivation can be observed if we return to one aspect of Anthony Smith's (Smith 2001, pp. 12–14) definition of an ethnic group, namely, a community with a connection to a homeland. Presumably, the problem addressed by this defining qualification is where members of a minority, an ethnic group, within a national state understand themselves as continuing to be related to other members of that ethnic group through reference to a different territorial location than the current national state in which the minority resides. Such a situation would arise through movement of populations from one area to another, for example, the migration of the Amorites during the late third and second millennium BCE into Mesopotamia and, later, the Aramaeans and Chaldeans into Babylonia, or the Neo-Assyrian empire's policy of mass deportation of a population from the latter's native homeland to a distant part of the empire, or the migrations of Europeans to America during the nineteenth and twentieth centuries CE, or through the territorial expansion of a state, the result of which would be the incorporation of a population understood to be native to a previously existing national territory into that geographically expanding state.

The kinship recognized as constitutive of an ethnic group is traced through familial descent, as the family co-exists with both the kinship structure of the ethnic group and that of the territorial descent of the national state within which the ethnic group currently resides as a minority. Although this kind of ethnicity is important and well known, found throughout the world in the past and today, for the purposes of understanding the category of territorial kinship, it is not conceptually challenging to the anthropological and historical pervasiveness of the territorial tie. This is because, as already noted, the category ethnic group refers to a population that recognizes a connection to a territory.

Moreover, as is well known, by the second generation, individuals within an ethnic group come to understand themselves as members of the territorial kinship of the (new) nation into which they were born. More challenging to the category of territorial kinship are the complications posed by the conceptual ascendancy of this temporal axis where the criterion of the reference to being native to, or residing within, the land has seemingly little or no place or, at least, certainly recedes in significance, in the recognition of kinship, as may be the case with the tribe or Bedouin way of life, that is, nomadism. However, the tribe, as we shall see and as Lowie recognized long ago, is an ambiguous category (see [Fried 1966](#)). Be that as it may, the problem posed here for the analytical category of territorial kinship seems to come to the fore with nomadism.

As the nomadic way of life is not sedentary, the self-understanding of the kinship of the nomadic group does not revolve around a territorial reference. Its kinship structure is constituted by reference to an ancestor; and that reference is often sustained by oral tradition. In religion, the consequence of the ascendancy of this temporal axis is the worship of the ancestor, or the god of the father, in contrast to the worship of the god of the territory. But this way of life is, and historically has been, marginal. For the most part, what we call nomadism is, and historically has been, actually “enclosed nomadism” ([Rowton 1973, 1974](#)). The migratory patterns of the nomadic tribe are, in fact, often either within an enclosed area or include a home to which the tribe returns at the appropriate season of the year. Moreover, it is not uncommon for members of these tribes to dwell permanently within a town while still maintaining their understanding of themselves as being members of the tribe. These kinds of anthropologically and historically more prevalent territorial ties, albeit with lesser salience when compared to the territorially self-designating populations of a city-state or nation, are conveyed by the category “semi-nomadic.” For example, the camel nomads of Saudi Arabia, the Al Murrah, while migrating sometimes as much as 1000 km a year in search for watered grazing lands, nevertheless have a tribal territory, *dirrat al murrah*, and even a home town, Najran, in southwestern Saudi Arabia ([Cole 1973](#)).

What we actually usually observe is captured well enough in those so-called tribes of the ancient Near East. By the designation “tribe,” we often, as previously suggested, assume that the territorial tie of one kind or another has little or no significance. But as also noted above with “enclosed nomadism” and semi-nomadism, we have reason to think that this is actually not so. It is the case that, in contrast to the clear designation of the territorial kinship of an individual as a member of, that is, descended within, a city-kingdom or a territorial state, we find a different kind of designation, albeit with variation, for what has been characterized as the “tribes” of the ancient Near East. Members of the Kassite tribes (second half of the second millennium BCE) were often designated by PN [Personal Name], son of PN<sup>2</sup>, where PN<sup>2</sup> is not the biological father of PN but the ancestral “House” ([Brinkman 1968](#), pp. 246–88). Members of the Amorite, Aramaean, and ancient Israelite tribes were often described by a gentilic reference, for example, in Mari (c. 1650 BCE), the *Binu Yamina* (literally, “sons of Yamina” or Yaminites), the *Binu Sim'al* (literally, “sons of Sim'al” or Sim'alites), and, in Israel, the *bēnē yisrā'el* (literally, “sons of Israel” or Israelites) ([Grosby 1991](#)). And the historically later Chaldeans were described as sons of an eponymous ancestor. The problem is how to understand this use of the term “house”, those gentilic references, and the formulation “son(s) of an eponymous ancestor.” In all of these instances, while the evidence is sometimes scanty or ambiguous, it appears that there is often a territorial axis in the formation of the structure of the kinship of these tribes.

Perhaps the most well-known example of the horizontal axis of territorial descent in the constitution of the kinship of these tribes is that of the *Binu Yamina*, sons of Yamina, the Yaminites, and the *Binu Sim'al*, sons of Sim'al, the Sim'alites, of ancient Mari. *Binu Yamina* literally means “those of [or the sons of] the right”, that is, southerners; and *Binu Sim'al* literally means “those of [or sons of] the left,” that is, northerners—the difference between right (south) and left (north) being a consequence of the geographical distinction when facing the sun rising in the east ([Heimpel 2003](#), pp. 14–19). But this example is by no means an isolated instance. We know that the designation “Israel” referred to the “sons of Israel” but also to the bounded territory of the land of Israel from Dan to Beersheba. We further



know that many of the tribal divisions within the gentilic designation “sons of Israel”—Judah, Ephraim, Naphtali, and, of course, Benjamin (= sons of the right or southerners vis-à-vis the House of [northern] Israel) have a geographical referent in the name of what is presented as an eponymous ancestor, thus conveying a territorial kinship (Noth 1958, pp. 56–84). Furthermore, these so-called tribes of ancient Israel were understood by the author(s) of the Bible to have had remarkably detailed borders (see Joshua 13–19). As to “house” or “sons of the house”, the category, widely attested throughout the ancient Near East, is manifestly sociologically fluid, as “house” may refer to the familial home, a broader social kinship, and clearly a kingdom; but in most of these uses, certainly so for the latter two, there surely is a constitutive, territorial referent. For example, in the *Kudurru* texts (boundary markers confirming legal possession of land), the phrase “province of the House of PN” occurs frequently and indicates a political-geographical designation (Scholen 2001, p. 298).

It thus appears that the category tribe is quite ambiguous. Our understanding of it should clearly not assume to convey primarily the kinship of a traceable genetic or blood descent of an extended family; for there is usually a territorial axis in the constitution of the kinship of what actually are social relations of varying sizes and complexity. In fact, one wonders if the term tribe should be used at all, except that it often seems to refer to a political condition where there is either no, or at least a most undeveloped, separation between the ruling family and the administration of that rule—the developed separation being characteristic of a state.

## 5. Conclusions

At the beginning of these remarks, I observed that what Lowie characterized as the kinship of the territorial tie not only historically persists, but also that it does so with increasing salience. This territorial kinship—co-existing with and encompassing the kinship of the family, the extended family, and ethnic groups—is conveyed by the “we” of the modern nation and national state, hence, its continuing and even increasing salience. The criterion for membership in the modern nation is usually one of birth in the territory of the nation; and the significance accorded to this fact of nativity indicates the social relation of kinship of the modern nation.

However, the analysis of nationality has been unfortunately dominated by several ill-founded prejudices. One is that nationality is primarily or even exclusively modern. Another is that nationality and, in fact, modern times in general, have little or nothing to do with primordial ties, that is, social relations formed around the significance accorded to the facts of the generation—birth—and transmission—traceable descent—of life itself. It is, of course, the case that the formation and continued existence of nations are influenced by numerous factors, for example, political and legal through the existence and actions of the state, and cultural through modern means of communication, transportation, and an extensive market-place for goods and services. But if the understanding of nationality is confined to these latter factors, one will never be able to account for what Anthony Smith (Smith 1999, p. 332) recognized as the task of students of nationalism, namely, explaining “the passion, intensity, and conviction of national attachments.”

The fact of the matter is that too many of the analyses of nationality have been victims of the theoretically antiquated and historically unjustified contrast between *Gemeinschaft* and *Gesellschaft*, between status and contract; for the modern nation is also a community (Grosby 2011). Because of the deleterious effect of this contrast on the study of nationality, I chose to emphasize in this article evidence from antiquity in order to show that territorially extensive, yet bounded social relations are not confined to modern times. I will continue to do so in this conclusion. In doing so, attention will be drawn to some of the factors—or “mechanisms”—involved in the formation of the social relation of territorial kinship.

In antiquity, we have seen, even if only in passing, that numerous factors contributed to the emergence and continued existence of nationality: religion, for example, the god of the land; law, for example, the categories *awilum* and *‘ezrah ha ‘ares*; language, for example, as an object of self-classification in Genesis 10; a historiography that has as its object a territorially constituted people,

for example, Genesis through 2 Kings of the Bible, the Korean *Samguk sagi*, and the Persian *Shahnameh*; geographical barriers that become borders, for example, the Yalu River for Korea or the Zagros mountains for Iran; and politics, specifically, states, including their prosecution of war that required conscription, either through a census or as a legal requirement as in the Neo-Assyrian empire. While the “territorial tie” is perennial, there was nothing “automatic” or deterministic in the formation and consolidation over time of the relatively extensive, yet bounded territorial kinship of nations in antiquity or, for that matter, today. All of the above factors may have been operative, or only some of them have been, or some may have been more important than others at any particular time and over time. In each and all of these possibilities, always decisive is the significance accorded to any of these factors in what, as a result, is the Protean quality of the historical appearance of the territorial kinship of a nation.

The contribution of each and all of these factors can be and was ambiguous in the formation of a nation. Take but one example, religion. It is obvious enough that the ascendancy of the worship of one god as god of the land, for example, Aššur for Assyria or Marduk for Babylonia or Yahweh for ancient Israel, would have been an important factor in the consolidation of a national culture. However, religion may also be a factor that complicates the formation of the cultural unity of territorial kinship. This is so when there was a pantheon shared among a number of otherwise territorially distinctive city-states, even though there was a recognized, religious center, for example, Nippur for the Sumerians and Delphi for the Greeks. In this instance, the territorial distinction of our categories distinguishing a geographically delimited city-state from a geographically more extensive, yet bounded nation becomes blurred. Religion is also a complicating factor dependent upon whether or not it promotes a degree of toleration, for example, Cyrus’ edict allowing for the re-establishment of local cults; or when there is religious syncretism; and it certainly is so when it is monotheistic, as the latter may then be a contributing factor to imperial ambition.

There is yet another complication to consider. Hutchinson’s ([Hutchinson 2017](#), p. 120) observation that “in practice, distinctions between nation states and empires can be hard to maintain” is not only true for the history of the twentieth and beginning of the twenty-first centuries, as it was also especially true throughout the history of the ancient Near East. During that history, one observes a continual back and forth between imperial emergence and dissolution, with: the expansion of a nation into an empire, for example, Assyria or Babylon; or when an empire collapses, the appearance of a nation, for example, ancient Israel, or the re-emergence of previously existing city-states as in southern Mesopotamia during the first half of the first millennium BCE.

The distinction between empire and nation has a direct bearing on territorial kinship. Because of the aspiration to universal domination that is characteristic of the category “empire,” the territorial borders of an empire are not stable over time. As a consequence of this potential to expansion, the population, hence, the territorial kinship, within the empire is in flux. Beyond its territorially distinct homeland, the periphery of the empire may be loosely organized, that is, indirectly controlled, where the recently conquered areas may have a degree of autonomy. When there is a degree of autonomy of the conquered areas, those areas are known as “vassal” or “client” states. The latter, while militarily and economically dominated by the imperial center, may still have their own rulers, religion and laws. This situation has a bearing on the social kinship of those areas; for those who live within those vassal states do not understand their imperial rulers as belonging to their kin. In this case, the relative instability of the borders of an empire do not convey an imperial, territorial kinship; rather, beyond the empire’s historical homeland, that instability signifies a heterogeneity of territorial kinship within the empire.

This heterogeneity can be observed in, and was expressed and reinforced by, the fiscal policy of the neo-Assyrian empire, from the ninth through seventh centuries BCE. The neo-Assyrian empire drew a distinction between “tribute” and “tax.” Tributes were extracted from vassal states in an unpredictable way, depending upon the changing needs and demands of the imperial center. In contrast, the tax was levied in a predictable way on those who were understood to be Assyrians, that is, those who

lived within the land of Assyria (Postgate 1974, 1992). Thus, we observe a relation between the imperial state's categories of fiscal policy and territorial kinship. However, beginning with the reign of the Assyrian Ashurnasirpal (883–859 BCE) and continuing especially during the reign of Tiglath-Pileser III (774–727 BCE), the conquered lands of what previously would have been vassal states were incorporated into the land of Assyria, the borders of which had, as a consequence, to expand to include that incorporation. These incorporated areas were now no longer designated as vassal states but as “provinces” of the land of Assyria. This territorial incorporation was conveyed in the Assyrian inscriptions by the often-used formula, “I [the king] annexed them to (or “counted them as in”) Assyria,” *ana misir māt Aššur turru*, as in, for example, Tiglath-Pileser III's Calah Annal 19 and Annal 9 (Tadmor 1994, pp. 42–43). In contrast to being incorporated into the land of Assyria and, thus, considered as part of (“provinces” of) that land, the vassal states and their tribute-paying inhabitants were described by the often-used idiom as being under the “yoke of Assyria” (Postgate 1992; Machinist 1993). The terminological contrast between, on the one hand, “tribute” and “yoke of Assyria,” and, on the other, “tax” and “land (or “provinces”) of Assyria” was not only one of fiscal policy; for it also signifies the boundaries of territorial kinship, that is, who was an “Assyrian”.

Of course, fiscal policy is also a legal matter; and law is another factor bearing on the formation and continuation of territorial kinship. Individuals living within those lands that were now, as a consequence of the annexation of those areas, counted to be in Assyrian territory were considered by the Assyrians to be “inhabitants of [or perhaps “citizens of”] Assyria, *itti niši māt Aššur amnušūnuti*, a descriptive classification that appears several times in the inscriptions of Tiglath-Pileser III and subsequently. Those who were previously foreigners became legally and, since native to what was now part of the land of Assyria, *anthropologically transformed* into Assyrians; they became one of the *mar'ē māt Aššur* (“sons of [the land of] Assyria”), and *niše māt Aššur* (“people of [the land of] Assyria”). Signifying this anthropological transformation of territorial kinship was the descriptive attribution of the gentilic adjective *Aššūrāya*, “Assyrian,” to them (Parpola 2004, pp. 13–14).

The use of the idioms “sons of Assyria” and “people of Assyria,” and the gentilic adjective “Assyrian” should not be understood as being in some way an expression of either conceptual confusion or primitive mentality. Similar usage is found today in the descriptions of modern nations; and then there are the idioms of “fatherland,” “motherland,” and “homeland.” What this usage indicates is that a people—a nation—is constituted around a reference to a territory. This classification of a social relation and the self-understanding of the individuals who are members of that social relation revolve around both a horizontal, geographical axis and a temporal depth of that geographical area—both transforming that area into a territory. The attachments to that land and to the people who dwell within its territory are a consequence of significance attributed to the facts of nativity: the generation and continuation—traceable descent—of life from birth in, and sustenance from, the land. Thus, the nation is a social relation of territorial kinship. To be sure, the modern use of terms like fatherland, motherland and homeland are metaphors. However, they are not merely metaphors; for they refer to the facts of nativity which have been historically infused with, or overlaid with, and, at times, exist in tension with other concerns of life, such as life's ordering through law, life's protection through a state, and life's place in the universe through religion.

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