Democracy, Nationalism and Multiculturalism

Addressing how democracies can deal with plurality, *Democracy, Nationalism and Multiculturalism* looks at the political accommodation of national plurality in liberal democracies and in the European Union at the turn of the century. *Democracy, Nationalism and Multiculturalism* provides an up to date review of subnational and multicultural issues in Western multinational democracies. The book includes normative, institutional and comparative accounts of such key issues as:

- Politics and policies of accommodation
- Multiculturalism
- Recognition of group rights
- Federalist reforms and debates in Canada and European states
- The political construction of the European Union.

The volume builds bridges, and brings together, a number of debates that have often taken place separately. Its panel of international authorities examines this issue from a variety of perspectives, considering questions of citizenship, multiculturalism, immigration and equality. The contributors – many of whom have set the terms of this debate in international political science – include Bhikhu Parekh, Alain-G. Gagnon, Raffaele Iacovino, Philip Resnick, Ramón Máiz, Wayne Norman, Ferran Requejo, Will Kymlicka, Klaus-Jürgen Nagel and John Loughlin.

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Democracy, Nationalism and Multiculturalism

Edited by

Ramón Máiz and Ferran Requejo

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Contents

Notes on contributors vi

Introduction 1
RAMÓN MÁIZ AND FERRAN REQUEJO

1 Dialogue between cultures 13
BHIKHU PAREKH

2 Interculturalism: expanding the boundaries of citizenship 25
ALAIN-G. GAGNON AND RAFFAELE IACOVINO

3 Accommodating national differences within multinational states 43
PHILIP RESNICK

4 Nation and deliberation 58
RAMÓN MÁIZ

5 From nation-building to national engineering: the ethics of shaping identities 79
WAYNE NORMAN

6 Multinational, not ‘postnational’, federalism 96
FERRAN REQUEJO

7 Federalism and secession: East and West 108
WILL KYMLICKA

8 Dilemmas of stateless nations in the European Union 127
KLAUS-JÜRGEN NAGEL

9 The ‘transformation’ of governance: new directions in policy and politics 144
JOHN LOUGHLIN

Index 160
Notes on contributors

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At the end of the 1970s, the conception of the state as a nation-state began to undergo a profound revision. This affected political theory, institutional policies and arrangements for the territorial division of power. A perception of the state as a monocultural and uninational entity, which gave rise to political centralism, a uniformist interpretation of federalism and assimilation policies for immigrants, underwent a number of important changes. One example of these was the experiments in multinational federalism that took place in Canada, Belgium and Spain. These facilitated the recognition of the pluralities of culture, language and identity of the different national minorities within these countries. After Canada took the first step in 1971, there followed an explosion of multiculturalist public policies. The scope and political orientation of these policies has been quite different in New Zealand, Australia, Sweden, the Netherlands, the United Kingdom and the United States. However, in all cases they have resulted in a greater tolerance and recognition for the cultures of immigrants and other ethnic, cultural and religious groups.

This political and theoretical evolution towards the normative implementation of national and cultural pluralism and alternative lifestyles in contemporary societies has brought about an extraordinary development in political theory. Following the framework described by W. Kymlicka, it is possible to identify three stages for this development (Kymlicka 2001). An initial stage, in the 1980s, centred on the liberalism/communitarianism debate and critiques of the work of Rawls by those who, faced with an individualistic citizenry and a theory of justice that established the latter’s primacy over the ideas of the good, demanded the normative insertion of the individual into the collective as the possessor of a specific idea of the good life. In this initial phase, the defence of a series of minority rights implied the acceptance, albeit partially, of some of the communitarian theses through different formulations. Among these theses were the clash between authenticity (or identity) and autonomy, between a culturally interventionist state and one that was culturally neutral, between the community and society, the primacy of the ideas of the good over the idea of justice, and so on. The second stage, in the 1990s, saw the theoretical debate shift to within liberalism itself for reasons of plausibility and the obvious limits displayed by the criticisms of the
Ramón Máiz and Ferran Requejo

communitarians. Hence the new question: how is it possible to approach collective rights from the perspective of liberal theory? The response of Raz, Miller, Tully, Kymlicka or Tamir would bring to the fore a concept of culture conceived as a context of decision and autonomy for individuals. There followed a complex debate with regard to, for example, the infringement or the widening of individual liberties through the recognition of collective rights, or the legitimacy of establishing ‘external protective measures’ for cultural communities as opposed to the illegitimacy of imposing ‘internal restrictions’ on its members. A third stage, which began at the end of the 1990s, is characterized by greater theoretical attention being given to the legitimate and illegitimate processes of nation-building, by the need to adapt the concept of citizenship to modern plural societies and to think profoundly about the articulation of nationalist and multicultural demands with the requirements of the theory of democracy: the citizens as ‘ethical agents’ (Gutman 2003), the overlapping of democracy and nationalism (Máiz 2000; Requejo 2001), culture created by means of consensual practices and public deliberation (Parekh 2000; Valadez 2001), and so on. In this way, for example, with the aid of Habermas’s theory of discursive ethics and the rules of universal respect and egalitarian reciprocity, one may proceed to introduce the dilemmas and conflicts of individuals and their differing identities into the dialogue about the life world. Today, renewed, if not entirely new, attention is being paid to the dialogic and narrative structures different identities display, to discourse as a form of deliberation, centred on the negotiation of shared values that go beyond, and are not in opposition to, multicultural divisions (Benhabib 2002: 16).

However, a large number of authors (and policies) have questioned these institutional and theoretical developments for a wide range of reasons. Thus, it has been argued, for example, that the politicization of ethnicity might generate new divisions and conflicts (Glazer 1983); that multicultural policies may dissolve the links that bind a nation together (Ward 1991); that placing culture at the forefront of political theory means abandoning the central issue of equality (Barry 2001); that the federalization of political systems supplies national minorities with additional resources that will lead to an increase and radicalization of their demands (Mozaffar and Scarritt 2000), and so on.

One clear flaw in the first two stages of this prolonged normative discussion is its lack of connection with, on the one hand, the contribution of the social sciences and, on the other hand, the normative theory of democracy. This flaw has resulted in at least two negative effects for the form of political theory that we are concerned with here: (1) the acritical acceptance of an objectivist and substantialist conception of community; (2) the radical analytical split between the demands of two kinds of cultural pluralism movements: minority nations on the one hand, and ethnic groups on the other.

First, a number of the shortcomings of the political theory of liberal nationalism and of multiculturalism derive from a conception of nations and cultural communities as pre-political groups, the objective result of a series of contrasting social, demographic and ethnic ‘facts’. Recent thinking, however, has revealed
that a large part of the first political theory of nationalism – both the part associated with majority nation-states and the part associated with stateless or minority nations – and multiculturalism were based on assumptions that are difficult to defend:

1. Looking inwards, cultures and nations were considered to be organic, integrated and homogeneous wholes, ignoring or playing down their internal diversity, the plurality of interpretations and competing projects as well as potential clashes between them.
2. Looking outwards, cultures and nations were understood to be discrete, distinct entities, underlining the difference that separates ‘us’ from ‘them’, what is ‘ours’ and what belongs to ‘others’, undervaluing characteristics shared by all.
3. Nations and cultures were considered to be – and still are, to a great extent – entities crystallized by history, like pre-ordained phenomena beyond any potential process of evolution, change or reformulation.
4. This meant, in turn, that belonging to a particular nation or culture inevitably led to passive socialization in its tradition, through the guidelines and standards provided by its historical heritage, to the exclusion of any free and creative participation by its members in its design.
5. This, over time, resulted in an isolationist and conservationist conception of culture, as if any form of debate, change, blending or incorporation would endanger its existence.
6. All this led to a perception of collective identities as exclusive, separate, dissociated realities which engendered a kind of multicommmunitarianism, in accordance with an idealistic view of nations and communities all blooming together like little flowers, the former enclosed in their own state or in their project to create one, and the latter in their own particular life-styles.
7. Finally, this resulted in a conservative form of culturalism which left little room for linking demands for recognition of national and cultural pluralism with at least two basic dimensions which are closely related to democratic politics: citizens’ equality and political deliberation.

In a very different way, however, contemporary social science, from a variety of constructivist perspectives ranging from Brubaker to Gurr via Laitin, has stressed the complex process of nations and cultures, which is as much the result of their plural and conflictive internal character as the inevitable relational dimension of contacts, historical experience and links with other communities. These dynamic aspects of the political character of nations and cultures are decisive from the normative perspective we are concerned with here as they direct our attention, along with the language of recognition and authenticity (Taylor 1992), to processes of nation-building, the internal plurality of cultures, the possibility of overlapping identities, and equal opportunities in the production of the culture itself (Seymour 1996; Norman 1999; Carens 2000; Benhabib 2002). This is therefore a significant revision as, among other things, it is difficult to give normative form to processes of
nation-building without previously having revised the conception of communities and nations as pre-ordained objective facts. In effect, if nations and cultural groups are the result of processes of political construction, it is necessary to add a complementary democratic dimension to the liberal dimension of the recognition of distinctness and collective guarantees and rights. This additional dimension should include public reasonableness, participation, inclusion and deliberation in the public sphere in order to tackle the normative conditions of the process. A liberal-democratic theory of nationhood and culture should not forget that belonging to a cultural or national community also includes active participation in the discussions that create it.

Second, the contributions of social science and the normative theory of democracy suggest that it would be advisable to reduce the at times excessively sharp separation, based on principles, between state and non-state nations on the one hand, and ethnic groups on the other. Here also, the use of a static and objectivist conception of collectives provokes a problematic generic split, which is based on such criteria as territorial concentration, the presence of a common language, demands for self-government, and so on. Such a distinction based on principle is rather a superficial interpretation of those groups with rights to self-government (nations) and those that do not possess these rights (ethnic groups). This distinction gives rise to at least two problems. The first is the circular nature of a kind of reasoning that introduces self-determination as a defining element for the very concept of nationhood, whether we are dealing with a majority or minority nation. This way infers, with no possibility of continuity, a right – to continue to exist as a sovereign state or to achieve this in the future – from a fact – namely a community generated by the presence of objective characteristics such as a language, culture, and so on. The second is the scant attention that is paid to the possibility of the evolution and construction of these groups, and their identities and demands. Empirical studies show that groups and nations should be regarded not as fixed, immutable entities but as a variety of distinctive, competing positions, adopted by different organizations, parties and movements that wish to be seen as representatives of the interests of the group (Laitin 1995; Brubaker 1996; Stavenhagen 1996; Gurr 2000). An incorrect use of the categories results in policies that fail to take into account the pluralism and evolution of the demands of groups and, most importantly, leaves members of minority nations within the state, internal minorities and groups within a minority nation, and immigrant minorities within majority or minority nations in the process of achieving self-government in a precarious situation (Tamir 1996: 82; Young 2000: 155; Benhabib 2002: 65).

The radical distinction at the beginning of the debate, which is the result of the use of ‘multiculturalism’ to reinforce state nationalism in countries such as Canada, is questionable from the normative standpoint of the contributions of the debate regarding liberal nationalism and multiculturalism. In effect, the distinction is primarily made by not questioning the nationalist position that the concept of nationhood totally dominates the entire classificatory logic used to distinguish between nations and ethnic groups (and the hierarchical position
of the first justifies the necessary ‘integration’ of immigrants). Second, by ignoring the fact that groups adjust their demands according to their perception of their chances of success and of the empirical evidence of the precarious nature and minimalism of the institutional demands of immigrant groups, it was concluded that group identities occupied an inferior normative position and it was assumed that they were destined to disappear through their progressive integration into the majority society. Furthermore, as the concept of state or non-state nationhood is performative – that is, it helps to create the very reality that it is expressing – many groups and communities tend increasingly to regard themselves as nations in order to strengthen their demands for self-government and cultural autonomy. For example, indigenous peoples of North America and Latin America refer to themselves as ‘Indian nations’. From the First Nations of Canada to the Mapuche Nation of Chile via the Mayan Nations of Guatemala, the language of nationalism is all part of the same political effort of organization and mobilization, in order to bridge the gap between being seen as mere ethnic groups destined for acculturation and marginalization (Máiz 2001). This makes it impossible to criticize ‘integration’ policies that are applied to groups and communities that demand not only transitional rights to mitigate the effects of the acculturation of the first generation but also juridically guaranteed formulas for their permanent accommodation and recognition (Moore 2001: 106).

In an attempt to avoid the use of conceptual dichotomies based on objective principles, authors such as I. Young have proposed that the concept of nation should be replaced in the normative sphere by that of ‘distinct people’. In effect, this is replacing a substantial (social) ontology with a relational (political) ontology in such a way that a group – and, by extension, its collective rights – is not defined by any putative essential character, but through its encounters, interaction and negotiation of identities with other groups (Young 2000: 161). This is a key aspect of the contemporary constructivist analysis of identities: the preferences (political demands), the specific distinctive characteristics and the collective identity of groups are generated simultaneously during the process itself. This shows both the complexity of social categories of ‘belonging’ as well as the sources of collective dignity and self-respect (Fearon 1999).

For all these reasons, it is necessary to bridge the gap between the arguments of unity and diversity or, in other words, reconcile those arguments that are derived from the building of a common culture – which in multinational states will itself require a political accommodation between the majority nation and the minority nations by means of, for example, federal formulas (Requejo 2005; Gagnon and Tully 2001) – with the arguments that are derived from the fair accommodation of the plurality of ways of life, which are characteristic of multiculturalism (Moore 2001: 178). In this way, the dimensions that are protective and related to recognition, of a liberal nature, will be articulated with the democratic dimensions of equality, deliberation and participation.
The chapters of this volume, which have been contributed by well-known specialists in the subject from a variety of countries, aim, precisely, to build bridges and bring together a number of debates that have often taken place separately: liberal nationalism, policies of multiculturalism and institutional models of accommodation inside (federalism) and outside the nation-state (the European Union).

The opening chapter, by Bhikhu Parekh, takes as its starting point that cultural diversity is not only an undeniable fact of modern life, but also a value that must be protected institutionally. The author analyses a number of misunderstandings that exist with regard to multicultural policies; misunderstandings that even today inspire many of the criticisms directed at multiculturalism. Parekh stresses that multiculturalism does not imply that cultures should regard themselves as being immutable, impervious to change, immune from all criticism, but as valuable for their own sake precisely because they are different. Furthermore, any culture should be open to normative evaluation in order for it to comply with requirements of public defensibility. Multiculturalism implies not isolation and self-absorption, but appreciation of diversity and intercultural dialogue. There is nothing in the normative principles of multiculturalism that makes it beholden to an impoverished and static conservatism point of view that sees cultures as museum pieces, but as ‘living systems of meaning’. In short, in spite of some public policies that have made use of its name, modern normative multiculturalism emphasizes the value of cultural plurality, and it does so in a way that is a far remove from the objectivist and organizationist assumptions of communitarianism and fundamentalism. Multiculturalism is not, cannot be, ‘multicommunitarianism’.

Similarly, Alain-G. Gagnon and Raffaele Iacovino provide necessary clarification regarding an issue that has given rise to numerous misunderstandings in European discussions on how to interpret the Canadian experience. The authors analyse the important differences between the ‘multiculturalist’ policies of Canada (and the United States) and the Québécois model of interculturalism. Their chapter clearly illustrates how the multiculturalist policies of Canada are in reality different from the normative principles of multiculturalism because, first, they stress the primacy of individual rights in the Charter of Rights and the individual’s right to choose between French and English throughout the country. Second, these public policies are part of a wider policy of nation-building or, put another way, of reinforcement of a unilingual state in Canada by achieving uniformity from coast to coast based on universal principles. In this way, Canadian multiculturalism situates all cultural groups, national minorities and ethnic groups in the same category. This prevents the recognition of plurinationality in a form of federalism that thus becomes unitarian and at the service of the dominant majority of the nation-state. In contrast, the interculturalist model of Quebec is closer to the normative core of multiculturalism due to the fact that it establishes a balance between the requirements of unity or, in other words, a common basis of identity, and the recognition of minority cultures. In practical terms, the French language is considered to be not only the basis for the identity of Quebec as a political community, but also as the common language of the political sphere of
an openly multiethnic nation. Second, recognition of cultural plurality is the result of political participation and not the conception of cultures as pre-existing or fixed realities. In this way, the French language does not constitute an organic or static cultural base, into which immigrants and cultural minorities must integrate, but is a vehicle through which to channel disagreements, negotiations, as well as the inevitable political conflict that transforms not only the identity of its minorities, but also the national identity of Quebec itself.

Philip Resnick’s chapter tackles a two-fold dimension that is usually left out of the debate on political accommodation in multinational states: the relationship between minority and majority nationalisms, and the role played by recognition and resentment in relations between the two. Faced with the trend that encourages one to regard minority nations as authentic and natural communities, and majority nations as artificial and a mere by-product of the state itself, Resnick, using the experiences of countries such as Canada, Spain, the United Kingdom and Belgium, shows that one’s identification with a state can be realized in the name of a national identity, in the same way as identification with a language or a culture. The author therefore proposes a shift of analytical focus and, regarding the preoccupation with claims for recognition, he suggests adding the fears and threats perceived by minority and majority nationalisms. For the former, these fears will be the product of the loss of their signs of cultural identity, while the latter will refer to the survival of the state from which they have drawn their identity over the centuries and the loss of a common citizenship. The consequences for the institutional accommodation of this multinational complexity are clear: the minority nationalisms will demand open and progressive formulas of self-government, while the majority nationalisms, on the other hand, will demand above all security and the closure of the institutional model. This, in turn, results in a necessary reformulation of federalism as an institutional tool for accommodation that leads to agreements of an asymmetrical nature, a multilateral form of negotiation, and an acceptance of the impossibility of closing the system. All this should result in a more dynamic perspective in the successive states of equilibrium generated by agreement through the interaction between the actors.

Before referring to the issue of the revision of the institutional models of federalism, which is addressed in the chapters by F. Requejo and W. Kymlicka, it is convenient to tackle a number of normative aspects of the processes of nation-building. This is the aim of the chapters by R. Máliz and W. Norman. First, Máliz carries out a critical revision of the debate on liberal nationalism and highlights some of its fundamental achievements in order to adapt the idea of nationhood to the requirements of the normative theory of democracy: the creation of a cultural concept of the nation, the abandonment of the ideology of shared values, and so on. Second, the author reveals, however, an important shortcoming of the debate: the continued existence of a pre-political concept of the nation as a fixed community, one that is established by means of criteria of objective belonging. The author also stresses the need to adopt a concept of the state that depends on the possible result of a plural and conflictive process of political construction that is never completely finished. This open, plural and constructive character of nations,
which the social sciences increasingly reiterate, has not acquired the normative status that it deserves, and this generates big problems for the theoretical discussion and the institutional design for accommodation. First, instead of the cultural concept of the nation as a homogeneous and immutable group, it should be understood as a plural political community, made up of majorities and minorities whose many voices must be listened to when the community is in the process of being created. In this way, and in accordance with the demands of the normative theory of democracy, the nation would thus be a public arena for participation, inclusion and deliberation. The consequences of this perspective are very clear: faced with institutional solutions of a consociational and confederal nature, a political concept of nationhood points to multinational federalism, with its specific and flexible asymmetrical solutions and multilateral spheres of recognition and participation for national minorities and majorities, as the most appropriate model for accommodation.

Wayne Norman’s chapter deals with a key issue: the normative dimensions of the creation of national identities. First of all, he criticizes the language currently used in the debate on nationalisms. The metaphor of nation-building is wrong, in his opinion, because it presupposes a quantitative process of addiction with respect to the pre-existing hard core of immutable memories, values and symbols. This results in the loss of the multidimensional complexity of the processes of nation-building, of the different possible articulations of ethnic elements, of the plurality of discourses, values and symbols that each political project of the nation, which is the true process of national-engineering, usually implies. From this point onwards, the author conducts a much-needed discussion of the normatively defensible objectives of the processes of nation-building. In certain cases – for example, in historically oppressed national minorities – there are good, even liberal, reasons to build ethnic/national identities politically in order to gain the support and popular mobilization that makes it possible to achieve recognition. Normative theory should, in any case, furnish criteria and principles to evaluate the dangers of an illiberal articulation of these, seemingly legitimate, processes of nation-building. The fact that national identities cannot be modified at will by political leaders does not prevent them from being considered to be open and permanent processes of reconfiguration that take place within all national communities, nor does it cancel, therefore, the normative requirement that their orientation be liberal. Having said that, for liberals, the use of nationalist arguments in order to mobilize the citizenry has its limits, no matter how effective these arguments may turn out to be. In this sense, ‘reconfiguring, desentimentalizing and remoralizing’ national identity, even if, on the one hand, it weakens our/their effective rhetoric, is totally necessary to articulate the defence of national interests in defensible terms from a liberal-democratic point of view.

Multination federations is the subject of the chapters by F. Requejo and W. Kymlicka. Ferran Requejo analyses some of the elements of the revision of democratic legitimacy in multinational contexts. First, he examines the appropriateness of the categories ‘post-national democracy’ and ‘constitutional
patriotism’ as legitimatory bases in multinational societies. The conclusion is basically negative in both cases. This is due to the common tendency of those who defend these categories, such as J. Habermas, to present them as overcoming legitimations of a nationalist nature. This is something that the author believes is very different from the empirical democracies – whether they be uninational or multinational – and which tends to justify the status quo that favours majority and hegemonic nations. These two notions are more suitable for other multicultural phenomena, such as those associated with immigration, than for democracies that include national pluralism among their characteristics. Second, the author establishes the need to distinguish between uninational and multinational (or plurinational) federations when one is examining democratic legitimacy in case analysis. This is done with reference to the case of Germany (uninational) and Spain (multinational). The ‘cooperative’ evolution of German federalism displays a number of elements that dilute the federal principle of the division of powers and political responsibility in favour of other legitimizing principles (coordination, efficiency, and so on). This may have serious consequences, from a legitimatory perspective, if it occurs in federations in which partially competitive processes of nation-building coexist (multinational federations). The author then proceeds to establish four possible future scenarios for the evolution of the Spanish ‘Estado de las Autonomías’ and defends the greater suitability of the model characterized by plural federalism in multinational contexts, which includes asymmetrical regulations as an institutional means of accommodating the national pluralism of the democratic state.

Will Kymlicka’s chapter poses an initial question: what success have federal arrangements had in the accommodation of Western plurinational states? The achievements of these models have often been undervalued. However, if we view any of the relevant criteria from a liberal perspective – democracy, individual rights, peace and security, equality between groups, and so on – the results are undeniably positive. What is the reason, therefore, for the repeated undervaluation of multicultural federalism as a model for democratic accommodation? In the author’s opinion, the answer lies in the use of inappropriate assessment criteria and, above all, in the requirement for the absence of secessionist mobilization. However, multinational federalism possesses, among other potentialities, that of reducing the probability of secession, as it provides a form of recognition based on self-government and shared government, which paves the way for the attainment of most of the demands of nationalist movements. But it does not exclude secession from the political agenda. The presence of nationalist parties with peaceful, democratic demands for secession is not considered to be a sign of the failure of the federal system and, moreover, their elimination from the political stage could only be achieved by means of illiberal and anti-democratic means. A more specific question raised by the author is: is this criterion applicable to the recently formed democracies of Eastern Europe? In Kymlicka’s opinion, here too federalism would reduce the possibility of secession, but would not eliminate it from the political agenda. Besides, here federalism is also better able to accomplish its task of accommodation when democratic secessionist mobilization is permitted,
even though this entails a certain risk of secession based on liberal principles themselves. Having said that, the case of Eastern Europe is more complicated, due to the fact that two additional conditions for democratic secession are often not met: first, the viability of the state that remains once secession has occurred; and second, constitutional guarantees for the internal minorities of the new state. If both conditions can be reasonably fulfilled in the West, this is not the case in Eastern Europe, where secession could well cause many states to disintegrate and encourage the appearance of authoritarian regimes due to their weak democratic institutionalization.

Klaus-Jürgen Nagel’s chapter addresses the problem of recognition and political participation in the minority nations of the European Union. In a Europe based on different states, what is the role of stateless nations? The author shows how the EU lacks a policy for the recognition of national minorities. This is demonstrated by the fact that both regional policies and the Committee of the Regions itself act without taking cultural and linguistic differences into consideration. This can be clearly seen in the absence of cultural and linguistic policies, with the exception of a translation service for the institutions. An institutional model that is open to the subordinate participation of the regions turns these, if they have their own bureaucracy, into mere collateral support for the work of the European Commission. On the other hand, the European Parliament has repeatedly advocated the federalization of Europe, the regionalization of the member-states and a more relevant role for the regions in European decision-making processes. It is also in favour of including them in the principle of subsidiarity and has passed a number of resolutions that encourage the member-states to protect and support minority languages as well as being instrumental in the creation of the European Bureau of Lesser Used Languages (1982). Despite the fact that the European institutions send out the message that without one’s own state there is no possibility of recognition – which could encourage secession as a strategy, an argument used by such parties as the PNV in the Basque region and the SNP in Scotland – the majority of minority nationalisms prefer to take a different road. This is the deepening and development of a multinational and asymmetrical form of federalism, which reinforces the decision-making capacity of the minority nationalisms through their full access, with decision-making power, to the institutions of the EU with regard to those issues on which they have exclusive competence.

Finally, the last chapter of the book, by John Loughlin, identifies the consequences for governance of the changes mentioned before. In his analysis, he deals with governance within states and within the European Union. This is an emerging model of the relationship between the state, the market and society, which is to a large extent different from the classic models of the welfare state and neoliberalism. In effect, relations between state, market and society are based no longer on the criteria of domination and subordination between one sphere and another, but on new formulas of ‘partnership’, subsidiarity and network governance. According to the author, by means of a process of gradual and evolving transformation this new multi-level governance illuminates a new
model of social state that contextualizes normative theory around the recognition of cultural diversity and institutional models of accommodation of multinationality. This detaches the nation-state from its classic centralist forms and from the federal models of a unitarian nature on which it has usually been based.

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1 Dialogue between cultures

Bhikhu Parekh

In this chapter I argue that the collective affairs of a multicultural society are best conducted by means of what I call a dialogically constituted democracy. I begin with a brief discussion of contemporary multicultural societies and explore the nature and logic of multiculturalism as a philosophical and political movement. I then go on to analyse the nature and limits of intercultural dialogue, and end with a brief characterization of a dialogically constituted multicultural democracy.

Multicultural society

Culture refers to a historically inherited system of meaning and significance in terms of which a group of people understand and structure their individual and collective lives. It defines both the meaning or the point of human activities, social relations and human life in general, and the kind and degree of significance or value to be attached to them. A culture’s system of meaning and significance is articulated in a body of beliefs and practices, which collectively constitute its content and identity. A multicultural society is characterized by a plurality of cultures. Its members subscribe to different systems of meaning and significance and structure their lives differently. Although some of their values invariably overlap, others do not. And even so far as the former are concerned, they sometimes define and prioritize them differently. Unlike a culturally homogeneous society, members of a multicultural society do not share a common substantive vision of the good life, and disagree about the value to be assigned to different human activities and relationships.

Almost all societies today are multicultural – some, no doubt, more so than others. Immigrants whose labour and skills are often badly needed and who generally belong to different cultural groups represent one source of diversity. Refugees who most societies admit as part of their international obligation are another. The inescapable exposure to new ideas and sensibilities brought about by the processes of globalization, and the conscious or unconscious absorption of at least some of them, is yet another source of diversity. The disintegration of the traditional consensus on life’s guiding principles creates both a space and a need for moral and cultural experimentation, and gives rise to new ways of understanding and organizing human life. Economic, technological, demographic and other
changes too are a source of cultural diversity. Since different individuals and groups within a society understand and respond to them differently, and since these differences cannot be easily reconciled and integrated into a coherent cultural whole, new forms of life continue to spring up. Since cultural diversity thus has both endogenous and exogenous sources, modern societies would remain multicultural even if all immigration were to cease.

It is sometimes argued that multicultural societies are a passing phase in history and do not merit the enormous attention given to them in contemporary discussions. Immigrants and refugees are bound to integrate and even assimilate over time, and to cease to be a source of cultural diversity. The capitalist economy, the bureaucratically structured state, compulsions of international competition, the need to legitimize political authority, and so on, require considerable cultural homogenization and thus flatten cultural diversity. Although individuals remain free to make their choices of lifestyles, these are largely superficial and do not give rise to deep cultural diversities. It is argued that, for these and other reasons, all modern societies are ultimately heading towards a single homogeneous culture based on individualist, consumerist, technological and bourgeois values.

There is only limited evidence to support this view. Although some immigrants do assimilate, others do not. And even in the former case, their children and grandchildren sometimes seek to revive aspects of their ancestral culture. Furthermore, given the demographic trends in Western societies, immigration is going to be needed for years to come and will remain a source of deep diversity. Despite three several centuries of systematic homogenization, nation-states have not succeeded in suppressing regional, ethnic and cultural diversities; indeed, the latter have experienced something of a revival in response to the impersonal forces of globalization and have become centres of renewed loyalty. Although the capitalist economy has generated a considerable trend towards homogenization, it does not take the same form in different societies, as the cases of East Asian societies show. And even in the West, it has provoked a reaction in the form of demands for sustainable growth, reassessment of the place of economic activity in human life, and new visions of the good life. The decline of religion that many predicted as an inevitable consequence of modernist rationalism has not occurred; in fact, the opposite has happened in many societies, including the United States. And religion itself is undergoing important changes and throwing up new forms. In short, cultural diversity in modern society has not only not diminished but shows every sign of increasing in its range and depth.

Although cultural diversity has characterized all human societies throughout history save perhaps the most primitive and is not new to our age, its historical and ideological context is quite different. In earlier societies, different cultural communities led more or less self-contained lives, and minority communities remained confined to the subordinate legal and social spaces assigned to them by the dominant community. This is no longer possible today because of four historically unique processes. Thanks to the logic of industrialization, different communities are drawn together into a common economic system, compete with each other, participate in common practices, and work in industries and join
unions that cut across regional, religious and other boundaries. Thanks to the logic of democracy, they participate in common political institutions, form cross-cutting alliances, are mobilized along political and ideological rather than ethnic and cultural lines, demand equal rights, and use their electoral power to promote their collective interests. Thanks to the logic of liberalism, members of cultural communities cherish their individuality, enjoy and exercise the right to make their own choices and resent communal constraints, and so on, thereby weakening the solidarity and the homogeneity of their respective communities. Finally, thanks to the logic of globalization, no community today can avoid the relentless flow of new ideas, beliefs, cultural movements, tourists and artistic products, and the profound impact that these have on its self-understanding and way of life.

As a result of the cumulative influence of these and other factors, multicultural societies today are historically unique. Their constituent groups and communities can no longer lead self-contained lives; they necessarily interact in different areas of life and see themselves as members of a single political community. For earlier multicultural societies, cultural diversity was a morally and politically marginal fact of social life; the former because it did not affect the values and the vision of the good society that animated the mainstream society, the latter because it gave minority communities no or little say in the conduct of collective affairs. By contrast, cultural diversity is a central moral and political fact of modern life, influencing all areas of life and posing problems that require urgent and untried answers.

Cultural diversity is not only an ineradicable fact of modern life but also a value worth cherishing. It adds to the variety of life and has an aesthetic significance. It increases our range of choices and widens the ambit of our freedom. In so far as it alerts us to the fact that the good life can be lived in several different ways, cultural diversity highlights the contingency and mutability of our beliefs and practices. Since no culture is perfect and since each represents only a limited vision of the good life, it needs others to complement and enrich it. Cultural diversity is therefore an important constituent of human well-being. Since other cultures provide us with vantage points from which to look at our own, they enable us to appreciate its strengths and limitations and increase our capacity for self-consciousness, self-criticism and self-regeneration. The diversity of cultures alerts each to the diversity within it, guards it against the dangers of essentialization and homogenization, and encourages a most welcome internal debate between its different strands. Cultural diversity and the intracultural and intercultural dialogue it fosters thus expand and deepen our capacity for rationality by highlighting our conscious and unconscious cultural assumptions, and giving us the space and the power to challenge them.

Cultural diversity is a necessary but not a sufficient condition of intercultural dialogue. No dominant culture likes to take the risk of a dialogue, both because the outcome of the dialogue cannot be predicted and because the dialogue requires it to justify assumptions that it has long taken for granted and whose validity it cannot always be sure of establishing. The dialogue can occur only under certain conditions, two of which are particularly relevant to our discussion.
First, the dominant culture should face criticism or at least serious questioning from within and create space for an internal debate. It is then no longer monolithic and self-righteous, and some of its members are likely to be inclined to look outside for new sources of inspiration. Second, non-dominant cultures should have the self-confidence and the courage to challenge the hegemony of the dominant culture and to demand respect for their values and visions of the good life. They then question its assumptions, moral vision and values, ask it to justify them, and precipitate a dialogue.

Both these conditions are present today, which is why there is a considerable interest in a dialogue between cultures, civilizations and religions. Thanks to the two world wars, the fascist, Nazi, and the communist tyrannies, the ecological threat posed by rampant industrialization, the moral crisis created by unchecked individualism and consumerism, and the social havoc caused by globalized capitalism, the dominant Western culture today faces considerable internal criticism and entertains different degrees of self-doubt. And thanks to decolonization, the spirit of democratic equality, the growing self-confidence and the increasing prosperity of some of the hitherto marginalized and inferiorized cultures, the latter are beginning to assert themselves, to challenge the dominant culture’s universalist claims, and to call for a dialogue of equals.

**Multiculturalism**

This is the historical context in which what is infelicitously called multiculturalism has emerged as a distinct cultural movement. Multiculturalism is basically a theory about human freedom and well-being and rests on a distinct conception of the good life. It is grounded in the three-fold belief that human beings are culturally embedded, that every culture represents a limited vision of the good life and benefits from a dialogue with others, and, finally, that a good society should foster conditions of intercultural dialogue and should ideally be dialogically constituted. While appreciating that human beings are culturally embedded and need a stable cultural home, multiculturalism also stresses the importance of active engagement with other cultures. For it human beings need both stability and openness, both a culture of their own and access to other cultures. It values intercultural dialogue not as a way of coping with the fact of cultural diversity, but rather to exploit the value of cultural diversity and to reap its ontological, epistemological, moral and other benefits.

The fact that multiculturalism values cultural openness and intercultural dialogue does not commit it to the view that a culturally self-contained life has nothing to be said for it. Although the latter lacks the vitality and energy of a culturally interactive life, it does provide the conditions of a good life and deserves respect. Furthermore, a way of life cannot be judged in the abstract, and we need to take into account the traditions, historical circumstances, and so on, of the community concerned. A culturally homogeneous society that has not developed the habit and tradition of reflective individual choice has little use for cultural diversity. It neither has this diversity nor knows what to do with it. It would therefore be
pointless and even disastrous to require the Australian aborigines or the Amazonian Indians to become multicultural. Since multiculturalism recognizes that the good life can be lived in a monocultural society as well, it does not insist that the multicultural society alone is rational and truly human, for that would be to fall prey to monoculturalism and to betray its own inspiring principle. And nor does it insist that a multicultural society is always to be preferred over the monocultural, for that depends on the cultural and historical context of the society concerned. All it maintains is that all societies today are increasingly and inescapably becoming multicultural and that multiculturalism is the best way to organize them. Like all moral visions, multiculturalism makes sense and holds valid only under certain historically created cultural, moral and other conditions.

Since multiculturalism is often misunderstood and all kinds of views are subsumed under it by both its defenders and detractors, it would be useful to point out what it does not imply. First, multiculturalism does not mean that we are determined by or are prisoners of our culture. To stress the value and the formative influence of culture is not to suggest that we cannot criticize or rise above it. Furthermore, if we were determined by our culture, we simply would not be able to benefit from a creative interaction with other cultures, and then there would be no case for cultural diversity or multiculturalism.

Second, multiculturalism does not imply that every society is or should remain divided into neatly self-contained cultures, each morally self-sufficient and possessing all the necessary resources for a good life. Multiculturalism takes the opposite view, which is why it insists on the value of cultural diversity and intercultural dialogue.

Third, multiculturalism does not imply that all cultural beliefs and practices deserve respect. The fact that a culture means much to its members, is a source of their stability and identity, and deserves respect does not mean that all its beliefs and practices are morally worthy and immune to criticism. Although we have an obligation to understand other cultures sympathetically and not to judge them too hastily, we cannot abdicate our responsibility to evaluate them. It is precisely because multiculturalism appreciates the limitations of each culture and the need for self-criticism that it stresses intercultural dialogue.

Fourth, although multiculturalism cherishes cultural diversity, it is not committed to maintaining its existing forms. Intercultural dialogue is bound to encourage cultural experimentation and throw up new forms of diversity. For a multiculturalist, cultures are not museum pieces but living systems of meaning. As such they can last only as long as they have the ability to command the allegiance of their members, and cannot be artificially propped up or kept alive.

Fifth, multiculturalism does not imply that cultures are totally distinct and closed worlds with nothing in common. If that were so, they would have no resources with which to understand, interact and engage in a dialogue with each other.

Sixth, multiculturalism does not imply relativism or the view that all moral judgements are relative to a culture and that the latter cannot be criticized from outside. While insisting that different cultures represent different visions of the
good life and systems of values, multiculturalism also maintains that these visions and values are necessarily limited and benefit from a critical dialogue with others, as also, since cultures are human creations, our shared humanity gives rise to a body of universally shared thin but nevertheless significant values.

Seventh, multiculturalism is not committed to the view that all cultures are equal in the sense of being equally good. Such a view implies that we have a transcultural standard by which all cultures can be judged equal. While acknowledging that certain values are universal, multiculturalism insists that these values can be interpreted and combined differently and that there are other values that are specific to each culture. It therefore rules out the possibility of an abstract and mechanically applied universal yardstick by which to judge whole cultures and declare them equally good. All it says is that all cultures deserve respect, partly because they mean much to their members and partly because each represents a vision of the good life and has something to offer to others.

Eighth, multiculturalism does not imply that the state may not intervene in the internal life of a cultural community and ban some of its unacceptable practices. Non-intervention is usually advocated either on the relativist ground that the state has no means of judging other cultures, or on the autonomist ground that each cultural community has a right to lead its own life. As we have seen, both are untenable. We can judge other cultures, and no cultural community can claim an absolute right to non-intervention. When a community’s practices prevent it from living peacefully with others by inciting racial, religious or ethnic hatred or rebellion against the state, or when they pose a threat to public hygiene or violate norms of public decency, they may legitimately be banned, as all multicultural societies have generally done with the broad approval of their constituent communities.

In recent years some feminist writers have been among the most fierce critics of multiculturalism. In their view it requires respect for or at least tolerance of all kinds of cultural practices, including the unequal treatment of women endemic in many a non-Western culture. The feminist critique is mistaken because, as we saw, multiculturalism implies no such thing. All it requires is that we should first understand other cultures from within before passing judgements and that the criteria we employ should be shown to be universally valid. The feminist critique also makes the mistake of abstracting gender relations from other social relations and judging them in isolation. A culture might treat women unequally in civil and political matters but give them a superior social and religious status, or treat them as inferior when young or unmarried but revere them when they are old or are grandmothers. Since women at different stages of life or in different relationships are perceived differently and are endowed with different rights in different societies, ‘woman’ is too simplistic an abstraction to allow cross-cultural comparisons of gender equality.

There is also the further question of how women themselves perceive their situation. If some of them do not share the feminist view, it would be wrong to say that they are victims of a culturally generated false consciousness and in need of liberation by well-meaning outsiders. That is patronizing, even impertinent, and denies them the very equality we wish to extend to them. This is not to say
that they might not be brainwashed, for sometimes they are, but rather that we should avoid the mistaken conclusion that those who do not share our beliefs about their well-being are all misguided victims of indoctrination. In Britain several well-educated and otherwise liberal white women have in recent years converted to Islam, or returned to some aspects of traditional Judaism, because, among other things, they found these traditions’ views of intergender relations more convincing or emotionally more satisfying than the liberal alternative.

In France and the Netherlands several Muslim girls have freely opted for the hijab, partly to reassure their conservative parents that they will not be corrupted by the liberal culture of the schools, and partly to reshape the latter by indicating to both white and Muslim boys that they are not interested in the usual adolescent sexual culture. The adoption of the hijab was in their case a highly complex autonomous act, signifying their desire both to remain within their tradition and to challenge it, to accept its cultural inequality and also to subvert it. To see it merely as a symbol of their subordination, as many French feminists did, is to miss the subtle dialectic of cultural contestation.

Feminists also make the mistake of rushing too quickly to the state to end the unequal treatment of women. The state does, of course, have a critical role in these matters, but it has its obvious limits. Since the inequality of women has its deep roots in the culture, the complex structure of patriarchal practices, the religion and the dominant social ideology of the relevant community, it cannot be fought without challenging the latter as well. Well-meaning state actions amount to little if they are systematically and subtly subverted by ill-disposed officials and hostile public opinion. They must therefore be preceded and accompanied by a sustained cultural and educational campaign and mobilization of the community’s own reformist resources. A hasty and ill-judged state intervention can easily frighten the community, lead it to close its ranks, and even encourage the women involved to throw their weight behind the patriarchal system. A multiculturally insensitive feminism can unwittingly end up frustrating the very cause it espouses.

**Intercultural dialogue and fundamentalism**

Since a multicultural society includes several cultures, and hence different systems of values and visions of the good life, some of which might be morally unacceptable, it needs to agree on the general principles by which to determine the permissible range of diversity. The principles cannot be derived from the values of any one community even if it happens to be in a majority, both because the majority has no authority in moral matters and because imposing values on people violates their moral integrity and might subject them to an unacceptable degree of moral and legal coercion. I suggest that a democratic dialogue between the various communities is the only way to arrive at these principles.

The dialogue does not occur in a historical and cultural vacuum. Contrary to the procedure adopted by the contractualist writers from Hobbes to Rawls, we are never privileged to preside over the creation of a society ex nihilo and to lay down its moral and political architecture. We begin with the existing society, and
the system of values in terms of which it structures and organizes itself. The democratic dialogue centres on these values. Some will criticize them, arguing, for example, that some of these values are biased against legitimate ways of life, privilege a particular community, bear heavily on some other, and so on. Others might disagree, and would either defend the existing body of values or agree that they need to be revised. Since vested interests, moral inertia, prejudices and limited sympathies inevitably influence and distort the debate, the dialogue is never smooth and easy. If the dialogue is denied, reduced to propaganda, or used to outwit and blackmail the opponent, those so treated may have no alternative but to protest and even threaten disorder. These are perfectly legitimate acts provided that their purpose is not to replace the dialogue or to impose their views and values on others but to counter inertia and obstinacy. To insist that the dialogue must always result in a rational consensus and that no values should be imposed unless all are agreed on them is to ignore the limits of rationality and to invite disappointment and frustration. To insist, however, that the dialogue can never generate a consensus and that everything should be settled by compromise and accommodation is to fail to appreciate its creative possibilities. In political life it is possible to reach a broad consensus on certain moral principles, and these can legitimately demand compliance. While continuing to strive for such a consensus, we should be prepared accept pragmatic compromises when it is unavailable.

The dialogue is obviously crucial to the public realm but is not confined to it, both because deep differences arise in other areas of life as well and because these differences need to be clarified, filtered and rendered manageable before reaching the public realm. The multicultural society should therefore institutionalize dialogue in all significant areas of life and become a dialogically constituted democracy. The purpose of the dialogue is to resolve or minimize disagreements, and to arrive at a view that is acceptable to all or at least most of the participants. It requires that the participants should respect and take each other seriously enough to justify their views to others, be prepared to enter into each other’s world of thought, change their views in the light of others’ criticisms, not allow minor differences to stand in the way of agreement, and should above all commit themselves to the dialogue as the only acceptable way to conduct their affairs.

When a democratic dialogue is conducted openly and fairly and involves the equal participation of all, it is likely to result in a broad consensus on those moral principles for which good reasons can be given. These principles include respect for human dignity, equal worth of all human beings, equality of the sexes and races, avoidance of cruelty, and the inviolability of a minimum area of personal choice. Although we cannot ‘prove’ or ‘demonstrate’ them, we can give compelling reasons why these principles deserve to be accepted and their opposites rejected. I have shown elsewhere what such reasons are and how a discussion of them would proceed. Agreement on moral principles does not rule out disagreement on how to interpret, apply and prioritize them, but it does limit its range and depth.

There are bound to be people in any society, especially the multicultural, who do not display the required spirit and morality of dialogue. They can be self-righteous liberals for whom anyone not sharing their basic principles is
benighted, ignorant or reactionary, and unworthy of being taken seriously. Or they can be Marxists, religious fundamentalists and adherents of some other closed body of thought. Since liberals, Marxists and others are prepared to give reasons for their beliefs and are at least in principle open to argument, I shall ignore them and concentrate on the difficulties of conducting a dialogue with religious fundamentalists for whom their scriptures contain infallible and non-negotiable moral absolutes.²

It is sometimes argued that since such people reject dialogue and pose a grave threat to liberal democracy, they are beyond hope, and that the only way to deal with them is to ‘hunt’ down and ‘eliminate’ them. Although such a response is sometimes unavoidable, it should be the last resort. However misguided religious fundamentalists might be, they are human beings to whom we owe basic respect, and also our fellow citizens with whom we have to live together and whom we need to integrate. We must not therefore give up on them altogether, and should listen to them, understand them, and win them over to the rules of dialogical democracy. We should live by our values, not theirs, and our commitment to dialogue requires us to exclude none.

The strategy of declaring a virtual war on religious fundamentalists works only if they are in a tiny minority. When they form a sizeable group, as they generally do, it proves counter-productive, for it provokes massive resistance, leads to social instability, and calls for a mass of measures that threaten the civil liberties of ordinary citizens. Furthermore, the strategy wrongly assumes that religious fundamentalists are a solid and homogeneous group, and sometimes ends up turning them into one. While some of them might be fanatical and ‘wild’, most generally go along with fundamentalist ideas because they are confused, not in possession of the full facts, ill-informed about the likely consequences of their actions, or have genuine grievances that are exploited by their leaders. We therefore need to be subtle in our responses to religious fundamentalists, blending patience and impatience, understanding and indignation, persuasion and pressure, in a judicious manner. While remaining ready to clamp down on their unacceptable activities, we should continue to argue with them and expose the contradictions and dangers of their views. This has the three-fold advantage of creating a rift within their ranks, weakening the morale of the more fanatical among them, and giving us an easy conscience.

Religious fundamentalists might not wish to argue with us, but there is no good reason why we should not argue with them, and show them why their refusal is unjustified and their attitude to the conduct of collective life unacceptable. Although they do not argue or deliberate with us directly or in a face-to-face situation, our arguments are rarely wasted. Whatever their public rhetoric, religious fundamentalists do care about what others think and say about them, partly because they are keen to distinguish themselves from ordinary criminals and partly because they are worried about the impact of our arguments on their active and, especially, passive supporters. They are therefore not deaf to our arguments and take note of them in their internal deliberations. Although our dialogue with them is indirect, it is none the less real. Sometimes the pressure and power of our arguments even
force a public response from them, and unwittingly draw them into a public dialogue they would rather avoid.

The fundamentalist sometimes insists that he does not believe in rational discussion and that unquestioning faith in the scriptures is all that matters to him. This is an untenable position. Scriptures may be infallible, but they have to be interpreted, and that calls for reason. Others interpret them differently and need to be persuaded and argued with, and that too calls for rational discussion. In a multicultural society one has to live with other faiths or none, and the fundamentalist needs to give good reasons why he should be allowed to live in a certain manner and even bear such moral and other costs that this entails. In short, the fundamentalist cannot avoid appealing to reason and accepting the discipline of the dialogue.

We can conduct a direct or indirect dialogue with religious fundamentalists at several levels. We can argue that even as they hold certain truths to be infallible, so do others, and that they cannot expect to live in society on their own terms. Others might all be benighted and possessed by the devil, but they do not think so and would naturally wish to fight for their freedom as fervently as the fundamentalists do themselves. Fundamentalists must either persuade them by arguments or find ways of living together in peace. If they do neither, they are declaring a war on their fellow citizens, and the state has no alternative but to defend itself by all available means.

In addition to this political argument, we can also argue with the fundamentalist in his own terms, and here the argument can take several forms. We can argue that many of his own fellow religionists read the scriptures differently and reach opposite or at least different conclusions from his. They might all be mistaken, but so could he. He must either persuade them or acknowledge that his reading of the scriptures is one of several and no more privileged than any other. He must also be asked to establish his representative credentials by showing how he has acquired the authority to speak in their name.

We could also argue that the fundamentalist misrepresents the nature and contents of the scriptures and is even dishonest in his attitude to them. By their very nature, all scriptures are general in their injunctions and need to be interpreted in the light of and adapted to changing circumstances. And since they include the written text as well as the life and sayings of the divine mediator, their contents do not all unambiguously point in the same direction. They can be read in several different ways, some more faithful than others but none final and definitive, and a more satisfactory interpretation of them can emerge only from a patient dialogue between them. The fact that every religion throughout history has had to revise its earlier interpretations of many of its central doctrines shows how misguided and even blasphemous the fundamentalist claim to infallibility is. And since many fundamentalists have in the past and in recent years been exposed for their moral lapses, criminal behaviour and financial dishonesty, we can insist that we have even less reason to trust their judgement.

Scriptures, again, enjoin a whole host of things and, if the fundamentalist were to be consistent, he would need to follow them all. He does not and indeed cannot
do so, and is invariably selective. A Christian fundamentalist, for example, cannot both condemn abortion and justify wars in which many innocent people including unborn children are killed, or claim to be a true believer and yet deny Caesar his due, or talk of God’s boundless love for humankind and breathe hatred for large numbers of his fellow humans. Muslim and other religious fundamentalists face similar contradictions. The fundamentalist is thus doubly dishonest, stressing some scriptural principles when any such selectivity is ruled out by his self-proclaimed attitude to the scriptures, and choosing only those that serve his ideological obsessions and political agenda.

The fundamentalist, then, is not at all as invulnerable as he is sometimes imagined to be. In fact, he is a bundle of contradictions, paradoxes and even lies, which is one of the main reasons why he runs away from a serious dialogue under one pretext or another. He can be cornered, exposed, refuted, rendered incoherent, and required to abide by the norms of political community in return for his freedom to lead his chosen way of life.

The good society

I have argued that the good society as defined from a multicultural perspective is one that recognizes the public significance of culture, values cultural diversity, and is dialogically constituted. It is sometimes asked if it is liberal in character. The question is tendentious and a source of much confusion.

It assumes that a liberal society is necessarily good and, conversely, that every good society must be liberal. This gives liberalism the monopoly of goodness, drastically circumscribes our moral and political imagination, and crudely divides all societies into liberal and non-liberal, ignoring those that are both or neither. There is also the further difficulty of defining the liberal society. While we can broadly agree that it should be tolerant, respectful of dissent and disagreement, and allow freedom of expression and religious belief, we disagree deeply about whether it should be individualist, respect collective rights, and allow differential treatment of individuals on cultural grounds. In short, liberalism has no essence, and any attempt to give it one not only turns it into a rigid and doctrinaire ideology but gives rise to an ultimately pointless and interminable quasi-theological debate about its true meaning.

The good society as defined from a multicultural perspective has many features, some but by no means all of which are traditionally associated with liberal society. It cherishes the individual, values tolerance, respects diversity of lifestyles and views, protects basic liberties, institutionalizes freedom of expression, encourages vigorous debate, and so on, without all of which no dialogue is possible. However, it also has many other features that are not generally stressed by liberal writers. First, it sees individuals as culturally embedded beings and respects claims based on their cultural identities. It takes these claims into account in its application of laws, educational institutions and public policies, and expects the state to play an important cultural role. Second, it appreciates that citizens often speak from within their cultural traditions and deliberate about public matters in different
idioms. It does not therefore take a homogeneous view of public reason and expect public discourse to be conducted in a single language spoken in a standard accent. Third, it regards intercultural literacy as one of the main preconditions of good citizenship, and relies on multicultural education to ensure that its future citizens understand each other’s cultural language and are able to communicate and sympathize across cultural boundaries. Fourth, since the multiculturally constituted good society recognizes that its citizens are culturally embedded, it accepts both individuals and communities as its important units, and sees itself as a society of individuals and communities. It therefore devolves some of its functions to these communities and encourages the state to work in partnership with them, while making sure that none is internally oppressive, holds its members against their will, or exercises arbitrary power over them. Fifth, although it cherishes a multicultural way of life and encourages cultural openness, it acknowledges that the good life can be lived within a culturally homogeneous community, and that those such as the Amish, the ultra-orthodox Jews, the Gypsies, and the monks who wish to lead such a life are not only free to do so but enjoy equality of status and claims with the rest of their fellow citizens. Finally, while some of the civic and political virtues that a multicultural society cherishes are the same as those stressed by liberals, others are different. The latter include sympathetic imagination, curiosity about and the ability to enter into unfamiliar worlds of thought, love of diversity, the capacity to live with unresolved differences, an extensive range of sympathy, absence of moral dogmatism, and cultivation of an open and expansive self to help sustain an open and interactive society. The good society and its correlate, the good person, must obviously display many of the conventional liberal values and virtues, but these are not enough. The range and depth of goodness that human life is capable of realizing is too great and varied to be reduced to the categories of a single vision, including the liberal.

Notes

2 Interculturalism: expanding the boundaries of citizenship

Alain-G. Gagnon and Raffaele Iacovino

This chapter addresses the impact of polyethnicity on political communities by focusing specifically on the symbolic aspect of citizenship – the markers of a country’s self-identification through which citizens are said to exhibit a sense of social cohesion and allegiance for effective democratic participation in a given polity.1 What are the symbolic ‘anchors’ that frame and define sentiments of belonging in a democratic polity? How do we evaluate such criteria in light of the challenge of polyethnicity? Such questions will be explored through a comparative conceptual assessment of the Canadian policy of multiculturalism and Quebec’s model of interculturalism. Both of these liberal political communities have indeed responded to the challenge of polyethnicity by formulating models of integration that go beyond the idea of ‘benign neglect’ in cultural matters. A comparison of two distinct approaches may serve to elucidate some of the issues and challenges confronting culturally heterogeneous liberal democracies more generally.

Citizenship extends further into the realms of formal representation (electoral systems, representation) and issues related to social entitlements (the relationship between the state, the market and society). Indeed, citizenship involves multiple mechanisms, practical and symbolic, of social and political inclusion. This chapter thus does not claim to cover the issue of citizenship exhaustively. It merely attempts to address an increasingly salient aspect of citizenship that has gained prominence in the political communities of liberal-democratic states. This may be due in part to migration and the subsequent growth of identity politics, incomplete nation-building projects or, in the case of small nations such as Quebec, the quest for recognition as a host society in its own right – its affirmation as a ‘global society’. In short, the aspect of citizenship discussed here relates to sentiments of belonging and solidarity. This chapter will proceed, in the first section, to unpack the concept of multiculturalism as a theoretical paradigm, and attempt to develop normative criteria with which to evaluate current models of cultural pluralism in Canada and Quebec. The second section will offer a conceptualization of Quebec’s model of interculturalism, and the third section will assess the models in light of their functions as concurrent nation-building strategies. Regardless of strict definitions, multiculturalism, or the ‘politics of difference’, constitutes a response to the late-twentieth-century phenomenon that has been called the ‘age of migration’, inviting countries to redefine the rules of political life.2
Multicultural versus homogeneous citizenship

According to Christian Joppke, multiculturalism is an intellectual movement premised around the concepts of equality and emancipation. Its appeal lies in the defence of particularistic, mostly ascriptively defined group identities that reject Western universalism as the basis for allegiance to a given collectivity. Western universalism in this view is seen as ‘falsely homogenizing and a smokescreen for power’. As such, multiculturalism implies the salience of multiple cultures coexisting within a limited state-bounded territory, rejecting the modern Jacobin view of the nation-state and the homogenization of identities. The key issue is that such ‘cultural communities’ are said to regulate not only specific aspects, but the entire life conduct and sources of meaning of the individual. Joppke summarizes:

Defenders of multiculturalism have argued that the exercise of individual rights and liberties depends on full and unimpeded membership in a respected and flourishing cultural group. But the tension between liberalism and multiculturalism is real, as the latter is based on the ontological primacy of the group over the individual and, if necessary, takes into the bargain the suppression of individual claims.

This approach views assimilation or acculturation as a violation of the integrity or dignity of the individual, whose cultural habits should be recognized fully as an integral element of a person’s identity. Any stifling of particular cultural expressions by way of the symbolic construction of a larger socio-cultural identity limits the individual’s capacity for self-realization, thus negating the liberal-democratic ideal that individuals, as members of the larger society, be given the means by which to explore their own life chances and directions. Ascriptive aspects of identity – particular cultural sources of meaning – are said to act as prerequisites to self-realization. Stripping such sources of meaning in the name of universal markers of identity, in the construction of a mononational (Jacobin) identity that is meant to provide common purpose, denies the individual the empowerment to determine the direction of his/her life through participation in the affairs of society. Iris Marion Young argues that if one conceptualizes such cultural differences as ‘relationally constituted structural differentiations’, then the supposed link between citizenship and the common good is upheld, because ‘It becomes clear that socially situated interests, proposals, claims and expressions of experience are often an important resource for democratic discussion and decision-making. Such situated knowledges can both pluralize and relativize hegemonic discourses, and offer otherwise unspoken knowledge to contribute to wise decisions.’

The polemic between universal and particular bases of allegiance thus demarcates the contours of the debate. The idea of multiculturalism can be embedded in a wider area of post-national consciousness – some say postmodern, or ‘identity politics’ – as an attack on the assimilation implied by nation-states with the aim of attaching a sense of common purpose to citizenship status.
The sentiments associated with equal citizenship status have long been regarded by liberal theorists as integral to democratic political communities – for fostering the civic-spiritedness, mutual trust and allegiance required for meaningful self-government, self-realization and political stability. Kymlicka notes that the classical liberal response to polyethnicity has been to develop common (undifferentiated) bases of citizenship in a universal vein. In this view, the integrative function of citizenship requires that cultural differences be treated with ‘benign neglect’, in order that a shared civic identity is forged regardless of collective or group-based identity differences. Iris Marion Young notes that proponents of such arguments view any particular demands based on sociological ‘differences’ as detrimental to the functioning of democracy due to the contention that citizens concern themselves less with the common good and more with their own group-based, or ‘special’ interests. Kymlicka summarizes this view,

Citizenship is by definition a matter of treating people as individuals with equal rights under the law. […] [If it is group differentiated], nothing will bind the various groups in society together, and prevent the spread of mutual mistrust or conflict. If citizenship is differentiated, it no longer provides a shared experience or common status. Citizenship would yet be another force for disunity, rather than a way of cultivating unity in the face of increasing social diversity. Citizenship should be a forum where people transcend their differences, and think about the common good of all citizens.

In short, culture, like religion, should be left to the private sphere and should not concern the state. The only way for a democracy to flourish is for the political community to be predicated on universal bases of belonging which are civic and amenable to identification across cultures.

For defenders of multiculturalism, however, the notion of ‘benign neglect’ is in itself infused with cultural meaning. It simply represents a preservation of the status quo in many previously homogeneous nation-states. State inactivity thus reflects a failure to adapt to dynamic polyethnic realities in society. Minority cultures are rendered unequal participants and second-class citizens if their sources of meaning are neglected in the public realm. As such, the ideal of equality cannot be achieved if citizens are forced to conform to a civic denial of identity, a renewed self-definition for individual citizens. Isajiw notes that the force of multiculturalism arises out of a particular sentiment in which citizen dignity is tied to the collective dignity of one’s ethnic community. Multiculturalism represents a set of values whereby the recognition of identity needs is linked to the instrumental power of members of ethnic communities. Charles Taylor explains:

The demand for recognition in [the politics of multiculturalism] is given urgency by the supposed links between recognition and identity […]. The thesis is that our identity is partly shaped by recognition or its absence, often by misrecognition of others, and so a person or group of people can suffer real damage, real distortion, if the people or society around them mirror back
Nonrecognition or misrecognition can be a form of oppression, imprisoning someone in a false, distorted or reduced mode of being.\textsuperscript{10}

The recognition of cultural pluralism by the state is thus a call for increased citizen empowerment. How are citizens in a polyethnic society equally empowered to share and participate in the affairs of the polity, without sacrificing self-fulfilling ‘modes of being’? How have states adapted to such challenges?

The theoretical contours outlined above reveal that normative evaluations of integration rest on two broad considerations. The first is that full citizenship status requires that all cultural identities be allowed to participate in democratic life equally, without the necessity of toning down conceptions of identity to the level of the individual. Empowerment implies that citizens are permitted to maintain their cultural differences when affecting the affairs of the polity through democratic participation. This implies some acceptance that policy outcomes will reflect some groups’ differentiated initiatives by the central state. The second concerns the salience of unity in any society. Here the key element is a sense of common purpose in public matters in order that deliberation is not confined to pockets of self-contained, fragmented collectivities in juxtaposition. These two broad poles are at issue in any model of integration and subsequent conceptualizations of citizenship status. In short, a balance must be struck between the \textit{equal empowerment of group identities} as active constituents of the larger political community and the need for a \textit{common ground for dialogue}, for the purposes of unity – a \textit{centre} which also serves as a marker of identity in the larger society and denotes in itself a pole of allegiance for all citizens.

\textbf{‘Interculturalism’: Quebec’s model of cultural pluralism}

Quebec’s persistent attempts to establish itself as a ‘host society’ can be traced back to the Quiet Revolution, the increased activity of the state in many dimensions of the lives of Quebeckers, and can be qualified as a project gradually to construct Quebec citizenship. Otherwise stated, the idea of Quebec citizenship cannot be divorced from the larger issue of Quebec’s national affirmation in the face of pan-Canadian attempts at nation-building. In constructing its own model for integration, Quebec has in effect formulated a response to the Canadian policy of multiculturalism – a position that affirms the primacy of the Quebec state in the areas of politics and identity and challenges the reductionist notion that Quebec is a monolithic ethnic group. The treatment of diversity, when placed in a larger historical context, can be seen as but one of the many areas of contention between opposing visions regarding Canada’s constituent political communities, or national groupings. Kymlicka highlights this progression towards a formal Quebec citizenship,

The notion of a distinctly Québécois citizenship has seen a spectacular progression. In the space of a lifetime, the dominant identification of
Inter-culturalism: expanding the boundaries of citizenship

Quebecers has been profoundly transformed. From Canadians, they became French-Canadians, then Franco-Québécois and finally, Québécois. [...] These transformations cannot be interpreted as a simple evolution of a sort of sentiment of belonging to the tribe. Rather, they represent a continuing progression of Québécois identity, in which its foundations have passed from non-citizenship to citizenship.11

Historically, the main impetus for the increasing salience of the discourse on Quebec citizenship has been language – the idea of the French language as the primary vehicle for the preservation and flourishing of Québécois identity. Language was indeed the precursor to concerns over immigration and integration. With an alarming decline in the birth rate in Quebec, state actors became concerned with the tendency of allophones to gravitate linguistically towards the anglophone community. Immigration and integration thus became inextricably tied to the fate of the Quebec nation. With a Ministry of Immigration in place since 1968, the Quebec government was very active in almost all aspects of immigration except recruitment and reception.12 Some of its activities included an employment search service for newly arrived immigrants, support for community groups with the aim of adaptation, and the funding of cultural and linguistic heritage programmes, including the translation of literature into French, in the hopes of building bridges between the allophone and francophone communities. From 1969 to 1979/1980, the Ministry’s budget grew from 2.8 to 20 million dollars. The Quebec government took a wide range of measures in the areas of language acquisition and cultural adaptation, the initial steps towards a more fully articulated model of integration. Indeed, as a response to critics who view the legal imposition of French on individuals as an affront to liberal principles of individual rights over society, Joseph Carens turns to this participatory aspect of the model to defend the liberal-democratic merits of the Quebec model. In his words:

The duty to learn French is intimately connected to the duty to contribute and to participate in society, which is connected, on this account, to fundamental democratic principles. Learning French is, among other things, a necessary means to participation in society so that if one can defend the duty to participate, and I think one can, one can defend the duty to learn French.13

As Michael Behiels argues, however, many such positive measures, as perceived by allophones,14 were overshadowed by more controversial language legislation which began with the Liberal government’s Official Language Law (Bill 22) in 1974, in which Quebec was formally declared a unilingual French society, and later culminated in the Charter of the French Language (Bill 101) in 1977 under René Lévesque’s Parti Québécois (PQ) government. This was seen by many as a hardline approach, out of line with the bridge-building measures in progress, and was generally rejected by allophones and anglophones.15 With the adoption of the Charter, the PQ government established the vision of a linguistically unilingual and ethnically pluralistic political community in Quebec, a vision that has nourished
subsequent models of integration to this day. As early as 1981, the Quebec model began taking shape, with a publication entitled *Autant de façons d’être Québécois*. The essence of the publication was that, unlike Canadian multiculturalism, Quebec integration would stress the idea of ‘convergence’. This will be elaborated below. Of significance here is the fact that the Quebec model explicitly challenged the Canadian variant as a primary basis for citizenship. The jurisdictional battles of the Quiet Revolution and the linguistic conflicts of the 1970s culminated in a fully articulated discourse centred on citizenship in Quebec. As such, it can no longer be disputed that Quebec constitutes a host society whose model of integration ought to be emulated by other liberal democracies.

Quebec has adopted as its official position a discourse of interculturalism to address its polyethnic composition. This view contends that the incorporation of immigrants or minority cultures into the larger political community is a reciprocal endeavour – a ‘moral contract’ between the host society and the particular cultural group, in the aim of establishing a forum for the empowerment of all citizens – ‘a common public culture’.

The ‘moral contract’ is summed up as follows:

- a society in which French is the common language of public life
- a democratic society where participation and the contribution of everyone is expected and encouraged
- a pluralist society open to multiple contributions within the limits imposed by the respect for fundamental democratic values, and the necessity of intercommunity exchange.

The government of Quebec describes the general thrust of this model,

The ‘moral contract’ affirms that, in its options for society, it follows that rights and responsibilities apply as much to immigrants, on the one hand, as to the receiving society itself (including Québécois of cultural communities already integrated or on their way to being integrated) and its institutions, on the other hand. Being a Québécois means being engaged in fact in Quebec’s choices for society. For the immigrant established in Quebec, adopting Quebec as an adopted land, there requires an engagement like all other citizens, and to respect these very choices of society. It is the simultaneous existence of complementary rights and obligations attributed to all parties – and to engage in solidarity in relationships of reciprocal obligation – which justifies the vocabulary of ‘moral contract’ to designate the general environment governing such relations with the aim of fully integrating immigrants.

The common public culture in this view does not consist solely of the juridical sphere; it is not a procedural definition based on formal individual rights. Instead, the basic tenets of the ‘moral contract’ are such that the established ‘modes of being’ in economic, political and socio-cultural realms are to be respected as markers of identification and citizenship status, with the institutions of democratic
participation acting as a point of convergence for groups of specific collective identities in order that all may share equally in democratic life. Carens highlights this feature of the model,

Immigrants can be full members of Quebec’s society even if they look and act differently from the substantial segment of the population whose ancestors inhabited Quebec and even if they do not in any way alter their own customs and cultural patterns with respect to work and play, diet and dress, sleep and sex, celebration and mourning, so long as they act within the confines of the law.20

In establishing a model based on the convergence of collective identity, the French language is to serve as the common language of public life; this is seen as an essential condition for the cohesion of Quebec society. Indeed, the French language constitutes the basis for Quebec’s self-definition as a political community. In this view, language is not conceptualized as an individual right. Rocher et al. elaborate: ‘In Quebec,[...] the French language is presented as a “center of convergence” for diverse groups which can nevertheless maintain and let flourish their specificity. While the Canadian policy privileges an individualist approach to culture, Quebec’s policy states clearly the need to recognise French as a collective good that requires protection and encouragement.’21

The contours of ‘public life’ are somewhat ambiguous; indeed, what constitutes a public exchange is often not clear. As a general rule, the confines of public space are not relegated solely to the activities of the state, but encompass ‘the public space of social interaction’ as well. For example, students may, as a matter of individual right, communicate in any language they wish on the playground of a francophone school. However, language use in the classroom is considered public space. More examples of what constitutes ‘private interaction’ are relations with family members, friends, colleagues or anyone involved in the social circle of the individual in question in which the choice of language use is of a consensual nature. Again, in the words of Rocher et al.:

It must be emphasised that valuing French as the common language does not imply in itself the abandonment of a language of origin, for two reasons. The first is related to the democratic nature of society that must respect individual choices. The second is a question of utility: the development of languages of origin is considered an economic, social and cultural asset. It must be stressed that there exists a fundamental distinction between the status of French as a common language of public life and that of the other languages.22

Thus an emphasis on the proficient use of the French language is taken as a minimal condition of the exercise of common citizenship – as an instrument of democracy. To quote Giroux:

‘it is of importance that the French language is taken first and foremost as a condition of the exercise of citizen rights, the modern nation cannot claim
to be a forum for discussion and decision-making without the existence of a community of language.’

Moreover, the host society expects as a matter of obligation that members of minority groups fully integrate into the larger community, with the expectation that all citizens are to contribute and participate in the social fabric of the common public culture. As a democratic community, this implies that once citizenship is attained, all members are equally encouraged to ‘participate in defining the general direction of our society [...] at all stages and in all sectors where the judgement of citizens can be manifested and heard’.

With regards to the eventuality of conflict arising between individuals or groups, the method of resolution must correspond to democratic norms. This point is important because it highlights a fundamentally different perspective than an emphasis on procedural legal channels. The Quebec model stresses that in the initial manifestation of conflict, deliberative measures such as mediation, compromise and direct negotiation are preferred, leaving as much initiative and autonomy to the parties in question. Legalistic measures and the recourse to specified rights are to be an option of last resort. In other words, this model values deliberation, mutual understanding and, generally, dialogue as fundamental characteristics of democratic life, in the realm of civil society, and is instrumental in the aim of fostering a cohesive and participatory conception of citizenship.

The treatment of difference in this model does not imply a society built on the juxtaposition of ethnic groupings, in a mosaic, nor does it reduce citizenship status simply to procedural safeguards from state intrusion through the codification of fundamental individual rights, and the assimilation of particular identities to universal principles. The Quebec model of cultural pluralism operates fundamentally in the tradition of parliamentary democracy, with an emphasis on deliberation and representation. Pagé summarizes:

In conceptualising a common civic space, it is common civic norms that constitute the basis for social cohesion. The norms are situated above particular ethnic cultures and have a scope general enough to govern the actions of a society consisting of individuals belonging to a plurality of ethnic groups. These norms are established by democratic institutions, which are capable of accounting for pluralism in seeking always, through decisions arrived at by democratic voting, as large as possible a consensual base, which does not limit itself only to the majority ethnic group or an ensemble of minority groups.

Within the framework of basic principles – a commitment to the peaceful resolution of conflict, a Charter of Rights and Freedoms in order to provide legal recourse to the protection of individual and group rights, equality between the sexes, a secular state, and equality and universality of citizen access to social provisions (i.e. health) – interculturalism attempts to strike a balance between individual rights and cultural relativism by emphasizing a ‘fusion of horizons’,

Alain-G. Gagnon and Raffaele Iacovino
through dialogue and consensual agreement. Through the participation and discourse of all groups in the public sphere, the goal of this approach is to achieve the largest possible consensus regarding the limits and possibilities of the expression of collective differences based on identity, weighed against the requirements of social cohesion and individual rights in a common public context. The recognition of cultural differences is assumed in such a view – the sources of meaning accrued from cultural identity are acknowledged as an explicit feature of citizen empowerment – yet an obligation is placed on all parties to contribute to the basic tenets of a common public culture.

In the final analysis, the recognition of minority cultures is built into the model, the ‘moral contract’ is an integrative principle whereby ethno-cultural groups are given the empowerment to contribute, in a common language, and to make their mark on the basic principles of the common public culture. Difference is recognized within the limits of societal cohesion and political community, not as a fundamental starting point for common identification and unity.

Concurrent nation-building strategies

Prior to proceeding with the comparative study, it must be noted that such policies cannot be assessed in the absence of a clear understanding of political processes related to the strategy of nation-building. This qualification is particularly salient in the Canadian case, where the precarious nature of pan-Canadian identity has traditionally been in itself somewhat of a ‘national symbol’ (sic) due to the persistent existential question in Quebec. Indeed, as will be shown below, policymakers at the federal level charged with defining the bases of belonging in Canada have not only faced the challenges associated with the incorporation of diverse cultural identities, but have been confronted with a national minority with established political institutions within a well-circumscribed territory. This fact represents a qualitatively different challenge confronting Canada in comparison to the United States. As Joppke makes clear, each society’s actual response to immigration and polyethnicity does not merely stem from an abstract model that is subsequently applied to the real world: ‘The concrete meaning of multiculturalism and its linkage to immigration differs significantly across these societies. These differences are conditioned by distinct traditions of nationhood, the specific historical contexts in which immigration has taken place, and the existing immigration regimes.’

As such, the case of Quebec, although formally a province of Canada, nevertheless merits independent consideration as the Quebec state has negotiated extensive authority over immigration. Moreover, Quebec constitutes a distinct political community with a well-defined collective cultural project that includes the integration of immigrants into that project. Canada’s other provinces, by contrast, have been content to leave this policy area in the hands of the federal government. In short, Quebec should be viewed as a host society in its own right, with its own historical and cultural development, its own sense of nationhood, and a distinct discourse with regards to the general orientations and choices of society.
There are indeed political imperatives at work in such policy outcomes. This chapter has attempted to clarify the meaning of the term ‘multiculturalism’ – distinguishing between its use as a general label for an emerging tradition in political thought and the actual policy bearing its name in Canada – in order to alleviate the ambiguities surrounding the concept. An assessment of Canadian multiculturalism cannot forgo the fact that in the final analysis it is a policy and not an ‘ontological’ principle devoid of contingencies. The ideal of multiculturalism must not be confused with the Canadian policy, as this is prone to stifling debate concerning the value of the policy in framing citizenship status.

Returning to the normative backdrop for evaluating integration as developed above, it is clear that the Canadian strategy was related to both the goal of unity and the fostering of citizen dignity through the recognition of particular cultural affiliations. First, it seeks to achieve unity through a pan-Canadian nation-building project that emphasizes the primacy of individual rights in a constitutional Charter of Rights and a choice of language use, between French or English, across the country. Superimposed on individual rights is the official recognition of all constituent cultures, equally. Such recognition, however, is largely a symbolic concession – the fabrication of an identity marker based on the voluntary adherence to particular cultural allegiances. In Weinfeld’s words: ‘In the absence of any consensus on the substance of Canadian identity or culture, multiculturalism fills a void, defining Canadian culture in terms of the legitimate ancestral cultures which are the legacy of every Canadian: defining the whole through the sum of its parts.’

By forging a common identity throughout the country based on the ‘sum of its parts’, it was hoped that the identity marker for unity could be universal – the equal recognition of all cultures, within a regime governed by individual rights and bilingualism. In this way, adherence to particular cultural attachments could be voluntary for all individuals, while at the same time claiming to ‘empower’ citizens of minority cultures through reductionist means – Canada’s symbolic order was to be based on the negation of any particular cultural definition. Bourque and Duchastel argue that the Canadian response, by conceptualizing citizenship in such terms, has in effect altered social relations to the point of damaging the exercise of democracy. The Canadian political community in this sense is predicated on the judicialization of social interactions, to the detriment of the deliberative aspects of representative democracy. The idea of public space for citizen participation, reflection and deliberation within the political community is reduced to a narrow forum of rights-bearers. Deliberative assemblies give way to the ‘legalization’ of social relations, preventing parliaments from being responsible for organizing social life and, ultimately, preventing citizens from identifying with others in the political community.

According to Kymlicka, the final outcome of Canadian multiculturalism as a symbol for identification is analogous to the United States in its failure to differentiate between national minorities and polyethnic communities. The fundamental difference between the two is that the former strive for self-determination while the latter seek inclusion. Canada’s policy fails to address this distinction – multiculturalism
becomes a mechanism to quell legitimate national aspirations – thus it fundamentally shares with the US model a certain homogenization, or universalization, of identity, albeit through cultural relativism. Kymlicka argues that the American reluctance to recognize minority nations is a direct result of its assimilationist model, a fear that such recognition will trickle down to polyethnic communities and thus undermine the bases for unity. Canada’s policy stems from similar fears. However, Canada’s response was to elevate the status of cultural groups to the same level as that of national minorities. Both are universal, both are bound by nation-building projects which stress unity, and both fail in any significant way to recognize territorially defined group-differentiated rights as a federal principle.

As such, the Canadian response was not predicated on a genuine commitment to the ideology of multiculturalism as a pillar upon which to frame citizenship status. The goal was unity in the face of a national minority challenge. Quebec’s national identity was placed, constitutionally, alongside every other minority culture as a basis for identification. In Giroux’s words:

The partial recognition of ancestral rights reveals, a contrario, a refusal to recognize the Quebec nation. [...] As such, demands by national minorities, those of cultural communities, and those of the majority group are regarded, without being defined or explicitly taking into consideration the criteria of legitimacy attributed to a nation which allow for a viable and effective democratic order. [...] In effect, without valid criteria for inclusion and exclusion, all demands become acceptable; thus it becomes possible to pit group demands against one another and to transform pluralism into a zero-sum game.

In Taylor’s terms, multiculturalism as such fails to appreciate the ‘deep diversity’ in Canada, in which difference can be recognized on tiered levels in view of particular groupings’ political aspirations and historical/territorial/linguistic realities. In adopting a strategy for unity similar to the American approach – uniformity from coast to coast based on universal principles – the Canadian policy in effect failed to recognize that national minorities, as opposed to polyethnic communities, seek to provide a ‘centre’ for identification, their own pole of allegiance necessary for unity and common purpose. In other words, national identity in Quebec assumes a self-determining project for society. The community of reference for all citizens under the banner of multiculturalism, however, is Canada. Bourque et al. summarize:

This ideology [...] defines itself in relation to the territorial state: it circumscribes a community of belonging to the state within a country – Canada. It thus privileges, clearly, national dimensions of the production of the community, even though the discourse struggles to find a coherent representation of the Canadian nation. This Canadian nationalism finds its full significance in its opposition to the ‘counter-nationalisms’ of Quebec and the Aboriginals.
The arguments put forth above are predicated on the notion that Canada’s similarity to the United States flows from the implicit assumption that equality stems from an emphasis on the individual, and what such individuals share with others across the country. The Canadian constitution protects individuals from collective intrusions. It can be argued that the failure to achieve unity and common purpose is not inherent in the model of multiculturalism adopted. Rather, disunity is a product of federal dynamics – Canada is not a nation-state that can claim the status of a single and unified host society. As such, one can assess the policy independently of the Quebec question, which to a large extent may explain the motivation for the policy but not its actual effects as a model for integration. If we disregard the variable of multinationality in Canada, has multiculturalism been successful in integrating immigrants and ethnic groups? Indeed, if we begin with the assumption that Canada constitutes a single political community, or host society, we can then proceed to evaluate the success of multiculturalism without considering disunity in terms of the fragmentation of ‘national allegiance’. Unity can thus be conceptualized as the extent to which minority groups feel as though they belong to a single community called Canada, and actually participate in the general affairs of the larger society.

As a response to critics who view multiculturalism as a divisive force in Canada, Will Kymlicka provides some empirical data that demonstrate the success of multiculturalism in terms of the integration of minority cultures.\(^{36}\) Indeed, the line of criticism in this chapter does not challenge the integrative success of the policy. The claim is that due to the imperatives of nation-building, for the purposes of unity in the face of the Quebec question, Canada chose to adopt a ‘lowest common denominator’ formula that rejected the recognition of culture as an aspect of belonging altogether. Trudeau’s ‘just society’ is predicated on the notion that any emotive attachment to a polity is destructive and backwards, and that progress requires an emphasis on reason, which is universal, to serve as a guiding principle in any citizenship regime. If we look closely at Kymlicka’s indicators for integration, however, it may be argued that although integration has been rather successful, it came at the expense of the recognition and preservation of minority cultures – which in the final analysis is the defining feature of ideological multiculturalism.

The Canadian model operates along the primacy of individual rights in a constitutional Charter of Rights, with an interpretive clause for the recognition of diverse cultural affiliations. The interpretive clause is the only element of differentiation from American assimilation. There is no democratic imperative for the recognition of diverse minority cultures besides a legal/procedural provision that may be invoked if the minority group in question chooses to do so. This is a key conceptual distinction between the Canadian and Quebec models and it stems from the nature of the expectations of democracy itself. The fact that Canadian identity – the way citizens relate to each other and to the state in determining societal preferences – is predicated on such terms implies that there is no public culture on which minority cultures can make their mark. Again, multiculturalism in Canada does not reflect the recognition of diverse cultures; rather, to be blunt,
it refers to the denial of culture altogether in defining the limits and confines of public space. Public space is based on individual participation via a bill of rights. To return to Kymlicka’s assessment on the success of Canadian multiculturalism in terms of integration, we note a dearth of evidence regarding the extent to which minority cultures feel as though they have been able to persist in living according to the sources of meaning garnered by their cultural affiliations. In his defence, this undertaking would require a large-scale empirical study, and the fact that he was able successfully to operationalize ‘integration’ merits credit in its own right, as it deepens the conceptual discourse surrounding these models of integration. However, the success of minority groups within indicators such as ‘naturalization rates’, ‘political participation’ (including the institutional avenues of participation), ‘official language competence’, ‘intermarriage rates’ and lack of territorial enclaves of cultural groups are addressed to those critics who view multiculturalism as divisive to the forging of a strong Canadian identity. They do not speak to the explicit concern for the preservation and flourishing of minority cultures within the political community – the capacity of such groups to participate and affect the public affairs of the country without shedding their particular group identities. The debate itself thus takes place outside the imperatives of ideological multiculturalism. In other words, these criteria may very well be addressing a regime committed to assimilation.

The virtue of Quebec’s model of interculturalism is that it strikes a balance between the requirements of unity – an identity basis – and the recognition of minority cultures. Quebec’s model of integration is not assimilatory as is that of the USA, nor does it conceptually fall into cultural relativism and fragmentation in its commitment to cultural pluralism. The idea of empowerment as it pertains to marginalized ethno-cultural groups is such that integration is a necessary prerequisite to full participation in the construction of a ‘common public culture’ as an identity centre. Identification with and participation through a variety of cultures is not ruled out as a basis for citizenship status, yet the possibility of enclosure and ghettoization is discouraged because the recognition of particular cultural identities is de facto the recognition of the right and obligation to participate in the polity, not the recognition of culture as existing in self-contained communities, in a vacuum of space and time. In other words, recognition is an outcome of participation, it is in contributing to the development of a common public culture, to larger consensual bases of allegiance and identification, without a rejection of the established symbolic order offered by Quebec society as it has evolved historically, that members of minority cultural groups can make a difference regarding their status as citizens. In this sense, the unity and solidarity sought by any model of citizenship are viewed as a process, to be constructed by the various parties involved through exchange and dialogue, rather than a model that offers a pre-existing blueprint of recognition.

Interculturalism as a model for addressing polyethnicity represents a forum for citizen empowerment, not retrenchment. From the initial premise that a national culture consists of a ‘daily plebiscite’, in Renan’s conceptualization, the Quebec model rests on the idea that the common public culture be inclusive of all groups
in its changing and evolutionary fabric. Jeremy Webber has located this dynamic aspect of a national identity in the idea that communities are forged through public debates in a common language through time. Shared values in themselves do not provide the sense of allegiance necessary for a national community to thrive. Indeed, disagreements about the major orientations of society are perhaps emblematic of a healthy political community because they demonstrate that people are concerned with the state of the community. The democratic quality of a constantly changing political community lies precisely in the idea that citizens are able to identify with and make an impact on the current streams of public debate in society – and this requires that citizens interact within the framework of a common vernacular. In short, Carens states it succinctly: ‘In integrating immigrants, Quebec is transforming not only their identity but its own as well.’ As such, the French language is not meant to define a static culture into which immigrants and cultural minorities are expected to ‘melt’. Rather, French is the conduit through which the disagreements, contentions and conflicts inherent in a culturally diverse society can be aired in a situation of normal politics. In the end, participation implies some degree of political conflict. The political community is based on a shared language, and challenges to the prevailing tenets of the ‘national culture’ are not viewed as threatening, but are encouraged as a normal and healthy effect of democratic deliberation.

**Conclusion**

As mentioned, two general considerations are salient in assessing the models as they pertain to polyethnicity and democratic citizenship. First, the model must consider unity as a basis for democratic stability, which provides a shared sentiment, a common ground for dialogue. In other words, a pole of allegiance that acts as an identity centre of convergence is required for active participation in a democratic polity. Second, the recognition of difference and a respect for the sources of meaning of minority cultures is an integral element of the equality of citizenship status – of citizen dignity or empowerment. For traditional liberal thought, such goals are incompatible. The involvement of group-differentiated recognition is said to mitigate the former ideal, in which equality emanates from shared adherence to universal principles and culture is treated with ‘benign neglect’ in the public sphere. Recognizing cultural distinctions shatters such unity and renders citizens unequal.

This discussion is not meant as a radical argument for postnational identity politics; indeed, the normative merits of unity in any given state have been explicitly acknowledged. Nor is it meant to prescribe a formula for unity in a specifically federal context. It seeks to demonstrate the merits of interculturalism as an alternative model for integration, and that Canadian multiculturalism has been and continues to be a product of nation-building efforts, and not a genuine commitment to the main tenets of ideological multiculturalism. In other words, it is an element of a political strategy by the central state to forge a strong commitment, by its citizens, to Canada as a single and unified political community. Canadian
multiculturalism should not be viewed as an example of the emerging ideology of multiculturalism and its implications for the redefinition of the legitimacy of nation-states in the case of polyethnic societies. The main tenets of Canadian citizenship status are not that far off from those of the United States. Indeed, the place of culture in Canadian conceptions of citizenship is liberal – it is about building a nation based on universal principles. A model of cultural pluralism along the lines of Quebec interculturalism makes a more serious effort to balance the prerogatives of unity with the preservation and flourishing of minority cultures. The enduring problem confronting the Quebec model, one that would have to be taken into account in any future attempts at empirical verification, is the idea of competing interpretations of citizenship by those targeted for integration in the first place. As Labelle and Levy have demonstrated in interviews with leaders of ethno-cultural groups, there is ongoing ambivalence with regards to the legitimacy of the Quebec model in the eyes of ethno-cultural groups.40

The Quebec model is unlike the others in that it is embedded in a larger project for national affirmation. The fact that it can legitimately be included as a model for integration at the very least demonstrates the strides that Quebec has made in the area of citizenship, and perhaps such conceptual overviews can spark some interest in more empirically based research in the future. Whether or not such research can be undertaken in a context of competing models of citizenship, within a single territory, should not undermine efforts to conceptually include the model of interculturalism in debates about recognition and integration in liberal democracies.

Notes
1. Will Kymlicka and Wayne Norman note that citizens’ perceptions about their political communities, their sense of belonging and level of commitment, have become an increasingly salient concern for contemporary political theorists, and that this is partly due to the challenge of integrating minority groups in established liberal democracies. In their words, ‘the health and stability of a modern democracy depends, not only on the justice of its institutions, but also on the qualities and attitudes of its citizens: e.g. their sense of identity, and how they view potentially competing forms of national, regional, ethnic or religious identities; their ability to tolerate and work together with others who are different from themselves; their desire to participate in the political process in order to promote the public good and hold political authorities accountable; […] Without citizens who possess these qualities, the ability of liberal societies to function successfully progressively diminishes.’ Will Kymlicka and Wayne Norman (eds), Citizenship in Diverse Societies (Oxford: Oxford University Press, 2000), p. 6.
4. Ibid., p. 452.
6. For more on multiculturalism’s challenge to liberal models of citizenship, see Andrea Semprini, Le multiculturalisme (Paris: Presses universitaires de France, 1997).
7. See Young, *Inclusion and Democracy*, in particular Ch. 3, where she offers a review of arguments which ‘construct group specific justice claims as an assertion of group identity, and argue that the claims endanger democratic communication because they only divide the polity into selfish interest groups’, p. 83.


12. The Couture-Cullen Agreement, signed in 1978, would grant extensive powers in recruitment and reception to the Quebec government.


14. Allophones are defined as members of Quebec society that are neither English (Anglophone) or French (Francophone) in origin. It is a significant grouping with regards to any discussion of citizenship in that they are, in large part, targets of integration for the host society.


17. For more on the conceptualization of the principles of the ‘common public culture’ as it is understood in Quebec, see Julien Harvey, ‘Culture publique, intégration et pluralisme’, in *Relations* (October 1991); and Gary Caldwell, ‘Immigration et la nécessité d’une culture publique commune’, in *L’Action Nationale* LXXVIII (8; October 1988).


22. Ibid., p. 225. (Our translation.)


25. Julien Harvey, ‘Culture publique, intégration et pluralisme’, *Relations* (October 1991), ‘Intégration dit contact culturel intermédiaire entre l’assimilation et la juxtaposition, tenant compte des deux cultures en contact et constituant une nouvelle synthèse et une nouvelle dynamique’, p. 239.


31. Will Kymlicka, ‘Ethnicity in the USA’, in Montserrat Guibernau and John Rex (eds), *The Ethnicity Reader: Nationalism, Multiculturalism and Migration* (Cambridge: Polity Press, 1997), p. 240. See also Bourque and Duchastel (2000), ‘Multiculturalisme, pluralisme et communauté politique’, p. 159, where the authors argue that Canadian multiculturalism is in large part a product of the refusal that the country be defined in multinational terms. The Canadian political community was thus in itself founded on this negation of multinationality precisely because of the perceived imperative to negate Quebec’s place as a ‘national minority’.

32. For more on the distinction between national minorities and polyethnic communities in the framing of citizenship status, see Gilles Paquet, ‘Political Philosophy of Multiculturalism’, in J. W. Berry and J. A. Laponce (eds), *Ethnicity and Culture in Canada* (Toronto: University of Toronto Press, 1994).


34. France Giroux, ‘Le nouveau contrat national est-il possible dans une démocratie pluriethniste? Examen comparatif des situations française, canadienne et québécoise’, *Politique et Sociétés*, 16(3; 1997): 141. (Our translation.)


36. Kymlicka’s work is mainly directed towards the contentions of Neil Bissoondath. Bissoondath argues that in the Canadian model minority cultures are recognized, *a priori*, in a vacuum of space and time, which tends towards ghettoization and fragmentation in terms of allegiance to a larger polity. Bissoondath argues this point forcefully, labelling the phenomenon ‘cultural apartheid’. The contention here is that multiculturalism in effect defines culture provisionally – in a static sense – and prohibits full social interactivity. In other words, the dynamic nature of cultural sources of meaning are neglected, resulting in the stagnant ‘folklorization’ or ‘commodification’ of cultural production, reducing culture to ‘a thing that can be displayed, performed, admired, bought, sold or forgotten […] [it is] a devaluation of culture, its reduction to bauble and kitsch’. As such, neither unity nor citizen dignity accrued from cultural recognition is achieved here. This is the result of recognizing cultures in juxtaposition without any expectation that such cultures may contribute to the overall direction of the larger society in an evolutionary interplay of ideas. The substantive elements of


3 Accommodating national differences within multinational states

Philip Resnick

Our future is not written, it is not certain: we have awakened from a long sleep, and we have seen that the human condition is incompatible with certainty.

Primo Levi, ‘Eclipse of the Prophet’

In writing this chapter, I have sought to go beyond certain accepted verities when it comes to the study of national differences, especially within multinational states. By multinational states, I am referring to countries such as Belgium, Canada, Spain and the United Kingdom where there are two or more linguistic or cultural communities that can lay claim to constituting nationalities.

One verity would hold that national differences can be transcended by focusing on those characteristics of citizenship, civic and public in character, that the subjects/citizens of such states share, irrespective of the cultural attributes that divide them. As holders of civic rights and political freedoms under a clearly prescribed set of constitutional and institutional norms, citizens, whatever their linguistic or cultural background, ought to be able to transcend the more particularistic loyalties that retrograde nationalists seek to foster. Let me call verity I the view which looks to a single, untrammelled vision of nation and country.

A second verity would hold that national differences are unavoidable in multinational states. In particular, the members of minority nationalities, or nationalities who feel that their identities are threatened within the larger ensemble, are prone to insist on recognition of their national identities as part of the price of maintaining the unity of the larger state to which they belong. It is for the members of majority nationalities to make the requisite concessions and to rethink the institutions of the shared state along multinational lines. Let me call a belief in verity II the politics of recognition, to use a term which Charles Taylor was the first to popularize in contemporary debates about nationalism and multiculturalism.¹

Then there are the practitioners of federalism in its many forms, who, without always concerning themselves with the finer points of national or multinational identities, look to a functional division of powers as between central and regional/local levels of authority as the solution to the problems of linguistically or culturally divided states. There is, of course, a wide gamut of views that can be encompassed under the rubric of federalism, from centre-dominated to sub-centre-dominated
federations, from strictly symmetrical to quite asymmetrical types of arrangements. But *verity III* is associated with some form of federal-type arrangements.

Many of the contributors to this volume are probably proponents of verities II and III; many of their co-nationals are supporters of verity I and possibly verity III. What is much less common, however, is to find people who take seriously both verities I and II. These can be seen as implicitly incompatible, since belief in the overriding unity of a single nation-state and its national identity inevitably trumps any emphasis on multinational differences, and vice versa.

What I want to do in this chapter is to probe more deeply into the differences between the proponents of verities I and II. I want to do this as dispassionately as possible, acknowledging from the start that neither verity I nor verity II quite captures the reality of multinational states. I am interested in uncovering the underlying logic that leads the proponents of these two rival viewpoints to advance the positions that they take. For it is this underlying logic that both bars fruitful dialogue and that potentially may unlock the door to a better understanding of the challenges that states such as Belgium, Canada, Spain and the United Kingdom face. And, by extension, it may also allow us better to understand the dilemmas facing attempts to construct transnational forms of political organization such as the European Union.

Let me spell out the underlying argument I want to advance. There is a logic of recognition at work where national communities are concerned; but it is a logic that can be as true for majority nationalities as for minority ones. There is also a logic of ressentiment that is at work, and this too can be as true for majority nationalities as for minority ones. It is only when we see recognition and ressentiment in all their complexity, as twin forces so to speak that define both majority and minority nationalities and that, in a sometimes perverse sort of way, feed off each other, that we can begin to make sense of what is really happening within multinational states.

One of the great errors committed by students of multinational states is to focus undue attention on the aggrieved nationalities within such ensembles. Usually, in cases such as Canada, Spain and the United Kingdom, these are minority nationalities, hence the proliferation of works and studies over recent decades on Quebec, aboriginal or first nations, Catalan, Basque, Scottish and Welsh nationalism; it is only in the Belgian case, where the aggrieved nationality has been a majority nationality, but with some of the complexes of a previously repressed minority, that the focus has been primarily on the Flemish case.

Yet surely it is as important, from the theoretical and practical points of view, to look at majority nationalities as at the minority ones; at those whose identity is caught up with the institutions of the larger ensemble as at those who are arguing for recognition of their own particular space within, or in some cases outside, such ensembles. The states I have been referring to in this chapter have been around for well over a century in the Belgian and Canadian cases; for close to three centuries in the British; for a little over five centuries in the Spanish. Is it surprising that questions of identity and recognition, when raised with respect to nationalities within the borders of such states, should simultaneously raise acute
questions about the long-term viability of the larger state and about the national identities of its other inhabitants?

There is something of a zero-sum game involved in the relationships between the national communities that make up these states. If recognition by English-speaking Canadians of Quebec’s distinct national character may in fact be the thin end of the wedge leading to the disintegration of the Canadian state as a whole, what might that spell in terms of the national identity and survival of a post-Quebec Canadian nation-state? Where might it leave other Canadian provinces? If the logic of Basque or Catalan nationalism were to lead to the wholesale weakening of the Spanish state, where would that leave non-Basque and non-Catalan Spaniards? Where would it leave the other Spanish regions? What about English identity in a United Kingdom where Scotland, Wales and Northern Ireland, but not England itself, achieve forms of devolution and self-rule? What about regions such as north-west England, East Anglia or Cornwall? And then there is the Belgian case, where the wholesale devolution of powers to the regions and national communities has, for the adherents of a Belgian identity, hollowed out the central institutions to a point that seriously threatens the survival of the country.

The point I want to make is that those who identify with the institutions of an ongoing state structure usually do so in the name of national identity as well. They are as committed to a Belgian, British, Canadian or Spanish identity as others may be to a Flemish, Scottish, Québécois or Basque one. They may accept the logic of regional identities, but not competing national ones that undermine the viability of the larger state. And they fail to find, on the part of the adherents of competing national identities, much recognition of the deep stake they have in the survival of the country whose nationality their opponents eschew.

Minority-type nationalists (I shall be using this term to encompass the proponents of minority nationalisms such as Québécois nationalism in Canada, Basque or Catalan nationalism in Spain, Scottish nationalism in the United Kingdom and Flemish nationalism in the case of Belgium) may say that it is none of their business worrying about the identities of majority-type nationalists (I shall be using this term to refer to the proponents of Belgian, British, Canadian and Spanish national identities.) After all, there is a history of domination and repression attached to the operations of the centralized state institutions with which majority-type nationalists identify. If there are victims in the piece, it is the minority-type nationalists who fit the bill, and it is their claims for recognition, not those of their majority counterparts, that need to be acknowledged. The ressentiment that the adherents of minority-type nationalisms generally feel towards the institutions and practices of the central state makes them less than friendly to the claims for recognition by majority-type nationalists.

Majority-type nationalists, however, may well feel a ressentiment of their own. There may be a feeling that members of minority-type nationalities did not pull their weight in moments of national crisis, e.g. French Canadian opposition to conscription during two world wars, greater Flemish than Walloon collaboration with the Nazi occupiers during World War II; chagrin about Scottish overrepresentation in British parliamentary institutions or over higher British per capita
state expenditures in Scotland as compared to England; anger about ongoing Basque terrorism in the decades that have followed the transition to democracy in Spain. Such ressentiment can translate into a sentiment that goes something as follows: minority-type nationalists are interested only in recognition for themselves; they are not prepared to extend the same recognition to others. They are not prepared to take the common shared interests – political, economic, existential – of all the inhabitants of the larger state ensemble, threatened by powerful external forces in the era of globalization, into account in their ceaseless demands for greater power for themselves. Nor are they prepared to recognize that the inhabitants of other provinces or regions may have distinct identities of their own that are being ignored, while inordinate attention is focused on their own nationality claims.\(^3\)

 Needless to say, there is little basis for dialogue between proponents of opposing points of view when ressentiment is the prevailing sentiment on each side. Ressentiment in the mutual relationships between the nationalities making up multinational-type states such as the Soviet Union, Yugoslavia and Czechoslovakia had a lot to do with their break-up in the 1990s, accompanied in the first two cases by no small degree of bloodshed. Between Azeri and Armenian or Chechen and Russian, between Serb and Croat or Muslim, the only kind of recognition that seemed to matter was associated with the barrel of the gun. This hardly constitutes the basis for a liberal-democratic type of coexistence, for shared federal or confederal institutions, or for the wholesale flourishing of minority rights.

 It is easy for those of us living in Western societies to pooh-pooh the behaviour of our less civilized brethren in the Balkans, the Fertile Crescent, the Caucasus, South and Southeast Asia, the Great Lakes region of Africa or Central America. But we would be less than honest not to acknowledge that some of the same emotions colour the behaviour of many of our own compatriots. It is not all love and kisses as between Flemish and Walloons, Québécois and other Canadians, Basques or Catalans and other Spaniards, English and Scots. And it is not well-disposed academics of a liberal-democratic persuasion and with varying degrees of commitment to cosmopolitan and pluralist values who are necessarily the best interpreters of such sentiments.

 It could be argued, if I may play devil’s advocate for a moment, that too much of the recent analysis of nationalism in the academic world has been anodyne, cerebral and ideologically misconceived. If we look at the most frequently cited literature, we could easily come to the conclusion that liberal nationalism, constitutional patriotism and multicultural recognition were the name of the game, and that \textit{Homo occidentalis} was committed to Rawlsian first principles, Habermasian dialogue and Taylorian deep diversity. Yet nothing could be further from the truth.

 We may not be purely Schmittian men and women, ideologically wedded to the friend–enemy distinction and the wholesale destruction of our adversaries.\(^4\) But there is a great deal of adversarial behaviour in our economic, no less than political, undertakings, and a thick Hobbesian undercoating of self-interest and self-aggrandizement that all too frequently overrides everything else. In people’s interactions with those of different linguistic, cultural or racial backgrounds,
a willingness to acknowledge the other usually takes a distinctly second place to the affirmation of one’s own group. This is certainly the case where the members of majority-type and minority-type nationalities that I have been discussing is concerned.

So if the affirmation of one’s own identity seems to be one postulate of collective social behaviour and a tendency to resent what may be taken to be the excessive or undue claims for recognition by the other a second postulate, what openings, if any, does this provide for multinational coexistence or federal-type arrangements? Should we lament the follies of human nature and the inextricable character of national conflicts? Should we content ourselves with seeking the minimal possible basis for coexistence between the constituent nationalities of multinational-type states, conscious of the dangers that lurk behind any wholesale attempt to shift the constitutional or institutional goal-posts? Should we simply call it quits, accepting the fact that fault-lines of language, culture and sentiment are too deep to paper over and that the concept of a common Belgian, British, Canadian or Spanish state is little more than an artefact handed down from some earlier ice-age? Should we become the missionaries of asymmetrical federal or confederal arrangements, convinced that human rationality, despite the cruelty and violence on display in so many corners of the globe, can yet construct institutions that will allow different national communities both to flourish and coexist within a single state?

Let me suggest a slightly different tack. Perhaps we need to explore more carefully the underpinnings of ressentiment that characterize the proponents both of majority- and minority-type nationalisms. We need to ask ourselves not just what they want by way of recognition for themselves, but what they find most threatening in the behaviour of the nationality(ies) with which they interact. We need then to discern whether there is a basis for addressing their most basic fears and, if so, what this might entail by way of reciprocal behaviour. I emphasize reciprocal for a very simple reason: there can be no satisfactory resolution to the sort of challenges that multinational-type states face unless there is a feeling on each side that its vital concerns have been addressed. And perhaps the most vital concern of all, to put things negatively, is that its worst fears not be realized.

What is the worst fear that a minority-type nationality can experience? It is probably the fear of assimilation, the fear that its language, culture or identity, very much a minority or dominated one as the historical record would attest, not vanish from the earth. It is that it not be subordinate to or dependent on the good-will of its co-citizens within the larger state, when it comes to key elements of its own national identity. This fear is, if anything, reinforced in this new era of globalization that sweeps some of the traditional powers of the nation-state aside, opening societies around the world to intensive penetration from outside. The result is a reinforced desire to vest control on important matters, especially broadly defined cultural ones, in one’s own national community.

These fears are grounded in real historical events. It is a fact that Quebec became a British colony in the aftermath of the Conquest of 1759; that there were palpable proposals for assimilation of French Canadians advanced at the time of
the Durham Report; that in more than one instance in the aftermath of Canadian Confederation the French Canadian minority found its wishes overruled by the larger English Canadian majority. It is also a fact that until recent times it was anglophones, economically speaking, who dominated in Quebec.

In much the same fashion, Basques and Catalans can point to domination from Madrid; Scots to domination from London, whatever their own by no means secondary role in forging and administrating the British empire; the Flemish, to domination by francophones during the century or so that followed the creation of Belgium.

Ressentiment about past domination can easily give way to ever-escalating demands for greater powers vis-à-vis the central state. It is not surprising that Catalans and Basques, whose autonomy had been totally suppressed under the Franco regime, should have pressed for considerably greater powers under the constitution of 1978. Or that their political representatives should feel that their status as nationalities requires a heightened form of recognition as compared to regions recognized under Spain’s Status of Autonomy. For some Scottish nationalists, the Declaration of Arbroath might as well have been drafted yesterday, not in 1320. There is a clear sense that something vital was lost with the Act of Union of 1707 and a ressentiment of English domination over Great Britain that in the modern era has led to demands for devolution of powers to Scotland or for out-and-out independence. In the words of a contemporary critic: ‘The 20th century produced the “Scottish cringe” and the unappetizing politics of grievance.’ Similarly, the Flemish, having come to be politically and economically in the ascendant in post-World War II Belgium, have been more interested in creating Flemish political institutions that they themselves can control than in operating within the structures of the old unitary Belgian state. ‘A number of painful events [...] together with the contempt of the francophones for the language of the Flemings seriously affected the credibility of the Belgian nation and a younger generation of Flemish intellectuals again began to doubt whether Flemish culture could indeed remain inextricably intertwined with Belgium. As a result, a new political Flemish nationalism began to emerge.’

Ressentiment feeds a strong desire for recognition; and it can also feed – this is human nature, after all – a desire for revenge. So the new Quebec nationalism that followed on the Quiet Revolution placed enormous emphasis on language legislation and on ensuring the primacy of the French language. This entailed numerous restrictions on access to English-language educational institutions and on the public place of English in Quebec. And in some of this one could detect a desire to pay back a minority which once had lorded it over the new majority, to ensure that anglophones would now come to experience what francophones had for so long endured. The politics behind Bill 101 and Bill 178 was in part, at least, driven by such sentiments.

The same is true where Flemish linguistic demands have been concerned. The s undoing of the University of Louvain into two in the late 1960s and forced departure of francophone faculty and students who had been in Leuwen since the Middle Ages to new quarters in Louvain-la-Neuve was in part at least a settling
of old accounts. In the new linguistically divided Belgium, the Flemish were not prepared to make the slightest concession on their side of the language line to francophones who had looked down on Flemish when they had been in control of Belgian higher education and the Belgian state. Grievances a century and two old would feed the politics of Flemish ressentiment.

And some of the more niggling features of nationalist politics, both in the Basque Country with its quasi-independentist nationalist government and in Catalonia under the restored Generalitat, are surely motivated by an element of revenge towards the haughty Spaniards who had for so long ruled over them.

I do not want to be misunderstood. I am not arguing that the politics of minority-type nationalism is based on nothing more than ressentiment. That would be making light of the quite genuine desire for affirmation and recognition that has characterized all these nationalist movements in recent times. What I am arguing, however, is that a considerable element of ressentiment can colour such movements and shape the form that their self-affirmation takes. And I am also arguing that, in trying to understand such phenomena, a one-sided emphasis on recognition does not do justice to the more complex forces that are at work.

The same pattern can be found when we turn our attention to majority-type nationalities. For despite their long-term domination over established nation-states, the members of such nationalities have fears of their own. What might these be?

They have less reason to be fearful for their survival as linguistic or cultural communities, at least where the English or non-Catalan/non-Basque Spaniards are concerned. (English-speaking Canadians and Walloons are another matter, though it is less their language than their communal identity that may seem threatened.)

What majority-type nationalities are more likely to fear is for the survival of the state with which they have so long identified. Or to put it another way, they have reasons to wonder whether there will still be a Belgium, a Canada, a Spain or a United Kingdom if the more ardent forms of minority-type nationalism have their way.

Some of this may stem from simple geographical attachment. The idea of a Canada from sea to sea is deeply implanted in popular sentiment in English Canada. The idea of an independent Quebec is often seen as the surgical equivalent of the removal of a vital limb or body organ. It would involve the Pakistanization of Canada, with a foreign entity dividing the Atlantic provinces from the remainder of the country. How many non-Catalan/non-Basque Spaniards, for their part, would be comfortable with the idea of a Spain for which the Pyrenees no longer defined its major international border? How many English people would be comfortable to see the Act of Union completely undone and Great Britain ceasing to be an island-state? How many Belgians would like to see their tiny state splintered into two or three fragments?

More than geography is at work here. Strong historical sentiments are associated with state structures which have operated for long stretches of time. The imperial expansion which saw Spain and Britain achieve great heights laid the foundations for earlier forms of national identity. Wars of resistance and national survival,
e.g. the Peninsular War for Spain or World War II for Britain, played their part, as, in a more equivocal fashion, did the twentieth-century experience of civil war in Spain or external occupation in Belgium. Major achievements in the arts and sciences are often associated with the nation-state as are economic accomplishments, e.g. the industrial revolution in Great Britain, and the successful settlement of a hard frontier in the Canadian case. The famous phrase in Renan about having done great things together and wanting to do so in the future speaks eloquently to this more emotional appeal of majority-type nationalism.9

It is the appeal to the emotions, after all, that makes nationalism so powerful a force in so many different situations. And one of the emotions that surfaces frequently in majority-type nationalism can be ressentiment. This can be expressed towards an outside power – by the British towards the French or Germans, by the Belgians towards their more powerful neighbours, by the Spanish towards richer northern Europeans, by Canadians towards the United States – but it can take an even stronger form when minority-type nationalism poses challenges from within.

In the Canadian case, for example, there has been a good deal of ressentiment by English Canadians about official bilingualism at the federal level, all the more when successive Quebec governments have been promoting French unilingualism within Quebec’s own borders. There has been ressentiment over the refusal by many in Quebec, unlike their counterparts in Canada outside Quebec, to see federal institutions and symbols such as the Canadian flag as national ones. And there has been considerable ressentiment over the efforts by successive Parti Québécois governments to secure the secession of Quebec through repeated referendums in which the would-be secessionists have set the question and the rest of Canada has had no say.10

In the Belgian case, it is not hard to imagine the ressentiment which the slogan of radical Flemish nationalists going back to the 1930s ‘Belgie vrast’, i.e. ‘Belgium burst’, must have evoked. Or how proponents of a Belgian identity would react to the claims of leading Flemish regionalists today that ‘Wallonia would do better believing in itself and building its place in Europe just as Flanders is doing […] The Belgian level is not necessary […] I am certain that there is no future for Belgium.’11 Endless linguistic conflict in recent decades and constant challenges to the authority of central institutions may have bred their own ressentiment among Walloons and moderate Flemish alike. It is significant that a comprehensive 1991 public opinion study of both language communities found that

90 per cent of the Flemish population rejects the idea of a separate Flemish nation, whilst in Wallonia there are hardly any proponents of separatism […] There is a threat of a growing gap between a small Flemish-minded elite, of which the Flemish administration is now the backbone, and the majority of the population, which is out of tune with the rapidly evolving constitutional developments.12

English national sentiment, for the moment, is more focused on the European Union than on Scottish or Welsh devolution. Yet the West Lothian question as it
has been termed – i.e. the question of denying Scottish (or Welsh) MPs in Westminster a future say on matters affecting England, but not Scotland (or Wales) – is almost certain to arise if major powers formerly administered from London are transferred to Edinburgh (or Cardiff). And a sense of Englishness cannot but follow on the playing up of the Scotishness or Welshness of the other inhabitants of Britain, and with it, quite possibly, an element of ressentiment towards them. As Simon Heffer observes:

Thanks to the cause being taken up by various English newspapers, increasing numbers of the English are now aware of what Scotland costs them, and that it has better parliamentary representation per head of the population than, say, Essex or Lancashire […] Moreover, when they hear the likes of the leader of the Scottish Nationalist Party declaim his right to govern himself, they interpret him as voicing an anti-English sentiment. Something stirs in the blood of the English. The whole notion stimulates, and offends, their atavistic sense of fair play and decency.

For the members of majority-type nationalities are not prepared to play the historical villains of the piece ad infinitum to suit the interests of radical minority-type nationalists. Nor are they prepared to engage in one-way games of recognition with minority-type nationalities. Not only must recognition go both ways, they would argue; there is a common interest that weaves Canadians and Québécois, Spaniards and Catalans or Basques, English and Scots, Flemish and Walloons together – the ties of shared citizenship.

Citizenship introduces a further variable into our discussion. Like nationalism and nationality, it is a term with many meanings. For certain purposes, it can be seen as one and the same thing as national identity, as in the term ‘S/he is a Spanish national’. Yet for other purposes, it may well be possible to distinguish between nationality and citizenship, as in the phrase, ‘A Catalan is also a Spanish citizen’. Then there are other complexities that have entered into the debate, e.g. with the introduction of the concept of a European, alongside a Belgian, British or Spanish citizenship.

The concept of citizenship may help us to distinguish between those forms of minority-type nationalism that aim at the creation of self-standing nation-states and those that do not. To the degree that the Parti Québécois aims at the establishment of a sovereign Quebec, the SNP at an independent Scotland, or EH at an independent Basque state, there can be little illusion that citizens of such states would for long retain their Canadian, British or Spanish citizenships. Internationally recognized Quebec, Scottish or Basque citizenship would mean, as surely as night follows day, that Quebec, Scotland or the Basque Country, had become sovereign states. This is a lot more clear than a simple statement affirming that the Québécois, Basque or Scottish constitute nationalities – without, however, their own express forms of citizenship.

Survey data would suggest that it is only a minority of Québécois, Scots, Basques or Flemish who actually desire the type of recognition associated with
full-bodied citizenship.\(^{15}\) While a Québécois or Basque or Scottish or Flemish sentiment may be stronger than a Canadian, Spanish, British or Belgian one, it is also the case that many feel an attachment to both dimensions of their identity. Or to put it another way, most would like to retain their Canadian, British, Spanish or Belgian citizenship, even while being recognized as Québécois, Scottish, Basque or Flemish. Any constitutional arrangement which allowed this to occur would almost certainly carry the day.

Where does this leave the possible relationship between majority- and minority-type nationalisms? If we peel away many of the other levels of majority national sentiment, the bottom line can probably be summarized as follows: the desire to maintain common citizenship and an ongoing state structure with the members of minority-type nationalities. Once this has been secured, much else may be possible. There may well be room for acknowledging the distinct national identities of Québécois, Catalans, Scots or Flemish, though some may be more reluctant to acknowledge this than others; there may be a willingness to consider different kinds of institutional arrangements, though these would need to be carefully negotiated with clear trade-offs between majority and minority interests, between the need to maintain a central state with adequate powers to act for the larger ensemble and reasonable autonomy for the national sub-units that make up that state.

Where minority nationalities are concerned, the bottom line can also be summarized in a simple statement – the desire for recognition for their distinct national identity. This can be best secured by restructuring the existent state better to take this into account. In the absence of such an option, the only alternative may well seem to be full-scale independence. Yet to secure this, hardline nationalists will need to convince a significant element of moderate opinion within their own communities that there is no other viable option. And they will need to convince them that more is to be gained than to be lost by severing formal political ties with their fellow citizens of the larger state.

The dialectic of recognition and ressentiment as between majority- and minority-type nationalities can ultimately be boiled down to the following two propositions: first, for majority-type nationalists, an insistence on the preservation of common citizenship and an ongoing state structure and ressentiment of minority-type nationalism that seems to threaten the very foundations of the nation-state; and second, for minority-type nationalists, an insistence on recognition of their distinct national identity and ressentiment of demands by majority-type nationalists to subordinate that identity within some larger, all-encompassing nation-state.

Is there any way of surmounting this dialectic? The answer would seem to be No, if one means by this establishing an institutional arrangement which reassures each side that its core concerns have been addressed once and for all and cements the relationships between the different nationalities for all time. But the answer could be Yes, if one means by this achieving some kind of ongoing *modus vivendi* as between the interests of the nationalities involved. Let me explain.

One of the great mistakes of students of federal-type arrangements, especially in multinational states, is to assume that there is some perfect institutional set-up
that will resolve intranational conflicts once and for all. The Canadian Fathers of Confederation may have thought that this was what they were doing in 1867; Pierre Trudeau may have thought the same at the time of the patriation of the Canadian Constitution in 1980–82 and the introduction of the Charter of Rights; but the Quebec question, if I may call it that, has hardly gone away. The authors of the Spanish Constitution of 1978 may have assumed that Article 2 in conjunction with the Statute of Autonomy would allay the forces of Catalan and Basque nationalism once and for all. A generation later, many of the tensions remain unresolved. Belgians have been through at least three major constitutional revisions since 1981 in transforming their country into a highly federalized state;16 yet as we enter the twenty-first century the survival of Belgium as a single entity remains uncertain. As for the United Kingdom, devolution has opened a new and important chapter in its institutional history, but will it put paid to the desire, in Scotland especially, for even more of the powers associated with the nation-state?17

We need to be realistic. The mobilizing power of minority-type nationalism may wax and wane, depending among other things on the actions of the central state. Minority-type nationalism may take different forms, e.g. an overwhelmingly ethnic one at an earlier stage, an increasingly civic one today.18 But minority-type nationalists are not about to roll over and play dead, even if federal institutions have been established, even if transnational institutions such as the European Union have made their appearance. Nor are they ever likely to see constitutional arrangements as set in stone, if what they take to be their deeper national interests are at stake. At best, they may be prepared to live with a particular set of arrangements for a finite period of time, reserving the right to challenge these all over again, should need arise in the future.

For their part, majority-type nationalists pine for certainty. They would like to know that institutional arrangements laboriously worked out in the past or revised in the present will survive unchallenged into the future, that a sense of common national identity will in fact come to trump the particularistic sentiments of minority-type nationalities. Inevitably, majority-type nationalists set themselves up for disappointment. For there is no permanent closure in these matters, no iron-clad guarantee that what worked yesterday or works today will continue to work tomorrow. The fault-lines underlining the structure of federalized multinational states can lead to convulsions at any time, to political crises requiring attention. There can be no permanent solution to their problems.

We who live in multinational states must be content with second-best solutions. These rest on a form of trade-off between the demands of the two or more nationalities that compose such states. Majority-type nationalities must come to accept the fact that minority-type nationalities define themselves as different and that these differences will have to find institutional expression, if multinational-type states are to survive. Minority-type nationalities, for their part, must acknowledge certain limits to their quest for recognition, limits which the bounds of shared citizenship and a single state structure where the outside world is concerned dictate. Political battle-lines revolve around where the exact lines of demarcation between these two positions ought to lie.
Here the practices of different states can differ enormously. In the British case, for example, there have been relatively few problems over recognizing that, sociologically speaking, the Scottish or Welsh constitute nations different from the English. As Lindsay Paterson observes: ‘The fight in Scotland is not over whether the nation exists – as it has been in Brittany, Quebec, Catalonia, the Basque country and Lombardy.’ A good deal of energy in the Canadian, Spanish and Belgian cases has been expended by minority-type nationalities in order to secure just such symbolic recognition – with varying results until now.

In the Canadian case, Quebec secured important jurisdictional and taxing powers from the very moment of the creation of the Canadian state. In the other three cases – Belgium, Spain and the United Kingdom – a great deal of energy has been expended by minority-type nationalities in recent decades in securing some of the powers which Quebec has long enjoyed. Yet this has hardly curbed the desire by Quebec governments since the 1960s for still greater powers vis-à-vis the federal government or, in the case of the Parti Québécois, for out-and-out sovereignty.

Asymmetrical arrangements may be one solution that appeals to the proponents of minority-type nationalism. Under certain circumstances such arrangements may be acceptable to the adherents of majority-type nationalism as well. But such arrangements require carefully negotiated trade-offs and would result in a degree of complexity that may pose problems, both for politicians and public opinion. They also presuppose multiple identities rather than the single one associated with the traditional nation-state. This may well be the direction in which the world is heading – the European Union, for example. Yet European citizenship, as students of the European Union know full well, takes a distinct second place to the primary loyalty citizens still give to their country of citizenship. We should not assume that multiple loyalties come easily to people; intellectuals with their cosmopolitan values or capitalists with their global interests are not necessarily representative of public opinion as a whole. Asymmetrical federalism would require a serious commitment by elites from both majority- and minority-type nationalities to bring the rest of the population along – no small undertaking in an age of democratic deficits and the bashing of politicians.

Confederal arrangements have a simplicity to them, when compared to assymetrical federal ones. But they are much less likely to appeal to majority-type nationalities than to minority-type ones. The larger units of the latter, e.g. provinces such as Ontario or British Columbia, regions such as Andalusia or Valencia, are not likely to take well to the one-on-one arrangements which Quebec or Catalonia would secure vis-à-vis the rest of Canada or Spain. They would insist on equality of treatment and would adamantly oppose any veto power for the smaller member(s) of a confederal arrangement. Nor would confederations easily survive the periodic crises that might arise because of conflicting interests between majority and minority nationalities. With little common sentiment to cement them, they are unlikely to endure.

So we may find ourselves stuck with verity III, federal-type arrangements as the only way of trying to reconcile the conflicting interests of the different nationalities. Yet federal-type arrangements, in cases like Canada, Belgium and
Spain, combine territorial and national-type units. And they allow neither a clear-cut expression of national recognition, on the one hand, nor an entirely undifferentiated treatment of the different units, on the other. As a result, neither the believers in verity I nor verity II are likely to be completely satisfied. Perhaps that is the best that we can hope for.

Let me conclude with the following observation. Ressentiment does not provide a satisfactory basis for living together. Multinational states need to go beyond the politics of ressentiment on both sides – though they cannot do so unless they first acknowledge that it has been and is an important factor in the underlying dynamics of its population. The task multinational states face is to win mutual recognition between the adherents of verities I and II, with some variant of federalism providing the ballast for this. Mutual recognition, in turn, entails understanding that there is a threshold beyond which neither side can go – renunciation of shared citizenship where majority-type nationalities are concerned, renunciation of national differences where minority-type nationalities are concerned. The only kind of nationalist sentiment that can work in multinational states, or in the European Union for that matter, is a self-limiting one, prepared to take into account the interests of the other party, of minorities, and so on. But for self-limiting nationalism to work, the more moderate forms of nationalism within each camp – the majority-type, no less than the minority-type – must be able to contain more militant forms of nationalist sentiment.

A tall order when we think about it, easier to agree to under fair-weather conditions than under foul. Easier perhaps to agree to in Santiago de Compostela where the colloquium that inspired this volume was held than in the somewhat less inspired conditions that constitute our fractious collective lives. So maybe we need a sense of heightened time, of the vision of the Travertine Sybil: ‘The years will be as short as months, the months as weeks, the weeks as days and the days as hours.’23 The clock is ticking for those of us who take the challenges facing multinational states to heart.

Notes

2. Cf. the contributions by David Marquand, Bernard Crick and Christopher Harvie to Crick (1991) for some reflections on such questions.
3. For an example of this in the Canadian context, cf. Resnick (2000a).
9. ‘To have common glories in the past, a common will in the present; to have accomplished great things together, to wish to do so again, that is the essential condition for being a nation’ (Renan 1994: 17).
10. This helps explain the strong support in English Canadian public opinion for efforts by the Chrétien government in late 1999 to lay down tough conditions to govern any future Quebec referendum. Cf. ‘86% in West want clear question’, *Globe and Mail*, 29 November 1999, p. 1.


15. Thus 59 per cent of Quebec respondents in an October 1995 poll agreed with the statement, ‘My country is the whole of Canada’. Sixty-eight per cent of Quebec respondents in an October 1996 survey stated that they were ‘profoundly attached to Canada’. Cf. Pinard et al. (1997: 340, Table 10.6). In Catalonia, only 10 per cent of respondents in a 1992 poll favoured independence; by contrast, 41 per cent wanted greater Catalan autonomy within Spain; 33 per cent were content with the existing degree of autonomy; and 9 per cent wanted less or no autonomy for Catalonia. Cf. Keating (1996: 132, Table 5.2).


17. ‘It is now inevitable that a consensus will emerge in Scotland over the next couple of years that more powers should be devolved to Holyrood. The often-quoted “settled will of the Scottish people” is nothing of the sort. Labour is about to discover that devolution isn’t an event, it’s a process’ (Kenny Farquharson, ‘Whitehall Wakes to a Devolution Hangover’, *The Times*, 2 January 2000).


22. ‘What is clear is that dyadic and triadic federal (including confederal) partnerships are almost always prone to particularly serious tension. Rarely has it been possible following a secession or breakup of a union or federation to establish an alternative form of economic or political partnership for a considerable time thereafter because of the polarization and hardening of attitudes that is usually around in the process of separation’ (Ron Watts, ‘Examples of Partnership’ in Gibbins and Laforest [1998: 389–90]).


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Over the last quarter of a century, migratory pressures and the demands of territories claiming cultural and political autonomy have led to profound debates in liberal democracies as regards the relationships between citizen, nation and state, both at the theoretical level and with respect to public policies and institutional models for territorial distribution of power. This discourse has concerned both the decisive role of the concept of nation in the democracy of single-nation states, and the replacement of assimilational policies by the recognition and accommodation of minority nationalities within multinational states. It is on this latter aspect that I focus in this chapter.

In the sphere of normative political theory, this new state of affairs has engendered, among other things, a broad set of sound analyses and arguments that are commonly grouped together under the general heading liberal nationalism (Tamir 1993; Laforest 1993, 1995; Lind 1994; Yack 1995; Bonin 1997; Seglow 1998; Patten 1999). This is of course an extremely unhappy label because, as we shall see, the reformulation of the concept of nation that derives from the normative demands of democracy according to this current of thought deviates significantly from the customary postulates of political nationalism. On the one hand, many of the most effective strategies and rhetorical themes of nationalist political movements fail to withstand the least scrutiny in the light of normative democratic theory. On the other hand, normatively sound tenets and arguments are not wont to excite the enthusiasm of nationalist leaders, because the caution proper to the defence of pluralism and individual rights tends to blur the mobilizing clarity of a ‘them or us’ attitude. In fact, in spite of arguing for the normative validity of the nation in liberal-democratic theory, many ‘liberal nationalist’ authors refuse to accept classification as ‘nationalists’ because of the ideological connotations of the term, while others qualify the term ‘liberal’ with republican or communitarian modifiers.

Two groups of arguments that have recurred in the course of the debate are of special interest to us here. The first comprises a series of explicit reflexions on the normative place of the nation in the theory of liberal democracy, a theory that has traditionally taken the nation-state for granted, as a self-evident fact. This unquestioning implicit acceptance of the identification of political and cultural boundaries has eventually led to the theoretical foundations of the liberal state itself becoming ‘opaque’ (Canovan 1996) and ‘banal’ (Billig 1997). The second
skein of thought has taken as its starting point the evident abundance of illiberal components in the organic or ethnocentric concepts of nation that in Western tradition have dominated both the nationalism promoted by nation-states themselves and the emergent nationalism of sub-territories within them (Parekh 1995); since this inherent illiberalism clearly makes it impossible to reinstate the nation in democratic theory if the nation is understood in any of these senses, a number of authors have set about the theoretical reconstruction of the concept of the nation in the light of the normative requisites of liberal democracy, with a view to discriminating between those concepts of nationality that are philosophically and ethically justifiable and those that are not.

In this chapter, by criticizing or developing a number of themes that have appeared more or less fleetingly in liberal nationalist writings, I sketch arguments in favour of a strictly political concept of nation concordant with the demands of contemporary democratic theory. According to this view, nations are not to be considered as given entities susceptible only of recognition, but as ongoing processes of construction of collective identity and rights through participation, competition and deliberation. It is a view requiring in turn that politics – both political institutions and political action – be seen not as the mere exogenous expression of a prior, objectively given nation, but as the endogenous, productive, contingent means of articulating the continuous creation of national identity.

I shall try to show that the proposed explicitly political, constructivist concept of nation, far from reducing nationhood to an irrelevant ‘cultural artifact of modernity’ (Smith 1995: 7), establishes two much-needed arguments: first, a normative foundation allowing fruitful intellectual debate concerning concrete solutions accommodating multinational federalism as a plausible alternative to the political logic of statehood; and, second, a tolerant framework admitting contributions to the debate not only from acquiescent majorities and minorities, but also from movements such as organic nationalism, or constitutional or republican patriotism, whose alternative concepts of nation are themselves characterized by a civic or ethnic unilaterality that tends to deny other possibilities of understanding nationhood.

The nation as one of democracy’s fundamentals

Writers on liberal nationalism have begun by showing that in modern theories of democracy the emphasis put upon the organization of kratos has been accompanied by almost total neglect of the definition of demos, which has been taken for granted as self-evident. It is as though a far from innocuous avoidance of this topic had been inspired by the fact that the peoples composing states have historically been delimited through processes of conflict that are themselves foreign to the principles of the democratic state and the rule of law. Shying in this way from discussion of the nature of demos has permitted the persistence of the following three serious shortcomings of contemporary democratic theory:
1. Neglect of the capital importance of nationhood in the workings of liberal democracy, and of the close links between patriotism and nationalism that, in spite of such implausible theoretical constructs as the proposed dicotomy between ‘civic nation’ and ‘ethnic nation’, have been well established in modern states ever since the French Revolution.

2. Identification of political boundaries with cultural boundaries, with the result that the state is not in practice culturally neutral but, extending the functional scope of its authority beyond the political administration of its territory, propagates and imposes the ethno-cultural identity of the hegemonic majority through its policies and institutions.

3. Failure to acknowledge the decisive degree to which the autonomy of the individual predicated by liberalism depends on the meaning lent to options, practices and institutions by the cultural and linguistic environment in which the individual makes his or her decisions.

Let us examine these failings in turn.

As we have seen above, liberal nationalism stresses from the outset that democracy requires prior definition of demos. Agreement on territorial scope is an inevitable part of the legitimation of the state, and is logically prior to the configuration of its democratic institutions (Greenfeld 1992; Smith 1995). It is often overlooked that the legitimacy of the democratic state has this two-fold origin requiring not only the agreement of its citizens as to the safeguards and procedures pertinent to the election of a government with a rightful claim to obedience, but also their agreement to belong to one and the same politico-territorial unit, within which the democratic institutions of the state are to hold sway. This dual legitimation is important: a number of theorists of liberal democracy have noted that problems as to who belongs to democratic units cannot be settled within the democratic theory of rules of decision, since democratic process presupposes the existence and legitimacy of a populational and territorial unit. If a proposed unit is not deemed to be legitimate, if its populational and territorial scope is not held to be justified, it cannot be legitimated a posteriori solely through democratic process (Dahl 1989: 207). The impossibility of determining who the people is on the basis of classical normative democratic theory derives from this theory having ignored the two-fold origin of the legitimacy of the democratic state; and this has led inexorably to the identification of state and nation.

This ‘oversight’ on the part of classical theory is striking in that ‘historically, democracy emerged with the sense of nationality’ (Greenfeld 1992: 10). At the roots of the modern idea of the liberal state lie both the attribution of sovereignty to the nation and the recognition of the equality of its citizens. In the course of the version longue of the French Revolution, the language of republicanism that introduced the concepts putting an end to the ancien régime (the National Assembly, constituent power – Révolution itself) first competed with, and then became progressively united with, the language of nationalism that was defining the French people by proclaiming its unity of history and tongue and creating the foundational myths – egalitarian Gallic antiquity (Thierry), Celtic freedom
(Michelet), and so on – until finally republicanism and nationalism merged in a single discourse as the two sides of a single coin (Máiz 1992; Thom 1995; Meadwell 1999; Juaristi 2000). Rather than being separated by an insurmountable barrier, nationalism and liberalism converged to a striking and intimate conjunction, with the theoretical construction of the liberal constitutional state presupposing the existence of the people as nation: ‘It would be ridiculous to suppose the nation itself bound by any formality or by the Constitution [...] if it were necessary for a Nation to have a positive form of existence in order to be a Nation, then it would never come into being’ (Sieyès). Accordingly, we sometimes find that the liberal-democratic discourse transmits national values (as in the symbolic expulsion of the nobility to Franconia), and at others that the nationalist discourse of the state undeniably propagates democratic values (as when it contrasts mythical Gallic equality with Frankish privilege).

In the United States of America, too, the discourse of the new social contract, the federal pact, the rights of man and the apotheosis of liberty and the citizenry, in providing foundations for the state that myth would present in terms of cataclysm, providence and universal destiny, becomes inextricably intertwined with an underplayed but pervasive strand of the organic nation that it supports: the strand that sees civic virtue in the profession of religion, confronts the myth of the ‘melting pot’ with the ethnic and social dominance of a ‘white nation’, and undermines cultural plurality by imposing the English language (Marienstras 1977, 1988; Zelinsky 1988; Spillman 1997). These two arguments for the legitimacy of the liberal state are so interwoven, and so implausible is any endeavour to separate pure civism from nationalism, that it is the latter, the nationalism of the nation-state, rather than ‘republican passion’, that drives the most readily aroused civic patriotism (Taylor 1997: 40). Critical reappraisal of the discourse originating the nation-state cannot ignore either of these two argumental strands or fail to explore their mutual debts and connections – as, indeed, has been highlighted by recent debate on the ‘procedural Republic’ (Sandel 1996).

Pursuing a classical theme of authors such as Rokkan or Gellner, liberal nationalism has rediscovered a key function of the nationalist aspect of modern liberal states. Modern economies need a technically qualified workforce, the production of which in turn requires a standardized, universal educational system that inevitably incorporates its educands – the citizens of the state – in a specific culture with a specific language. Thus the political unit consisting of the nation-state, and the culture and language that it promotes, give birth to a new collective identity. Furthermore, equality of opportunities in the labour market depends critically on the citizen’s integration in this state-protected linguistic cultural community (Kymlicka 1997: 28). Thus, three logically distinct spheres – national economy, national culture and the nation-state – are confounded to the benefit of the identification of political and cultural boundaries. In short, the social development of We the people leads self-evidently and ‘naturally’, both in Europe and in the United States, to its metamorphosis into La Nation Une.

The normatively healthy working of democracy requires a respectful but active citizenry, a citizenry highly involved in the exercise of power, which in turn
requires the citizen to have a high degree of confidence in fellow citizens and in
democratic institutions; and the more the participation and political deliberation
required of the citizen by democracy, the greater the need for trust and mutual
commitment among citizens. Further, the more comprehensive the welfare state,
the more it too requires solidarity and mutual trust, since social justice and equity
can be attained only with the support of the citizenry. Thus, the democratic state
embodying the rule of law depends upon mutual trust among citizens as much as
upon their trust in democratic institutions. It should not be ignored that such
mutual trust is promoted as much, if not more, by bonds of nationality as by
republican conviction or loyalty to a constitution (Verfassungstreue).

The three traits of democratic theory sketched above are powerful arguments
that have led to the configuration of liberal-democratic states as nation-states,
and to the development of constitutional rights, democratic institutions and
procedures for participation and control (all called for by civic patriotism) being
pursued, it must once more be stressed, in intimate connection with the development
of a collective identity based on a common language and culture, a common
account of history, and the drawing of a sharp delimitation between ‘them’ and
‘us’ – in short, the development of a common ethnicity as a set of ‘memories,
values, myths and symbols’ (Smith 1986: 14). The nation having thus, alongside
democratic institutions and procedures, become a decisive source of legitimation
of the state, every state has proceeded in such a way as to turn the variegated
population occupying its territory into a single homogeneous nation. Similarly,
the identification of the public interest with the interests of the nation has led
states to adopt assimilationist policies aimed at achieving the cultural, linguistic
and mythico-symbolic homogeneity of their subjects, the efficacy of the process
of nation-building thus being decisively linked not only to the power of a pristine
assortment of symbols or a common linguistic identity (often the result of public
linguistic, educational and cultural policy rather than a prior fact), but also, among
other things, to the process of state-building, the construction of the liberal state
with its language of liberty, equality, progress and the consolidation of democratic
institutions.

Note, moreover, that the identification of nation and state works both ways:
when voices arose contesting the thesis that every state should create its own
nation, they were nevertheless trapped within the logic of the arguments used to
support the nation-state. This is evident, in particular, in the Principle of Nation-
alities itself (‘every Nation has a right to its own State’). Thus, prey to the same
empirico-transcendental syntagma as their opponents (the nation-state), the
nationalisms of the ‘stateless nations’ adopt, supposedly inevitably, first, the goal
of statehood as an end in itself (notwithstanding any temporary strategic
relinquishment of that goal in exchange for lesser degrees of autonomy), and,
second, the notion that the state to be won by the stateless nation should itself be
a nation-state, and hence a nationalizing state (Brubaker 1996: 56) or ‘ethnocratic’
state (Stavenhagen 1996), aiming to impose upon the inhabitants of its territory
its own dominant language and culture by means of its own policies of assimilation
and integration.
Thus concludes what may be regarded as the first phase of the liberal nationalist discourse. Conventional democratic theory is found to rest upon unchallenging acquiescence to an insidious chain of semantico-conceptual identifications: people = nation = state.

The second phase of the liberal nationalist discourse explicitly addresses an issue immediately thrown up by the first phase: the situation of those democratic states in which the *demos* is in fact evidently a set of more or less distinguishable *demoi*. How can the contradiction between democratic and monocultural nationalist logic be overcome in these cases? If the tacit conspiracy of patriotism and nationalism traced in previous paragraphs is inevitable, the state, through its educational, political and economic policies and institutions, imposes the culture, language and mythology of the majority, confounding these social organs with the democratic principles of its institutions. But a state in which the language of the majority is favoured in the educational, political and economic spheres; in which it is the majority culture that is officially protected and promoted; in which the account of history enshrined in legislation and promulgated through the educational system and the mass media is written from the viewpoint of the majority; in which it is the myths and public symbols of the majority that are present in official monuments, festivities and icons; a state so constructed bestows upon the citizens belonging to that majority an immense advantage over those belonging to its minority cultures. The liberal state in which nationalism is identified with patriotism and political boundaries with cultural boundaries thus traditionally presents those of its citizens belonging to minority cultures with a harsh choice between assimilation in the majority culture or relegation to a second-class, culturally beleaguered citizenship in which non-standard cultural attributes, notably the use of a different language, are excluded from important spheres of activity and restricted to private use. And since in modern industrialized societies it is practically impossible for a language to survive if it is not nourished by everyday use in commercial, financial, political and educational life (in particular, if it is not the language that facilitates success in the labour market), then its fate is seclusion in isolated rural communities or degeneration into a set of ritual formulas.

Now there are numerous states, such as Belgium, Canada, Spain or Switzerland, in which a number of different linguistic groups or cultures coexist and in which both the assimilatory process sketched above and the separatist movements of national groups are more or less successfully avoided. With an eye to states of this kind, some participants in the liberal nationalism debate have developed, as a ‘third way’ intermediate between the engrossing nation-state and the collection of nation statelets, a normative theory aimed at reconciling majority and minority national groups by, in particular, acknowledging the legitimacy of claims by historically verified minority nations to territorial and cultural autonomy within the state (Kymlicka 1995; Tamir 1993). This theory radically reformulates the relationships between people, nation and state, conceiving the nation as the cultural context of the autonomy of the individual.

More specifically, attention is called to a series of normatively relevant facts:
1. Within a number of states there coexist several different cultures, each with its own language, history and mythology.

2. These cultures are minority nations in that they are associated with a particular territory (unlike immigrant minorities, for example).

3. These cultures are not a vestige of the past that may be expected to disappear in the course of time, as certain theorists of modernity predicted, but are defended and promoted by intellectuals and political parties and movements that demand cultural autonomy and self-government (whereas the aim of immigrant minorities, for example, is precisely the contrary: a multicultural state).

4. In most cases, such demands are not presented as gainsaying democracy but are made, albeit not without a degree of contradictoriness, on the grounds of human rights and freedom.

Liberal nationalism has recognized these empirical facts (long ignored by analyses of democracy), and has proceeded to develop, within the normative theory of liberal democracy, a theory that is applicable to such situations, that of the multinational state – an entity that is a contradiction in terms for the traditional logic of the nation-state shared by both traditional state nationalism and traditional anti-state nationalism. The theory of the multinational state envisages, argues for and supports the possibility of the peaceful, politically complex but economically cohesive and culturally enriching coexistence, within a single state, of a plurality of nations, with acknowledged cultural differences, that are endowed with institutions of self-government. To the democratic state’s classical plurality of interests and plurality of concepts of good (‘comprehensive doctrines’, in Rawls’s terminology) is thus added a further dimension, a plurality of cultures that is moreover treated not merely as a fact but as a valuable characteristic to be protected by the laws of the state. Needless to say, this further development of democratic theory is pursued without in any way renouncing the fundamental notion that democracy depends upon the liberal state (without a state based on the rule of law there is no citizenry, and without a citizenry no democracy is available); but it does require that the traditional formulation of democracy in terms of majorities, which condemns minorities to structural inferiority, be modified. First, some kind of consociative or federal scheme must replace the principle of global majority rule; and, second, the resulting territorial distribution of the political power of the state must be protected constitutionally from erosion by the acts of transient parliamentary majorities.

Having dissolved and reconstructed the theory of the relationship between the nation and the state, liberal nationalists have gone on to examine the relationship between the citizen and the state. This is indeed logical: the concept of nation sketched above shows that the nation is not necessarily to be regarded as a pathological, irrational atavism that must be superseded in modern democratic states, and that the defence of the interests and culture of minority nations is not necessarily an ideological position exclusive of the anti-liberal right. Furthermore, in the reasonable conviction that there is ample room for moral and political debate on how national identities can be formulated without clashing with democratic theory, liberal nationalism provides plausible arguments for the need to evaluate
and distinguish between morally acceptable and morally unacceptable forms of nationalism (Miller 1996: 409; Tamir 1993; Kymlicka 1997; Taylor 1997; Laforest 1995). And this is where the citizen comes in, for one of the uncritically repeated assumptions of the classical theory of liberal democracy is that the fundamental characteristic of the citizen of the democratic polis, his or her autonomy, necessarily enters into conflict with membership of a particular national or group culture, since such membership is assumed to undermine the universal principles of justice inherent in democratic institutions and to limit the individual’s capacity for critical choice and for reappraisal of preferences and concepts of good.

Against this assumption, and granted that liberty implies the possibility of choice, it is argued that the particular culture in which an individual grows to social maturity may be conceived of as the medium in which his or her choices are made, the medium that presents the available options and endows them with meaning for each particular cultural group (Kymlicka 1995: 83). Granted that individuals make decisions about the practices and courses of action that are open to them on the basis of judgements and beliefs concerning the value of such practices and actions, it must also be recognized that their judgements and beliefs depend to a large extent on the meaning attributed to those practices and actions by their specific culture. The picture of the individual as a radical chooser (Miller 1995) who exercises his or her autonomy by making choices on the basis of judgements free of all preconceived notions, tamquam tabula rasa, is in this way replaced by a picture of a less idealized ‘strong evaluator’ or ‘contextual individual’ (Tamir 1993: 32) whose choices are generally – and without thereby limiting the scope of the values of liberty, justice and tolerance – contextually dependent on a series of criteria and orientations, the acquisition of which has been mediated by the individual’s cultural medium.

Actually, liberal nationalists are not alone in having acknowledged that the cultural medium of the individual influences his or her capacity for choice. Rawls, for example, recognizes that in spite of the neutrality of the state the freedom of the individual has as its context the society and culture whose tongue we use in conversation and thought to express ourselves and understand our objectives, ends and values; the society and culture on whose history, customs and conventions we depend for finding our place in the social world (Rawls 1993: 222); and Dworkin stresses the value of ‘the shared vocabulary of tradition and convention’, which must be ‘protected from degradation and decadence’ (Dworkin 1985: 230–31). Even Ackerman admits the inevitability of talking to our fellow citizens in the constitutional language that they already understand, instead of reconstructing our language and our practices from their very foundations. The languages and cultures to which these and similar remarks refer are, without doubt, national languages and cultures. But the liberal thinkers quoted here, and most others, never explicitly explore the full importance of cultural context for the normative theory of democracy; rather, they treat ‘non-standard’ cultural context as exceptional or as a merely technical problem, without suggesting that it might question the properness of their complacency with the imposition of majority culture. By contrast, liberal nationalists have taken the existence of minority cultures
seriously and have developed their normative theory in consequence, explicitly postulating, first, that the clearest defining trait of a nation is its possessing its own ‘societal culture’, ‘pervasive culture’ or ‘encompassing culture’ (Kymlicka 1995: 76; Smith 1986: 2; Margalit and Raz 1990: 444); second, that this national culture (the content of which will be explored in greater detail below) constitutes the context in which the citizen makes decisions and choices; and, third, that, this being so, a valuable and possibly decisive contribution to democracy is the protection of national cultures by institutional recognition and forms of self-government as a means of relaxing the tensions created by artificial identification of political and cultural boundaries. Liberal nationalism thus proclaims the possibility of plurinational states in which a new logic of institutionalized pluralism based on tolerance and mutual respect is implemented by mechanisms of conso-ciation or multinational federalism.

The political nature of the nation in the theory of democracy

Having seen the main liberal nationalist arguments concerning the place that the nation has held in the democratic state, the place that it should hold and, in any case, its relevance to democracy as such (all of them subjects that have been ignored by classical liberalism); and having, in the process, seen that it is neither necessary nor in general desirable to identify political boundaries with cultural boundaries or the nation with the state, or to treat the cultural identity of the individual as merely an undesirable limitation of his or her autonomy; it remains to consider the characteristics that are required of the nation, granted its legitimate place in the state, by the principles of democracy. Debate on this subject has been complex, with logically distinct arguments often intertwined. Here, however, I shall ignore chronology and distinguish two logically successive stages in the liberal nationalist reconstruction of the concept of nation: the first consists in the exclusion of all clearly anti-democratic diacritic elements of ethnicity, such as race or Volksgeist, and the second in the exclusion of the criterion of ‘shared values’ in its strong sense. I shall then argue that the resulting concept of nation still has severe shortcomings, and that it is necessary, in a third logical stage, to imbue it with political content. Let us consider these three stages in turn.

As we saw above, for liberal nationalists the essence of the nation is its culture, understood as a shared language (in the broadest sense) that sustains practices, traditions and institutions. Clearly, however, when it comes to formulating a concept of nation that is compatible with the theory of democracy the notion of national culture must be defined more sharply, lest the concept of nation end up including traits of a problematic or downright anti-democratic nature. More specifically, and granted that any concept of nation must include a set of core criteria that describe the national community and its members and differentiate them from what is foreign, it is essential to clarify, first, the conceptual and ideological nature of the specific traits to be included among the core criteria, excluding those of a biologicist or exclusively territorial kind, and, second, how
they can be articulated with the concepts of critique, judgement and individual autonomy in a way that respects both the individual’s sense of nationality and democratically expressed will to belong to a nation, and also a plurality of different syntheses concerning the nature of this entity.

It is notorious that proposed criteria of nationality can vary widely. They have included not only language, history, values and traditions, but also Volksgeist, religion and race, and authors of such different approaches as Weber, Kohn, Snyder or Smith have all asserted, on the evidence of the diversity of combinations observed in empirical concepts of nation, that each of these criteria is sufficient and that none of them is necessary. The first endeavour of liberal nationalism has naturally been to rid the concept of nation of such elements as are blatantly incompatible with the notion of a liberal-democratic state. Chief among the criteria thus banished are race, which by reducing the nation to a biological fact incites the citizen to xenophobia; the Fatherland, understood metaphysically as the Lebensraum of the people, an essence superior to and unaffected by mere political boundaries; and the Volksgeist, the spirit of the people, a notion with its roots in Montesquieu and Hegel but subsequently subjected to successive increasingly irrationalist reformulations. This weeding operation leaves, as the core criteria of nationality, a set of characteristics that in a broad sense constitute national culture: language, history, values, myths, symbols.

Whether defining the nation in terms of its culture is democratically acceptable depends in practice on how rigorously such terms are applied and on how broad their content is. Even a concept of nation without overtly racist elements can stifle the pluralism inherent to democracy if it is applied in a communitarian spirit, obliging citizens to relinquish liberty and autonomy by imposing strict adherence to a certain ‘official’ account of the nation’s history, myths and values. Liberal nationalism has recognized this difficulty and, in criticizing characterizations of the bond between citizen and state such as Rawls’s ‘overlapping consensus’, Habermas’s ‘constitutional patriotism’ and Viroli’s ‘republican passions’, which it sees as lacking sensitivity towards the legitimate claims of sub-state nationalism, does not fall into the error of adopting the communitarian ideal of a nation founded upon a shared concept of good. On the contrary, in the interest of coherence with democratic principles, liberal nationalists have explicitly striven to rid the criteria of nationalism of appeals to ‘shared values’ in any strong sense.

They have, first, pointed out that, as one consequence of the two-fold legitimation of the democratic state as civism and nationalism, ‘societal culture’ (Kymlicka 1995: 76) or ‘common public culture’ (Miller 1995: 34) is in principle ambivalent as regards the content of its ‘shared values’. If this term is understood in a strong sense reflecting a more or less communitarian point of view, national culture is the bearer of, and is severely limited by, a certain definite aspiration: realization of a common national concept of the good life, the life to be lived, ideally, by all the citizens of the nation. Such a view of shared values predetermines the nation’s principles of justice (and hence, in part, its institutions and practices), places constraints on its cultural vocabulary – its literary corpus, accepted history and so on – and by these means explicitly or implicitly imposes a single moral
and political outlook presented as discriminating between ‘them’ and ‘us’, between ‘ours’ and ‘theirs’.

Understood in this radically nationalistic sense, the ideology of shared values (Norman 1995) thus makes national culture monolithic, omnivorous and ultimately oppressive. This vision of culture is both empirically questionable (given the undeniable complexity of contemporary societies, which makes it impossible for a single concept of the good life to be shared by all) and normatively unacceptable (since it attacks the plurality of interests, goals, doctrines and concepts of what is good that is essential to democracy).

Liberal nationalists have not, of course, attempted so implausible a task as to expunge all trace of axiological content from national literature and language or from the historical discourse of nationalism; but they have insisted on its not proving oppressive, and on the need for a national identity constructed on the pillars of language, culture and history that poses no threat for plurality of concepts of good. The aim is a ‘polycentric’ nation (Smith 1983: 357) lying ‘outside the normative sphere’ (Tamir 1993: 90), capable of accommodating the diversity of values proper to a ‘distinct pluralist society’ (Laforest 1995: 90) that embraces a ‘reiterative universalism’ (Walzer 1989: 9). It is envisaged that such a ‘thin national culture’ (Kymlicka 1997: 40) will create bonds of national identity without detriment to the basic principles of justice, and give meaning to institutions and practices by setting them in a specific interpretational context without detriment to the individual’s autonomy and concept of good, so generating mutual trust among citizens and between citizens and institutions. National culture is thus held to constitute a firm basis for individual identity – and hence for individual autonomy – precisely because it is not itself based on the requirement of shared values.

We have now seen that consideration of two roles of nationality – in the legitimation of the democratic state, and as the cultural context of individual autonomy – results in rejection of the identification between national and cultural boundaries; and we have seen the two kinds of proposal that liberal nationalists have put forward in order to rearticulate the concept of the nation in concord with the normative theory of democracy, and thus to allow accommodation of demands for cultural autonomy and self-government within institutional frameworks ranging from pursuit of a policy of cultural recognition to formal multinational federalism.

But ‘in their own different ways culturalists ended up naturalizing culture’ (Parekh 2000: 11). So it remains to examine a third idea that in the past has been hinted at but has in my view not been developed in sufficient detail. This third step towards democratically sound nationalism has to do, not with the criteria of nationality or the content of the national culture, but rather, more radically, with the nature of nationality as a dynamic process.

Let me make it clear from the outset that in speaking of nationality as a dynamic process I am not just thinking of what might be described as the gross historical dynamics of the emergence, disappearance or malleability of nations. In particular, I am not arguing the inevitability of assimilatory state-centred processes.
On the contrary, given the dimensions of nationalism – both the social (linguistic, historical and cultural differentiae) and the political (the political demands of intellectuals, movements and nationalist parties) – it is clearly unrealistic to ignore the nationalist phenomenon in the belief that it will eventually disappear due to assimilatory policies or the unregulated pressures of modern society. To adopt such an attitude would be to fail to acknowledge the objective importance of national cultures, and to diminish the institutional recognition that they legitimately demand. This said, it is none the less essential, to my mind, to consider the implications of the constructive, dynamic nature that is an inseparable characteristic of culture and nationality; for, as I hope to show below, this open nature is decisive both for the construction of a democratically sound concept of national cultures and for the rational proposal of specific institutional mechanisms for their accommodation.

What must be kept at the forefront of our awareness is the plural, open character of cultures. Cultures are not fixed, unchanging sets of attributes and are not totally homogeneous. Cultures are neither integrated and organic wholes, nor ‘self-contained units’ (Parekh 2000: 77). They are dynamic processes of re-creation and re-interpretation of their own characteristics, a continual ‘making and re-making’ that involves a multiplicity of dialogues among ill-defined subcultures, factions and groups of insiders and outsiders. This fluidity and pluralism, which is displayed to a greater or lesser extent by all cultures, implies that cultures should be regarded as essentially indeterminate and contingent, as being always in a state of reconstruction and hence always the arena of debate among conflicting conceptions. Furthermore, the extension of the set of participants in the debate is itself essentially hazy, as are the objects of debate: every culture being the superimposition of multiple spheres of existence and activity, its boundaries are blurred and mutable, and the frontier between ‘ours’ and ‘theirs’, and between ‘us’ and ‘them’, is subject to continual fluctuation. In short, every living culture is ‘a fluid process, the scene of constant conflict and contestation’ (Weinstock 1995: 105).

It is considerations of the above kind that have led certain liberal nationalists to found the right to a culture without resort to any holistic concept of collective rights, and without resort to the ‘logic of authenticity’. Thus it has been proposed that the right to a culture should be regarded as a right of the individual justified by the role of culture in providing the context lending meaning to the exercise of individual autonomy (Tamir 1993: 54). Others have admitted collective rights, but only after their reformulation in the light of a distinction between ‘external protection’ and ‘internal restrictions’, the latter being closely scrutinized and stringently limited because of the threat they pose to internal pluralism and legitimate dissent (Kymlicka 1995: 37). Both approaches are spurred by recognition of the need to apply criteria of justice within each culture, bearing in mind its continually changing nature, and by rejection of the concept of ‘authenticity’, i.e. the idea that belonging to a culture consists of passive immersion and socialization in a pristine, traditional, ‘uncontaminated’ version of that culture. In democracy, the right to a culture cannot be construed as demanding unquestioning acceptance of an inherited
canonical form *définie d’avance* (Weinstock 1995: 113), but is instead the right to re-create the culture to which one belongs through the exercise of critical autonomy, creativity and debate. Since every culture is at all times the arena of dynamic competition between rival versions, and experiences incessant exchange between internal and external elements, access to a culture must be understood as active participation in the debate on its creation that is pursued by all those involved (Tamir 1993: 51).

The above considerations concerning the nature of cultures are equally applicable to nations. Sociological and politological studies have repeatedly shown that national identities are not natural, immutable entities, but open-ended constructions (Brubaker 1996; Gurr 1993; Stavenhagen 1996; Nederveen 1997). It is through a contingent political process that the organization, mobilization and discourse of nationalist movements forge a political nation, a process for which ethno-cultural peculiarities are only the starting point, which requires an appropriate economic context and a favourable political opportunity structure (e.g. democracy and, possibly, the existence of policies of recognition or institutionalization of self-government), and which involves competition with other ideologies and parties (Máiz 1997). The original ethno-cultural peculiarities are far from sufficient to guarantee that a particular social group be considered, and consider itself, as a distinct nation; both the achievement of such awareness and the ideological orientation of the nascent nation towards democracy or authoritarianism depend on the contingent result of the political process of national construction. In fact, close examination shows that even ethnicity is a construct created by intellectuals through the grouping together of certain traditions, myths and symbols rather than others (Smith 1986: 75).

It must be stressed that recognition of the open, contingent character of nations – of their susceptibility to political and cultural remodelling – does not, as is often feared, dilute their reality by reducing them to ‘*creatio ex nihilo*’ or to a ‘*mélange*’ of materials that is constantly reinvented to suit the changing tastes and needs of different elites and generations’ (Smith 1995: 13). Rather, it strengthens their reality by permitting a proper account of the plurality of competing nationalist and non-nationalist attitudes and projects that are at work within them, of the ease with which national causes can be harnessed to political programmes, and of the potential of leadership, discourse and institutions for transformation of an inherited national tradition one way or another, making an authoritarian tradition democratic or a tolerant, plural, democratic tradition exclusive, xenophobic and violent.

Now although the open, plural, constructive nature of national identities has been alluded to time and again in liberal nationalist writings, it has hitherto failed to receive normative status, or to crystallize as a concept that relates the pluralism, indeterminacy and inherent dynamism of nations to the fluidity, contingency and openness characteristic of political identities in general (Lois 2000), and which thereby asserts the fundamentally political nature of nationhood. ‘Politics’, of course, being understood not as the vicarious expression of an inalterable ethnic or economic reality, but as the ontological sphere of social and cultural construction through
power and conflict relations (Warren 1999). This is the third step that must be taken in order to complete the theoretical reconstruction of the concept of nation: the introduction of politics among its core criteria in recognition of the openness, pluralism and competitive dynamism that are proper to a true nation’s cultural components. It is necessary, in short, to redefine the nation as a political community. This definition prevents an exclusively ethno-cultural notion of the nation, a notion that ignores the nation’s constructive nature, but does not, of course, imply regression to the concept of a ‘civic nation’ in which ‘politics’ means just liberal or republican patriotism and the participative control of the state by the citizen (although the latter feature is naturally to be retained). In what follows I explore in greater detail what it does imply.

**Common political will**

Given a shared national culture free of anti-democratic factors and shared values (in the strong sense), the concept of the nation as a political community stresses the pivotal importance of political free will. A nation is constituted not only by virtue of certain objective differentiae such as its language or history, but also by virtue of consciousness of nationality: by the will to make such differentiae – or, rather, some interpretation of them, among the many possible interpretations – a reason for mutual recognition (Miller 1995), and by the will to live participatively together in a common territory and collectively to define a project for a common future that does no insult to individual autonomy. Yet nor is the nation an exclusively subjective entity, but something that is both subjective and objective; for a nation’s being an ‘imaginary community’ (Anderson 1983), or existing when a group ‘believes that it constitutes a nation’ (Seton-Watson 1977), amounts to its existence depending on its subjects sharing an intersubjective consciousness of an objective fact, the common national culture (which must be free, plural and open in nature).

The concept of the nation as a political community thus embraces both the importance of cultural differentiae requiring recognition, protection and self-government, and the need for collective determination through a democratic process of political expression, a process that, as the manifestation of democratically generated political will and of a shared habit of thinking about differences historically and in terms that identify and accept them as such (Hampshire 1983), constitutes not so much a plebiscite as a participative, plural, ongoing debate.

**Pluralism**

The concept of the nation as a political community based on a national culture brings to the fore the constitutive pluralism demanded by democratic theory, which is now understood as applying not only to values, concepts of good, ideologies, beliefs and religions (the classical pluralities of liberal democracy), but also to culture. It thus makes it possible to rethink a nation as a complex
whole which comprises both majority nationals and the minority nationals of national minorities (Laforest 1995: 51), and which also includes, albeit in a qualitatively different but none the less active multicultural mode, the voice of immigrant minorities. In short, unlike both the nation-state and the ethno-cultural nation, which evolve or conceive themselves as monocultural monolingual entities, the political nation, the nation as political community, is defined in normative terms, as a multicultural value rather than as a mere empirical fact (Seymour 2000: 235).

This normative value has important implications for the linguistic and cultural policies of all nations enjoying self-government at state or sub-state level. Although ‘hard cases’ will no doubt abound in practice, it is clear that it radically opposes the establishment of ‘internal restrictions’ that, aimed at protecting a supposedly homogeneous group from internal corruption, in fact implement assimilationism and erode the civil and political rights of the citizen (Kymlicka 1995: 35). Instead, eschewing ‘normalization’ policies creating negative incentives for supposedly residual cultures (let us not forget that secession or the attainment of self-government can make a minority group of those who in a wider context were the members of a majority culture), it demands and promotes recognition and respect for all national minorities as rightful participants in the ongoing debate of national construction.

**Deliberation**

The achievement of free, unrestricted participation in the national debate is indeed a primary objective set by the definition of the nation as a political community. If the nation is understood as an open process of constant rearticulation of ideologies, cultures and interests, rather than as an immutable fact, then the nature of its institutions, and its internal and external configuration by means of public policies, must be subject to competition among the various groups, with diverse interests, ideas and values, that aspire to shape its future. Only then, and in this sense, is it legitimate and democratically acceptable to speak synecdochically of ‘the Nation’, taking the political majority for the whole of the citizenry. Furthermore, the configuration, self-concept, future and external relationships of a nation understood in this way are no longer sequestered by tradition and history or poisoned by resentment, because the origins of such effects are open to public elucidation. Thus, deliberation (Máiz 1996) comes to be a fundamental factor in the democratic construction of a nation. The selection of myths and symbols (never neutral), the transmission of history (intrinsically requiring multiple decisions on what to include and what to leave out), the official adoption of a particular set of linguistic norms or practices, the maintenance of relations with other nations within the state and with the state itself, and the definition of economic, social and judicial goals must all be open to public debate by majority and minority groups. The political nation so defined is worlds away from ‘cultural essentialism’ (Benhabib 2002), because placing deliberation at the heart of the nation, far from transforming philosophical considerations concerning autonomy
and its cultural medium into a political argument (Benhabib 1998), subjects the
national culture to public debate and criticism and to the exercise of individual
autonomy.

It is perhaps appropriate at this point to stress something that is often forgotten:
that the holders of collective rights to self-government and cultural and territorial
autonomy, like the holders of individual rights, acquire full autonomy as a group only
to the extent that they have full understanding of their acts, i.e. full understanding
of their authorship of the decisions and institutions that they make and establish.
This is why the political autonomy of groups, as a collective right, is closely
related to the public autonomy through which, by participation and deliberation,
interests are elucidated and criteria for recognition and self-government developed.
Here, as elsewhere, it is necessary to take seriously what Habermas calls the
internal conceptual connexion (begrifflich notwendigen Zusammenhang) between
rights and democracy (Habermas 1996: 242); for there are no collective rights,
institutions or policies of recognition of national identity without a democracy
that ensures that those holding such rights or subject to such institutions or policies
are at the same time, through pluralism, participation and deliberation, their authors.
Collective rights to self-government and cultural autonomy can hardly be formulated
other than paternalistically if the members of the nation themselves have not
articulated and justified, in public debate, the aspirations, objectives, demands
and scope of their national culture.

Two remarks are in order in this respect. The first concerns the question of
dual legitimation that we examined earlier: a state is legitimate if it both guaran-
tees agreed procedures for the participation of its citizens, and is recognized by
the citizenry – be it uninational (‘Wir sind das Volk – Wir sind ein Volk’) or
plurinational (‘société distincte’) – as the politico-territorial unit within which
those democratic institutions are to hold sway. We now observe that for both these
sources of legitimation – agreement on democratic procedures and agreement on
a common politico-territorial arena – it is essential that the citizens integrated in
the state consider themselves, collectively or as individuals, as the authors of the
policies, rights and institutions that they are subjected to or enjoy within the state
so legitimated. And similarly as regards the legitimation of nationality: deliberation
in the form of a political process of debate and decision is essential for the legitimate
construction of a plural nation.

Second, the elimination of shared values sensu fortis from the concept of
national culture means that the ethical content inherent in any democratic process
does not imply a depoliticizing ‘ethical narrowing’ of institutions obliged to
act in accordance with an hermetically closed set of values and sutured identity
(Habermas 1996: 279). On the contrary, it places the nation’s contingent political
production in the centre of its definition. For ethico-political issues of public
relevance, an ineluctable component of politics regardless of whether they derive
from national culture and tradition or from awareness and interpretation of a
shared social environment and intersubjective experience, are in this way dealt with
through a plural, tolerant, democratic process of deliberation, not by ‘recognition’ of
questionably self-evident facts.
Tolerance

A nation structured as a political community around its citizens’ will for mutual recognition within a common culture, around a pluralism of majorities and minorities, and around the practice of political reflection and deliberation – such a nation will by virtue of this structure necessarily constitute a normative haven of tolerance diametrically opposite in nature to nationalizing or ethnocratic states. And this ‘negative and positive tolerance’ (Thiebaut 1999) concerns not only pluralism with respect to ideologies, concepts of good or comprehensive doctrines, but also, given the coexistence of national majorities and minorities, cultural and linguistic pluralism (Walzer 1997). Furthermore, the tolerant environment created by the culturally grounded political nation allows dialogue with other, competing concepts of nation, such as constitutional patriotism (the nation founded on an agreed constitution establishing universal rights and democracy as interpreted through the history and traditions of the nation itself) or ethno-cultural nationalisms aiming at statehood and the implementation of assimilatory ‘normalization’ policies (Cooke 1997: 283).

The political nation is by definition destined to promote tolerance because it has no fixed, ‘self-evident’ touchstone transcending democratic deliberation, nor assumes as axiomatic the irrelevance of cultural context and the identity of cultural and political boundaries (assumptions implying a culturally impoverished notion of citizenship). It is thus a normative calling of the political nation to constitute itself as an arena for debate among the various possible concepts of nation (or, equivalently, among the various nationalist and non-nationalist ideologies and forces with particular views on nationality); for it holds that the specific politico-cultural synthesis by which the nation is constructed must come about through deliberation and decision. Understood thus, the value of the nation lies in its constituting a forum for discussion and decision, in its capacity for questioning supposedly immutable certainties with respect to political orientation, culture or tradition, in its ability to provide a medium for mutual recognition and for deliberation concerning objectives to be attained and structures of democratic self-government. In short, the political nation – the nation as political community – is a meeting-place for public debate (Webber 1994: 192).

Multinational federalism

Finally, the concept of the nation as a political community affords a sound normative basis for the democratic institutionalization of multinational states: multinational federalism. For, once the classical assumption that people, nation and state are equivalent has been put aside, then there is no reason to claim that every nation must necessarily have its own state and must therefore seek secession from any state to which it belongs; and once the nation has been constructed on the basis of pluralism, deliberation and tolerance, rejecting biological determinism, resentment and that myth of authenticity that feeds the Manichaean dialectic of ‘them’ and ‘us’, then it promotes the acceptance of identities that are negotiable,
rational and reasonable, overlapping, non-exclusive and desirous of self-government in a climate of co-participation, loyalty and solidarity. And these are precisely the theoretical foundations of the multinational federalism that in liberal nationalist debate has emerged as an alternative to territorial or unitary federalism (Laforest 1993; Resnick 1994b; Kymlicka 1998; Requejo 1999; Máiz 1999).

Unlike unitary federalism, a democratic framework that is valid only for, and is a powerful promoter of, uninal nation-states (Gagnon 1998); and unlike consociative democracy, which tends to freeze national differences too rigidly in a particular political configuration (Brass 1991); multinational federalism provides for the recognition of multiple sub-state nationalities and for a dynamic process of ongoing renegotiation and jointly responsible cohabitation. Thus, the democratic institutionalization of plurinationality as multinational federalism allows implementation of the fundamental principles and insights that have emerged in the liberal nationalist debate; and such an implementation will not be the mere institutional expression of these principles and insights because, according to the constructivist concept of political nation that I have argued for here, institutions do not express interests, preferences and identities, but instead create them. Multinational federalism encourages each plurinational state to engage in its own process of coming to terms with its component nations by promoting an institutional framework for deliberation, solidarity and the accommodation of non-exclusive, superimposed identities, a framework with the following features:

1. A constitutional state with no single sovereign (e.g. ‘the people’, which in practice is the majority culture) but instead a shared sovereignty recognizing and guaranteeing a vertical distribution of power and the cultural plurality of the component nations.
2. A distribution of power based on a multinational reality and which accordingly takes between-nation cultural and institutional diversity into account.
3. A political structure defined by agreement but susceptible of renegotiation in the course of an intrinsically unending process in which the interaction among agents and institutions attains successive states of equilibrium featuring explicit corrective mechanisms.
4. ‘Self-rule plus shared rule’, a philosophy of participation and joint responsibility embracing all the components of the federation.
5. An institutionalization of multinationality aimed at the promotion of trust between nations and state and loyalty born of dialogue and negotiation.
6. The promotion of solidarity among component nations with a view to correction of interterritorial inequalities. (It may be noted that this last feature makes multinational federalism a powerful source of support in defence of a welfare state reformulated in terms of joint responsibility, and hence a major force in the struggle for equality and social justice.)

Liberal nationalist thought has produced decisive arguments for revising the concept of the nation in the light of the demands of democracy, particularly with a view to elimination of its inherited ethnicism and rebuttal of the ‘one nation – one
state’ argument claiming statehood for every nation. As a result, it has set about reconstructing the concept from its foundations, beginning by acknowledging that in this area the classical theory of liberal democracy suffers from normative deficiencies that in practice lead to an amazingly little-questioned nationalism of state. Liberal nationalism has nevertheless hitherto remained too closely anchored to an overly reified, albeit culture-based, notion of the nation, a notion that falls short of democratic standards because it ignores the essential role of political processes. Only when defined as an open-ended political community can the nation be constructed as the implementation of that essential normative dimension of democracy that Mancini once described as ‘the collective explanation of our freedom’.

References


5 From nation-building to national engineering: the ethics of shaping identities

Wayne Norman

Nationalism at the state level appeals to liberals today first and foremost as a strategy for enhancing stability and unity in states that might otherwise fragment along regional, ethno-cultural or even class lines. The basic idea here is that national identity is the best form of social cement in modern societies and ‘the precondition for achieving political aims such as social justice and deliberative democracy’. National identity is never just a given, never just a ‘diffuse, taken-for-granted cultural matrix, something one acquires simply by living in a place, breathing the air, being exposed to particular ways of doing things’. National identities are the intended and unintended product of intellectual, political and cultural activity, including the public discourses structured by political leaders and the narratives and sentiments fostered by state institutions such as schools, the army and broadcast authorities. I shall refer to these activities which intend to (or could be predicted to) shape people’s national identities as, variously, ‘nation-building’, ‘nation-shaping’ or ‘national engineering’.

The more tradition term ‘nation-building’ is potentially misleading: it implies that this political activity is essentially about either creating a nation out of some other form of community, or making a national identity stronger. But this leaves out much of what is important in nation-building activity. In most cases a national identity already exists, and political actors are trying to shape it qualitatively and not just quantitatively by addressing the values and beliefs that characterize the national identity in question, as well as the sentiments that bring it to life, so to speak. The term ‘national engineering’ (a term that I have not seen in use before) is intended to capture the sense in which deliberate nation-shaping activities are really a form of social engineering (a concept that has not played much of a role in political philosophy for a generation or more). I will continue to use the more familiar term (at least in the English language) ‘nation-building’ throughout much of this chapter, but it should be clear that I intend it to carry these broader connotations of the idea of national engineering.

Nation-building is, if you will, half (perhaps larger than half) of the active component of nationalism: the nationalist is either engaged in nation-building – shaping or strengthening national identities, attachments and sentiments – or in what we might call nation-mobilizing, justifying and rallying support for policies and programmes by appealing to these identities, attachments and sentiments.
For this reason, the evaluation of nation-building is a large part of the evaluation of nationalism. *What should political actors and state institutions be permitted, encouraged, required, or forbidden to do in the attempt to shape people’s national identities?* Oddly enough, this topic has been largely neglected in recent philosophical attempts to grapple with nationalism. One reason for this neglect may lie in the fact that this issue is deceptively complicated, drawing on and challenging a number of fundamental theories in normative political philosophy. In this chapter I will be able to do little more than highlight some of these issues.

I shall begin by commenting briefly on two issues arising out of the preceding paragraph. First, the italicized normative question about nation-building, above, suggests a further way of understanding the very idea of ‘liberal nationalism’. Liberal and non-liberal nationalists will answer this question in different ways. Liberals are likely to place limits on the kind of national identity that it is appropriate for the state to try to ‘develop’ (e.g. they are sure to be against national identities based on race), and also on the methods that the state can use to ‘promote’ the desired national identity (e.g. they are unlikely to endorse coercive and propagandistic campaigns of ‘public re-education’). In this chapter I shall consider only the former question, about how the kind or content of a national identity figures in the evaluation of nation-building projects.

The second issue I wish to highlight concerns the traditional liberal attraction to nation-building as a strategy for enhancing stability and unity. When we are thinking through nationalism for the multinational state (that is, a state containing more than one group with a national or nationalist self-conception), this is a basic assumption we have to evaluate. In the multinational state (by definition, really) there will be more than one nation-building project in play: first, at least one from the ‘centre’, where rival visions for a national, ‘pan-state’ or ‘majority-nation’ identity will be at play, with federal (or central government) institutions and symbols playing a major role in fostering the identity preferred by those in power; as well as, second, one or more nation-building projects from the regions or the ethno-cultural or ethno-religious minority groups, with sub-state governmental institutions being deployed for these minority-nation-building projects (in cases where territorially concentrated minorities form the majority within sub-units), and other non-governmental organizations, such as churches, serving as vehicles for minority groups lacking the levers of state power. Crucial for understanding the dynamic likely to develop in this situation is that these are rival nation-building projects in the sense that they are competing for the hearts and minds of some of the same individuals; in particular, for the members of national minorities. And being rivals, their strategic behaviour will be interdependent. What the nation-builder at the centre does (or might be planning to do) has a direct effect on what the nation-builders in the regions will do, and vice versa. For this reason, it is anything but obvious that nation-building at the centre will foster stability and unity: on the one hand, it could provoke a more effective nation-building response from elites within the minority nation; but, on the other, it could seem like the only available option if that minority nation-building project is already well entrenched and threatening the continued unity of the state.² The dynamic of rival nationalism is
obviously an empirical matter, but one that can hardly be ignored in a political morality for multinational states that takes justice, stability and unity seriously. (It also raises the question of whether there are credible non-nationalist strategies for fostering stability in the multinational state and, in particular, in the multination state where there are already nation-building movements among the minorities – an issue I cannot examine here.)

What is a national identity? How is it reshaped?

Many books on nationalism never actually define or discuss at a conceptual level the idea of national identity, and others do so only after using the term casually for quite some time. Obviously, this concept is tied pretty closely to the concept of nation: nation N cannot exist unless there are lots of individuals – namely, N’ians – who identify with N or have an N’ian national identity; and individuals cannot have an N’ian national identity unless N exists and qualifies as a nation. The main difference here is the kind of ‘things’ that can be nations (namely, communities) or have national identities (namely, individuals). Both nations and national identities exist because of the beliefs, convictions, sentiments and attitudes of individual people. In this section it will not be necessary to give a deep or abstract definition of ‘national identity’; instead, I will lay out a number of the beliefs, sentiments and values uncontroversially associated with national identities in order to understand in a fairly concrete way the principal targets, if you will, of national engineers. Nationalists shape national identities through subtle and not-so-subtle attempts to instil, eliminate, modify, strengthen or weaken the beliefs, sentiments and values that make up individuals’ sense of national identity.

The following is a general, first-person set of beliefs and sentiments that could be said to characterize and describe someone’s national identity. Many of them are typical of identities in general, for example, of the identities one has as a member of a family or a resident of a city. Not all of these beliefs need be true, though some of them do. I cannot have a national identity solely by virtue of my own thoughts: if I believe I am a member of nation N and that there are millions of other members of N, but if in fact nobody else has ever heard of N, then I am simply deluded. Nations are imagined communities that exist in the imaginations of people; but not all acts of imagination create nations. Some, but not all, of the beliefs on this list could be considered to be necessary conditions for having the national identity in question; and I think that they are jointly sufficient. I do not pretend, however, that this list is exhaustive. Again, my only aim here is to identify the sorts of beliefs and sentiments that nation-builders will be trying to shape.

Here, then, is what I am likely to believe or feel when I say I have a particular national identity with respect to nation N:

- A real community or society called N exists.
- I am a member of N; that is, I am an N’ian.
- Other N’ians I come into contact with are also inclined to believe I am an N’ian.
- N is a nation; N’ians are a people.
- There is a homeland that properly belongs to N (even if it is shared with other groups).
- You can’t become an N’ian simply by moving to the territory occupied by N; but (unless N is a purely ethnic nation) it is possible to become an N’ian even if you were not born of N’ian parents or in N’s territory.
- I automatically consider the children of N’ian parents who are born and raised in N’s territory to be N’ians.
- N existed before I was born and will exist after I am dead (this is true even where N did not get a state to call its own until some point during my lifetime).
- N’ians share certain characteristics that tend to distinguish them from non-N’ians.
- When asked to describe myself to strangers I will assume that it is potentially informative to tell them (in situations where it is not otherwise obvious) that I am an N’ian (in the way that is it potentially informative to tell them my marital status, profession, sex, sexual orientation, hobbies and so on). That is, my membership in N is part of my personal identity; I identify with N; my affiliation with N helps people to identify me.
- I believe that it is appropriate for N’ians to be able to govern themselves; there should be political structures that facilitate the collective action of members of N.
- I take pride in some of the achievements of N (including those that happened before I was born or in which I played no real role); both large-scale collective achievements (e.g. building a healthy democracy or thriving economy, winning a war), and those of fellow individual N’ians (like artists, athletes, Nobel Prize-winners, and so on).
- I feel shame for the crimes, misdemeanors and boorishness of N (including things that happened before I was born or in which I played no real role); both large-scale ‘crimes’ (e.g. systemic racism, belligerent foreign policy or a reckless approach to the environment), and those of fellow individual members (like football hooligans, or an embarrassing prime minister on an international stage).
- Under certain conditions I can feel either proud or ashamed to identify myself as an N’ian when outside my national homeland.
- I could live in another state for decades, and even take up citizenship there, but would still consider myself to be an N’ian, even if I also came to feel myself a member of this other community or nation as well.
- I feel a stronger sense of obligation to fellow N’ians than I feel to non-N’ians, including non-N’ians who are my fellow citizens in a multination state.
- Some of these obligations I feel I owe to fellow N’ians could involve significant sacrifice on my part.
- Although they will make different judgements and have differing sentiments on occasion, the vast majority of my fellow N’ians have similar beliefs and feelings about N.
I need not go into great detail here about any of these beliefs or why they are typical of national identities. The picture here is, I believe, broadly consistent with both the kinds of socio-historical theories about nationalism that came out of the 1980s and the ‘first-wave’ normative theories from the mid-1990s.3

Again, the list of features of a typical first-person national identity gives us a good indication of the potential targets for nation-building. Most of these beliefs, sentiments and values can be modified in some way; and, indeed, in modern societies many of these things change significantly from one generation to the next. Consider, for example, even the relatively straightforward question of the nation’s homeland: over a short period of time members of the nation could come to hold a different conception of what its borders are, of whether some other group also has a legitimate claim to the same territory as part of its homeland, of whether both groups can or cannot cohabit the territory in peaceful cooperation, and of how vital some particular chunk of the historic homeland really is to the nation and to the priorities and well-being of individual members of the nation. The evolution of the conflict between Serbs and Kosovar Albanians over the territory of Kosovo is obviously a case in point. Other potential targets for identity-modification abound on the above list. The features N’ians take to be characteristic of N’ians change, as do the legal, linguistic and cultural criteria that immigrants must satisfy before N’ians are inclined to think of them as fellow N’ians. Old heroes can be forgotten, or their heroism can come to be reassessed; new heroes can be found, both among contemporaries and from the distant past. The same is true of the sources of pride or shame in the nation’s history – these are always open to both reassessment and revaluation. And of course the sense of obligation towards fellow nationals, and the willingness to sacrifice (and even to die) for them, are historically open to change and manipulation, particularly in times of crisis.

These are just a few examples of how different beliefs and sentiments associated with national identities are subject to change and to being shaped by political activity.

Now, nation-building or national engineering projects will typically attempt to shape identities by targeting multiple features of national identities in order to meet certain objectives. Here is a non-exhaustive list of overlapping general types of nation-building objectives:

1. Reprioritizing the national identity: the attempt to make an existing national identity mean more to people who are currently inclined to identify strongly with some other community or identity group as well. The Federalist Papers, for example, can be read as a justification for a constitutional apparatus that would eventually shift the primary locus of Americans’ patriotism from their states to the country as a whole. This sort of goal for nation-building need not even seek to make the national identity in question the most important one, but merely an important one. This may, for example, be the appropriately modest aim of nation-builders at the centre of a multination state who could not expect to supplant the minority national identity, but who want nevertheless to ensure that alongside it is a certain degree of affiliation with and patriotism towards the pan-state national community.4
2. Sentimentalizing the national identity: the attempt to intensify some of the various sentiments associated with the national identity, usually with the aim of making nationals more disposed to nationalist forms of argument, rhetoric and justification, and more inclined to sacrifice on behalf of the nation (i.e. more inclined to accept policies in any domain when they can be called for on nationalist grounds). This could obviously be one (though not the only) strategy for a reprioritizing nation-building project.

3. De-sentimentalizing the national identity: as paradoxical as it sounds, one way in which political leaders may try to shape national identities is to make them less intense – especially after a period of sentimentalizing nationalism that has led to unfortunate consequences, such as a costly or humiliating war, or irrational economic policies. This would likely go hand-in-hand with ‘reconfiguring’ and ‘remoralizing’ brands of nation-building (below). The general aim would be to make nationals less inclined to be moved by nationalist rhetoric and more inclined to accept, say, liberal-democratic forms of arguments (as, for example, in the post-war Federal Republic of Germany, or in post-Tudjman Croatia).

4. Reconfiguring the national identity: attempting to transform the ‘character’ or ‘content’ of an existing national identity, say, to make it more modern, or less ethnic, or to change the kinds of myths, heroes, national rivals that figure in the interpretations people give to their national identities and characters. This process is a multifaceted and continuous one in almost every national society, although it can also be the explicit goal of a political movement including a state or sub-state government.

5. Remoralizing the national identity: attempting to change the normative content of the national identity; for example, the kinds of rights and obligations towards fellow nationalists, the motivations and sentiments needed to have these rights and obligations taken seriously by members of the nation, the visions of the nation’s goals and destiny, or the way the nation thinks of its historic achievements or crimes.

6. Nationalizing the (proto-national) identity: attempting to transform an existing ethnic or religious or regional identity into a new national identity.

7. Assimilationist nation-building: attempting to transform the identities of minorities – whether historical national minorities or those resulting from recent immigration – into the identity of the larger nation or state. This may go hand-in-hand with reconfiguring or remoralizing projects to transform the existing national identity in ways that make it more hospitable to minorities (e.g. by minimizing its ethnic component).

8. Post-colonial, tabula rasa nation-building: attempting to create a pan-state national identity more or less from scratch in a multiethnic state when a new state is created within the arbitrary boundaries carved out by former colonial masters.

Again, any given nation-building or national engineering project could operate under more than one of these categories at the same time, and there are no doubt other possible categories that would be useful in such a list.
I mention these types of nation-building projects here as a way to illustrate two general points. First, that once we consider the many types of beliefs, sentiments and values associated with having a national identity, we can begin to see the wide variety of nation-building ‘targets’. Almost any one of those beliefs or sentiments could be modified in some way by a nation-building project. And from this it would seem to follow that a liberal ethics of nation-building will not be making any blanket judgements about whether nation-building is just or unjust, but rather will have to discriminate between many good and bad forms of nation-building and identity-shaping more generally. Second, this list of different types of nation-building projects reinforces an introductory remark in this paper, namely that nation-building in a pluralistic state almost always involves some kind of competition between different identities, including different national identities. So any attempt to evaluate some particular nation-building project within nation N (say, Britain or Spain), will have to consider the likely implications it will have for nation-builders in nation M (say, Scotland or Catalonia), where N and M claim at least some of the same members.

One final general remark about nation-building politics: political leaders in modern democracies obviously do not have the power to shape the national identities of citizens at will. In an open society their nation-building powers are limited in numerous ways: they cannot control sources of information; political opponents and political commentators may react immediately to explicit signs of their ‘playing the nationalist card’; and there are real limits on the extent to which they can coerce and brainwash large portions of the population (e.g. through the schools or the army, or via broadcast and print monopolies). Now there are certainly places in the world today, and in the past, where political leaders have possessed and used the powers to forge and ‘sentimentalize’ national identities much more effectively. But in developed Western democracies today the power to influence people’s beliefs and sentiments in any realm (i.e. not only concerning issues of national identity) is much more dispersed ‘decentralized’.

Still, there is good reason to be concerned about the role that political actors and states play in trying to shape identities. Although they are not guaranteed success in their nation-building projects any more, there is no question that they still can be successful – especially in situations where a large portion of the ‘political class’ comes to adopt similar forms of nationalism. Examples of successful elite-driven nation-building and identity-shaping in democratic states over the last fifty years abound. Whether or not political leaders are particularly successful in their attempts to use the offices and institutions of the state to shape national identities, their activities still fall within the mandate, so to speak, of a general theory of political morality or a theory of justice. Political leaders can do harm in attempts to shape identities, they can distract attention and divert resources from other state activities that are more deserving, they can stigmatize minorities, and they can legitimize a kind of nationalist discourse that may ultimately be abused by non-liberal nationalists and reactionaries in the future (among other things).

I mentioned above that a liberal political morality can be concerned with both the methods used to change or reinforce identities, and also with the contents
of identities. Again, I will discuss only the latter issue here. (This is not because the issue of methods is not important. Far from it: it is such an important and far-reaching issue that it would require an entire chapter just to begin to lay out the issues.) Is there anything about the content of either the existing or ‘intended’ identity that either constrains or necessitates a liberal nation-building project?

The moral and political relevance of the content of national identities

It has been a commonplace for almost as long as scholars have been studying nationalism to distinguish between what are, in effect, good and bad nationalisms. This has been done largely by focusing on features of what I have been calling the ‘content’ of the national identity; and most commonly on whether that identity had an ethnic or racial basis, on the one hand, or a more ‘civic’ or political basis, on the other. This approach tends to reduce the ethics of nationalism to this one issue about the content of national identity: nationalism is acceptable only in cases where it is based on a civic and not an ethnic identity.

What constitutes the content of a national identity? How is content related to the set of beliefs and sentiments, discussed above, that are typically associated with an individual’s national identity? As a first approximation, it would seem to make sense to look for the content of an identity in some of the beliefs associated with the identity rather than in the sentiments. These beliefs can be descriptive, normative or a mixture of the two: they are what is involved in trying to answer questions such as ‘What is an N’ian?’, ‘Who are the N’ians?’, ‘How can you recognize an N’ian?’ On this interpretation, the content of the identity is bound up with views about formal and informal criteria for membership in the nation, as well as views about the typical traits of members vis-à-vis non-members. This contrasts with other non-content, ‘sentimental’, aspects of national identity which might be elucidated with questions such as ‘What does it mean for me to be an N’ian?’, ‘How do I feel about the great achievements and crimes of my fellow N’ians?’, ‘What sacrifices am I willing to make for my fellow N’ians?’, ‘What forms of self-government and sovereignty are appropriate for N?’, ‘What rights do N’ians have to rule over their homeland?’

The clearest way to understand the idea of an ethnic national identity is in terms of content. An individual has an ethnic national identity to the extent that he or she believes that membership in his or her nation is based on descent, on blood. This will colour all of this individual’s answers to the first set of questions in the preceding paragraph. In particular, he or she will be inclined to think that you can be a true N’ian only if you were born of N’ian parents. At the extreme he or she will include as N’ians the grown children of emigrant N’ians who have never been to N and who don’t speak a word of N’s national language (and even their children’s children, and so on); and exclude grown children born and educated in N of non-N’ian parents even if these individuals speak only N’s national language and will never leave N’s homeland. Indeed, at the extreme, someone with an
ethnic national identity will not see these people as N’ians even after they are granted citizenship in the N’ian’s national state.

Also making up the content of an ethnic national identity are likely to be beliefs involving historical myths of ethnic continuity and purity, as well as a host of (no doubt mistaken) beliefs about the ‘objective’ characteristics of N’ians that distinguish them from non-N’ians, especially the non-N’ians who are internal minorities or foreign neighbours.

Before turning to the contrasting conception of a so-called ‘civic’ national identity, three remarks about the ethnic conception in the preceding paragraph are in order. First, in its pure form, this kind of identity is increasingly rare in the modern world. Nevertheless, if we weaken the conditions just a little bit, then there is a significant ethnic component to many national identities, even in flourishing democracies like Germany, some of the Nordic countries and Greece. And this leads to a second point, namely that the ethnic component in an individual’s national identity is usually a matter of degree, and virtually all national identities have some ethnic or ‘descent-based’ component to them. For example, in every national community I am aware of, the children of nationals born on the national territory are automatically considered to be members of the nation. Where national cultures differ is in the ease with which non-nationals can also come to be (seen as) members of the nation. And this is never simply a question of how easy or difficult it is for them to attain citizenship status in the nation’s state (if it has one); although there is certainly an important relation between immigration and naturalization rules, on the one hand, and ordinary people’s conception of when a foreigner can come to be regarded as ‘one of us’. A final remark is implicit in the way I have been treating national identity and its contents first and foremost as a property of individuals, rather than of groups or political entities. To say that a certain nation has a (relatively) ethnic national identity can mean only that a goodly percentage of the individual members of that nation have such an identity. This is not to deny that national identities are an inherently social phenomenon and the product of social interactions; of course they are, in much the same way that language is. Nevertheless, just as it is only individuals and not groups who can actually speak a language or have an accent, so too it is only individuals who can be the primary bearers of a national identity. Claims about the nature of, say, Québécoise identity or a Québécois accent must always be reducible to claims about how most Québécois identify with their community or pronounce (or elide) their vowels. This may seem like a trivial point, but I think that it has significant implications for understanding key issues in the politics of nation-building, and in particular when assessing ethical constraints on the political use of ethnic identities. If the locus of identity is in the hearts, minds and perceptions of the members of the nation, then political elites cannot simply declare the nation’s identity to be this or that and thereby make it so. Politicians can certainly speak and act in ways that have a profound impact on the way people reflect on their own national identity, but they cannot literally change the nation’s identity with their acts or declarations – just as they cannot change the language by the very act of removing words from, or changing meanings in, the official dictionary.
We turn now to the conception of a so-called civic national identity. How would someone with a civic conception of her nation, N, answer questions like ‘What is an N’ian?’, ‘Who are the N’ians?’, ‘What does it mean to be an N’ian?’, ‘What does it take to become an N’ian’? Civic nationalists – or at least their intellectual apologists – have tended to answer these questions in one or both of two related ways: first, in terms of membership in a political community such as a state or a sub-state political unit (so the N’ians are simply all of the citizens who happen to live in N, regardless of ethnicity, religion, mother-tongue or what have you); and second, in terms of accepting certain basic values, including, typically the fundamental constitutional rights and duties of the state (so the N’ians are those who believe in liberty, democracy, multiculturalism or what have you).

Since the recent entry of philosophers into conceptual debates about the nature of nationalism and national identity, it has been noted several times that both of these attempts to conceive of a non-ethnic form of national identity are beset with problems. Both of them fail a test of ‘realism’; that is, no actual widely held national identity could truly be characterized in these terms. The first ‘territorial’ definition is simply an attempt to define any kind of national community identity other than citizenship out of existence. While this can be part of an official state ideology (as it is, say, in France), it will not capture the working sense of national identity actually held by members, who will come to attach other cultural traits besides formal citizenship to ‘true’ membership in the nation (such as an ability to speak the language, or even to speak it without an accent). The ‘shared values’ definition is even less realistic: there is no nation in the world that you become a member of simply by espousing certain values, and people do not consider fellow nationalists to lose their status as members of the nation just because they reject the shared civic values. We do not somehow conceptually expel skinhead Nazis from membership in our national community; we are horrified or embarrassed by them precisely because they are our skinheads.

There are deeper conceptual reasons why the typical definitions of the civic nation tend to be unrealistic. Neither provides coherent criteria for national membership. The territorial definition begs the question by pushing the issue of membership to the legal level of citizenship. But this provides no rationale for why the state should automatically grant citizenship to children of citizens, or why it does not open its borders to anyone in the world who would like to immigrate. If asked why they should not allow open borders, even elite defenders of the civic-nationalist ideology will find themselves talking in more substantive ways about the community having the right to protect ‘itself’ and its ‘way of life’ (including social, economic and democratic achievements) from the onslaught of millions of potential immigrants from the developing world. Similarly, the shared-values conception of the civic nation cannot explain why immigration (or expulsion) should not be allowed for anybody who professes (or rejects) the supposed defining values of the national community.

Civic nationalism has the markings of a generally good idea that looks silly when it is formulated in any specific terms. There is, after all, something very attractive for liberals in the idea of equal citizenship in a political community,
where everybody is a full member regardless of their ethnicity, gender, religion or mother-tongue. Conversely (and we will pursue this issue more below), there is something very unsettling about a majority ethnic group treating the state as its own and trampling on the civil, political or cultural rights of minority communities. Nevertheless, for the reasons rehearsed above, among others, attempts to conceive of national identities in purely political terms will not work. Or, to put it another way, attempts by political leaders or the state to forge an entirely political national identity seem futile.

Fortunately, shared ethnicity and shared political values are not the only types of ‘identity glue’ available. What both the ethnic and civic conceptions of national identity ignore is a range of cultural traits that typically fill out most people’s conceptions of their national identity. These are the aspects of language, accent, body language, customs, cultural tastes, culinary tastes, shared memories, and so on, that people typically use to recognize each other as fellow nationals, as well as to recognize others who are not. These cultural traits can shade into both ethnic traits at one end of a spectrum and political traits at another. Nations that have a significant ethnic component will tend to see many aspects of their religion, their way of life, their customs, dress, music and cuisine, as having been passed down to them from time immemorial (even if many of these things in fact arrived relatively recently), and they will sometimes talk as if these essentially cultural artefacts were ‘in their blood’. Something similar happens in nations that have a more significant civic or political component to their identity. They will take pride in (and form myths about) their political and social achievements, and they will identify with their political institutions. Some of their heroes will be people who founded or defended these institutions; many of their shared memories will involve essentially political events. The more political components there are to the identity, the easier it should be to accept new members from other national and ethnic origins, be they immigrants or ethno-cultural national minorities. Immigrants will not be seen as ‘one of us’ simply by being in the territory or by espousing certain values; but to the extent that they seem loyal and committed to the national project (which may not involve much more than having a job and feeling grateful to be living in the new land) and begin to share memories and knowledge of at least recent social and political events, then they will come to be seen as members of the national community even if they cannot shake thick accents and awkward syntax.

It is time to draw together some of the threads of this discussion of the possible contents of national identities in order to see the relevance of identity-content to the ethics of nation-building. In particular, how does the nature of the existing or intended content of an identity affect the evaluation of a nation-building (or nation-mobilizing) project?

**Nation-building with ethnic bricks (or mortar)**

There is something undeniably compelling about the traditional liberal worry about national identities with a significant ethnic component. This is not because
there is anything wrong with individuals having an ethnic identity per se – almost everybody in the world has one, and it can combine comfortably with all sorts of other sources of identity for individuals and provide a potentially significant form of rootedness in the world. The problem is when ethnic identity is combined with the desire for political self-determination that is characteristic of a national identity. It seems almost necessarily illiberal to have a political community, like a state or even a province, treated as the ‘property’ of a particular ethnic group, given that almost all such territories will also be inhabited by individuals who are not members of that ethnic group. This is because it will be difficult to maintain a true sense of equal citizenship, where members of the minority do not feel like second-class citizens in the majority’s ‘national’ state. Whether they are formally second-class citizens (or even non-citizens) or not, minorities in an ethnic nationalist state are likely to get less than their fair share of Rawlsian primary goods, including the ‘social bases of self-respect’. They are also unlikely to enjoy political equality, and may find their group permanently outvoted in democratic decision-making whenever their collective interests are pitted against those of the majority. In short, liberals should not generally be keen to associate themselves with ethnic nationalist movements.

This simple judgement, though, leaves most of the live normative issues unresolved. It may be true that liberals would in some abstract thought-experiment prefer a world of civic-nationalist political cultures to a world of ethnic-nationalist cultures, but this does not tell us much about what they should do if they find themselves politically engaged in a political culture with a significant ethnic-nationalist component. In such a society, for example, it is difficult to make persuasive public arguments for any major policy (including good liberal policies) without using nationalist forms of justification. In order to get a clearer sense of the issues about the ethics of nation-building and nation-shaping in such situations, consider the following four general questions:

1. Do liberal political actors in ethnic-nationalist political cultures have duties to engage in identity-shaping projects, such as reconfiguring, de-sentimentalizing and remoralizing the identity in order to weaken its ethnic component?
2. Are there ways of securing true equal citizenship in a multiethnic state even if the majority considers the state to ‘belong’ to their ethnic community?
3. Are there limits for liberals on the use of nationalist arguments to mobilize citizens in favour of various policies (including good liberal policies) when it is known that most of the citizens hold ethnic conceptions of their national identity (even if these liberals themselves have a more ‘civic’ conception of their own national identity)?
4. Are there liberal ends that are so important that they justify appealing explicitly to ethnic national identities in order to mobilize support?

It is possible (and defensible) to answer each of these questions with a qualified ‘Yes’, with the qualifications varying for each question; but this sort of very
general answer can still only serve, at best, to give a ‘big picture’ perspective on liberal intuitions. It will not get us very far in evaluating how actual liberal actors ought to behave in actual political cultures. Nevertheless, at this stage it is useful to note that these general questions point to the sorts of concrete normative issues that liberals face in a nationalist political culture.

The presumption of an affirmative answer to the first question follows from the egalitarian worries about ethnic chauvinism and second-class citizenship expressed earlier. One way to reduce *de facto* (and ultimately *de jure*) discrimination that arises when an ethnic group sees the state (or sub-state unit) as its own is to try to weaken the ethnic criteria for membership in the nation through what I have called reconfiguring, de-sentimentalizing and remoralizing nation-building projects. Of course, this is easier said than done, even for liberal political actors holding high public office; but it does imply a duty to question the myths, values and sentiments that constitute and sustain the ethnic component of the national identity, and to propose credible alternatives. At the very least, it implies a duty under ‘normal circumstances’ not to reinforce the ethnic dimension of the existing identity and the sentiments that underlie it; and hence the presumption of an affirmative answer to question 3.\(^\text{18}\) An affirmative answer to question 1 also assumes that some form of national engineering is permissible for liberals.

The second question points to other ways that liberals could try to secure equal citizenship for ethno-cultural minorities in a state run by an ethno-nationalist majority. One of the problems with nationalism based on an ethnic identity, again, is that this group is often inclined to see the state as its own (and again, the same can be true at the sub-state level for an ethno-cultural group that is the majority in a province). While it typically takes a long time – perhaps generations – to significantly ‘de-ethnicize’ a national identity, it may be possible to ‘remoralize’ some of its normative political content much more quickly. In particular, it may be possible to change people’s conception of homeland in order to accommodate other groups who share a similar historic attachment to the territory, and it may be possible to change the majority group’s belief in its *exclusive* ‘ownership’ of the state. Both of these key components of nationalism can be altered through the constitutionalization of various forms of minority rights (including federal autonomy and minority veto rights) and recognition. In other words, there are ways in which an ethnic identity, even an ethnic national identity, can be made less objectionable in the liberal state. It is possible for groups with essentially ethnic identities to conceive of themselves as sharing a state. This is likely to be easiest when no one group forms a majority (a state of affairs that holds for about a third of states today), as was the case, say, in Yugoslavia before 1990. But even in cases where one group forms the overwhelming majority of the population, it is possible formally to recognize and afford special forms of representation and autonomy for historic national minorities.\(^\text{19}\) All of the major European treaty organizations – including NATO, the EU, the OSCE and the Council of Europe – currently call upon members to recognize the rights of national minorities; though partly because of the recalcitrance of stalwart nation-states like France and Germany, these organizations stop short of calling for the recognition of historic minorities
as full ‘partners’ in the state. (There is ample evidence in multination states from Canada to Croatia to Indonesia that such recognition might be even more forthcoming were it not for fears that it will fuel secessionist ambitions.)

Question 4, above, cuts to the heart of a political morality of nationalism. Since both nation-building and nation-mobilizing are basically forms of politics, and since politics is mostly a means to other ends, a morality of nationalism must consider whether otherwise objectionable means may sometimes justify laudable ends. In short, the moral evaluation of nationalism must be consequentialist to a significant degree. And any consequentialist moral decision-making must contemplate the possibility of having to sacrifice some values for others. In this way, we can certainly conceive of situations in which it might be best, all things considered, for a liberal political actor to behave like (or perhaps even to be) an ethnic nationalist. So there are, in answer to question 4, liberal ends that are so important they justify appealing to and even building up ethnic national identities in order to mobilize support. I have already mentioned the general case of a perennially oppressed ethnic minority. There are good liberal grounds for thinking that such a group is entitled to a substantial array of minority rights. There may also, however, be no grounds for thinking that the ‘normal’ forms of liberal-democratic political activity will be effective for securing those rights. The state may not be democratic and, even if it is, the minority may be too small, too dispersed or too despised to have any expectation of exerting pressure on the majority. There may be no better means for an aspiring political leader from this group – even if she is a liberal at heart – than to try to mobilize her people in standard nationalist ways, and this may typically involve engaging in what I earlier called a ‘nationalizing’ form of nation-building which transforms an existing ethnic identity into a national identity complete with demands for political self-determination. In such a situation it would be unrealistic to imagine that this new national identity would not have a significant ethnic component, since the ethnic identity of the group is precisely the feature that has marked them for oppression at the hands of the majority. Of course, this example of mobilizing an ethnic minority in order to help secure its (liberal) minority rights can serve only as an exception that supports the general presumption against liberals engaging in ethnic identity-building politics. An omnipresent danger in this enterprise is that it will legitimize a kind of discourse that will be much better exploited by one’s non-liberal opponents.

Conclusion

I began this chapter by noting that the main motivation for nation-building at the state level is to promote stability in a pluralistic state. The last example I cited suggests that a prime motivation for nation-building at the sub-state level is to protect the rights and interests of minority groups and their members. I have not, however, attempted here a general case for or against either of these kinds of project. Part of the reason for this is that the structure of such a case will be largely consequentialist: it depends on whether the desired end could actually be achieved by reasonable means at a reasonable cost. And this will vary from case
to case. I have not said much here about what means of changing an identity are reasonable, nor about the costs or dangers that are likely to be associated with nation-building attempts. For the record, I cast some doubt on the efficacy of nation-building at the state level as a means of achieving state unity or stability; and also on the general efficacy of political leaders and state institutions more generally to change identities at will in a modern democratic state.

One thing we can conclude from my discussion of the many components of national identity is that it is impossible for anyone actively engaged in a modern political culture to avoid participating in nation-building – or at least nation-shaping – politics. Individuals’ national identities incorporate a wide range of beliefs, values and sentiments, and it is perfectly legitimate to attempt to modify these through ordinary political discourse and debate. Indeed, it could be said that to be engaged in public debates is *ipso facto* to be engaged in identity-shaping, since identities are built in part on the beliefs and values modified through these debates. Just about every ministry in a typical government deals with issues that touch upon the national identity. The issue for the liberal is not whether to engage in identity politics or not, but rather, how to engage in politics of any sort within a political culture in which there is already an entrenched national identity (e.g. some kind of ethno-national identity) to which one objects. On the one hand, there are certainly obligations to work to modify this identity (e.g. by exposing historical myths on which it may be built), but, on the other, it may be necessary to appeal to this identity to mobilize support for liberal projects.

Finally, I return to an issue flagged in the opening paragraph. The metaphor of ‘building’ in ‘nation-building’ is in fact deceptive here. It implies that we are trying to go from nothing to something, or from something small and weak to something big and strong. But this quantitative dimension is inappropriate for most of the components of a national identity. For example, we can have different heroes involved in different kinds of accomplishments, not simply more or less heroic heroes. Even the sentiments associated with a national identity – which can of course be weaker or stronger – are themselves associated with a variety of complex beliefs about the community and its past. The metaphor of ‘national engineering’ captures more of the multidimensionality of nation-building or nation-shaping, and it also reminds us of the limits on both the acceptable methods and the practical expectations of any form of social engineering in free society.

**Notes**

1. Miller (1995: 162). In some cases nationalism is also a strategy for protecting the territorial integrity of the state from being conquered or partitioned by another state. This is not an irrelevant consideration; but it will not figure prominently here because I am dealing primarily with the cases of modern, democratic multi-nation states that no longer fear foreign aggression. The next quote is from Miller (1995: 178).
2. There is a chapter on the topic in Moore (2001), but this is the exception.
3. The project of attempting to reconcile liberalism and nationalism in the post-cold-war world was led by Yael Tamir’s book *Liberal Nationalism* (1993).
4. See Laforest (1992/1995) for a detailed case study of the dynamics of rival liberal nation-building projects in Canada and Quebec throughout the twentieth century; and see Weinstock (1999) for a more conceptual discussion of this general phenomenon.
7. This is also clearly the aim of identity-building efforts by the European Commission.
8. This is a central theme in Jacob Levy’s important recent book, The Multiculturalism of Fear (2000).
9. For a critical evaluation of this standard modus operandi see Brown (1999).
11. Although it is interesting to note that what people fear (sometimes mistakenly) about ethnic national identities is the intensity of the sentiments they are thought to inspire.
13. The relationship runs both ways. Politicians in the national state of the N’ians will be reluctant to pass a citizenship law that makes it easy for foreigners to become full citizens in N if the ‘native’ N’ians cannot really regard these people as true N’ians. On the other hand, a more liberal citizenship law which allows accession to citizenship for immigrants, combined with a strong conception of equal citizenship and non-discrimination, is likely to have the effect of de-ethnicizing the national identity of the N’ians. This latter process has been clearly visible in the Anglo-Saxon countries of immigration over the past generation or two, as non-white immigrants have come to be embraced as true members not only of the state, but also of the nation. The same is true, at least for large segments of the population, in France and in Quebec.
16. See Rawls (1971: Ch. 2, Section 15).
17. Note: Questions 3 and 4 are primarily concerned with what we might call the ethics of ‘nation-mobilizing’ rather than ‘nation-building’, but they raise issues for political actors who may want to reshape identities in order to facilitate more appropriate means of mobilizing citizens. For example, they may want to try to reconfigure identities so that citizens will be more likely to be persuaded by liberal, rather than nationalist, arguments.
18. The hedge ‘under normal circumstances’ is a significant qualification of this duty here, since ethnic nationalism is likely to be strongest in times that are, or are perceived to be, precarious or in crisis. As many liberals and socialists from the former Yugoslavia have lamented after the events of the early 1990s, there can be very little room for public reflection on ethnic identity in times of crisis and fear.
19. Examples abound. For example, a great many developed states now have significant forms of recognition and special rights for aboriginal peoples as the original inhabitants of the land (in many cases this approach developed after failed and tragic attempts to assimilate these peoples into the mainstream culture). See Levy (2000). The UK is also an early example in the modern world of a state that was explicitly shared by different peoples, as was Canada.
20. For the benchmark liberal theory of minority rights, see Kymlicka (1995b); for key distinctions between different kinds of minority rights and the arguments for and against granting them, see Kymlicka and Norman (2000: 1–40) and Levy (2000: 125–60).
21. We take for granted, of course, that departments Education and such as Defence have explicit nation-building objectives. But, depending on the circumstances, even something as apparently neutral as a public health programme can serve as part of a nation-building narrative (as the elimination of rabies did for the British conception of ‘island self-sufficiency’ – see Favell [1998]).
References

To discuss globalization and national pluralism in the context of Western societies involves discussion about democracy: individual and collective rights, the territorial division of powers, representative and participatory institutions, control mechanisms, the use and hierarchy of collective symbols, national and international decision-making processes, the articulation of state and non-state collectives within emerging supranational organizations such as the European Union and so on. The key question revolves around how to ‘improve’ liberal democracies in contexts that are characterized by cultural pluralism and globalization, and that have become much more complex and plural than traditional liberal and democratic theories had estimated. This ‘improvement’ should include ethical aspects as well as functional and institutional ones. In this sense we could say that even the very concept of pluralism has currently become more plural. Aspects that were not present in the concept of ‘pluralism’ in the legitimizing basis of liberal democracies, such as globalization or the diversification of values and cultural characteristics of collectives that coexist in one same democracy, are now part of the normative and institutional agenda of issues to be resolved in this new century. It seems appropriate to review some of the legitimizing bases of democratic liberalism and constitutionalism in order better to adapt them to globalization and the growing cultural pluralism of Western societies. It will also be worthwhile to revise territorial models linked to liberalism and constitutionalism, such as federalism.

This chapter has two sections. The first analyses democratic legitimacy in multinational contexts, examining some of the limits inherent in concepts such as ‘postnationalism’ or ‘constitutional patriotism’ when used to analyse or establish normative conclusions for plurinational democracies. In the second section, some of the differences between single nation and plurinational federations are analysed from a revision of the German and Spanish contemporary cases. Several possible scenarios are presented for the future of the Spanish state; as well as a defence of the model known as plural federalism, which permits a political accommodation of the national pluralism present in the Spanish democracy.
Democratic legitimacy and national pluralism

The contemporary democracies’ increase in complexity, especially normative, determines that the relationship between the liberal democracies and their various state or non-state nationalisms cannot be sufficiently addressed from the traditional interpretations of Enlightenment political theories. This can be seen in the present theoretical revision of interpretations of the classical notions of ‘citizenship’, ‘popular sovereignty’, and ‘individual rights’ used in the intentionally universal language of the democratic legitimization processes.

One of the aspects of this revision has been to manifest explicitly how all contemporary democracies in practice have acted as nationalizing entities. Independently of which people or parties were in government, democratic states as such have fostered a nation-building project using institutions, symbols and state acts. This becomes potentially conflictive when there is a plurality of national collectives within one democracy. Therefore, one of the key distinctions to be made in the present debate between democracy and nationalism, or in the debate between various federal options for democracy, is between democracies or federations that are uninational (such as Germany, Austria or Australia) or plurinational (such as Belgium, Canada, India or Spain). The latter group possesses a theoretically more complex ‘pluralism’ which implies the need to address two questions that are not raised in the same way in uninational democracies: the political and constitutional recognition of the state’s national pluralism, and the regulation of various national self-governments within one same democratic system.

Recently, two concepts have appeared in the political and academic debate on the relationship between nationalism and liberal democracy: ‘postnationalism’ and ‘constitutional patriotism’. Both are essentially grounded in Habermas’s recent work. We should ask whether these terms provide a fruitful analytical or normative conceptualization of the relationship between liberal democracy and nationalism in the case of plurinational contexts. Do these notions present normative advantages when trying to overcome the tensions between conflictive or competitive aspects arising in a plurinational democracy’s multiple and inevitable processes of nation-building? Undeniably, these terms point towards important elements of the renewed complexity of democratic legitimization in developed societies, in relation to both globalization and the growing internal pluralism of democracies. However, it seems that neither ‘postnationalism’ nor ‘constitutional patriotism’ really answers the question.

Postnationality

The term ‘postnational’ refers to a series of contemporary phenomena of varying types and dimensions: immigration, the increasing presence of media networks and economic/social transnational associations, ever more diluted notions of domestic and foreign policy, and the presence of cultural minorities in contemporary democracies. All of these supposedly erode the state’s capacity to intervene and
direct politics, thus affecting the very essence of democracy. Habermas correctly states: ‘Theoretical development must not fall into the “territorial trap”.’ However, without denying the possible repercussions these phenomena have on democratic processes and institutions, the conclusion that a new ‘postnational’ era is about to be inaugurated seems precipitate to say the least. The validity of this conclusion must be analysed with precise indicators and ‘postnational’ is not a precise analytical term. Its empirical consequences might be more ambivalent than the indiscriminate use of the term would suggest in the various contexts of democracy. In addition, it carries certain normative difficulties, at least in the case of multinational democracies.

The very semantic content of this notion tends to hide the basic issue that needs to be regulated in this sort of democracy: liberal-democratic accommodation of the existing national pluralism. Given its monist model of the state’s demos, the ‘postnational’ concept tends to sideline the question of how to recognize politically and constitutionally and regulate various national self-governments in one democratic system. At least initially, the term does not seem to offer normative advantages that can ‘improve’ the practical institutionalization of democracy in pluralist national contexts and the clearly insufficient answers provided by the traditional political theories. So, when attempting to achieve these two goals in the areas of rights, division of powers, linguistic policies, decision-making and intergovernmental processes, these realities should be accommodated through general theoretical criteria and practical application. ‘Postnationality’ instead acts as a conceptually conservative option in favour of the status quo, assuming as ‘good’ the various national realities of these democracies. Rather than the usual ‘intragroup justice’ adopted by most democracies, it is probably necessary to adopt diverse criteria and consequences when addressing questions of ‘justice between groups’. Following the German case, Habermas’s reflections seem to presuppose a uninal national character in any democracy, in spite of contrary empirical data and comparative politics.

It can be said that neither traditional theoretical perspectives on democracy nor constitutional regulatory practices have tended to treat national pluralism within democracies in liberal democratic terms. Democracies with plurinational societies have seldom treated the various national groups within them according to the country’s own legitimizing normative values. This sort of pluralism has not occupied a preferential place on the normative agenda of liberal-democratic theories or classical constitutionalism. In practice, liberal democracies have proven themselves agents for the cause of the hegemonic national groups.

With regard to their internal national pluralism, liberal-democratic states have acted more as states than as liberal democratic. Although we currently encounter internal pluralism in the national identity of any country with a minority, using the term ‘postnationalism’ will tend to benefit state nationalisms by defending the collective rights of the hegemonic national groups. To imagine that globalization or the construction of supranational political entities such as the European Union could mean overcoming the prior ‘national’ stage would, at the very least, miss the mark. These processes continue to be led by states, and supranational institutions
are the decision-makers in matters of symbols, institutions, linguistics, culture or the articulation of national self-governments. So, for minority nations, ‘postnationalism’ is not a panacea but a bad deal.

**Constitutional patriotism**

This perspective postulates a shared agreement between all the ‘citizens’ of a polity based on liberal-democratic rights, rules and procedures, beyond any ‘pre-political identities’ of a national, ethnic, religious or other sort. These ‘civic’ agreements by ‘individuals’ would be situated both descriptively and normatively beyond the ‘ethnos’. Thus, the national majority culture should not identify itself with the ‘general political culture’. It is important to take into account one of the elements which Habermas adds to the concept and which is sometimes side-stepped by the defenders of constitutional patriotism: a critical perspective concerning the state’s past. This concept is actually linked to recent German history, in spite of Habermas’s universal approach.

Habermas’s critical perspective refers to the German state’s Nazi past, which if forgotten would represent a violation of the constitutional patriotism he champions. Paradoxically, this concept has certain ‘communitarian’ roots, and is linked to a uninational reality. One of its difficulties lies in the fact that it does not explain why this ‘constitutional patriotism’ should be established between specific citizens or groups such as the East and West Germans, but not between Germans and Czechs, or between Swedes and Norwegians after their separation in the early twentieth century. As is often the case with theories of democracy or ‘justice’, such as the one identified with Rawls, the weak point is not found in what they stipulate – which in most cases is democratically unimpeachable – but in what they assume. In this case it is the existence of a shared national identity prior to the establishment of the proposed constitutional agreement. The German identity does not face the challenge of democratically accommodating diverse nation-building processes within a single polity.

Constitutional patriotism is a useful concept when associated with migratory movements or other types of cultural pluralism, for example religious. But it encounters serious difficulties when addressing cultural pluralism of a historical or territorial nature, such as national pluralism within a democracy. We will probably arrive at different conclusions concerning rights, institutions and the like if a democracy is considered internally ‘plural’, composed of only one demos – as opposed to being a plurality. Constitutional pluralism turns out to be a much more adequate concept for democracies in uninational contexts such as Germany or Austria than for multinational contexts such as Canada, Belgium or Spain. In the latter, to not consider the internal pluralism of the polity – as a plurality of demos – would favour only the internal national entities linked to the hegemonic side.

This is an example of the situation alluded to concerning the normative pluralism of democracies, the absence of a political theory capable of synthesizing the various components of democratic legitimacy, and the lack of a more applied or
concrete aspect to some of the theoretical perspectives based on ‘philosophical’ language. Basically, the political reality contains too many antinomies. The very plurality of values, virtues, interests and identities makes synthesis impossible. So, on a theoretical plane we find perspectives and concepts that use approaches established from specific empirical and linguistic contexts, highlighting certain questions, concepts and values, which carry implicit descriptive and normative suppositions. The result is a clear focus on certain problems but not others, and therefore a greater usefulness in certain empirical contexts than in others. When using key concepts from political thought on democracies, it is important to be conscious of the cultural and theoretical limits involved. An example of this would be the concept of ‘constitutional patriotism’ and its difficulties in addressing national pluralism in democracies.

Liberal democracies have no single source of political legitimacy, nor do the various sources possess one same logical form. In the political arena theoretical concepts also tend to be limited to their own hermeneutic horizon. At present there are several versions or focuses of ‘democratic liberalism’. The solvency of each will depend at least in part on the empirical social and cultural context of reference and the question on the agenda – individual or collective rights, parliamentary institutions, linguistic or immigration policy, the new regulation of welfare states, regulation of national pluralism and so on. This is one of the most relevant issues in the present revision of liberalism and federalism in multinational contexts, and each version or perspective is likely to espouse a different conclusion, as we shall see in the following section from the perspectives of the German and Spanish cases.

Uninational and multinational federalism: a revision of the German and Spanish cases

A revision of German federalism

In recent years there have been several initiatives to revise and reform Germany’s federal system in order to adjust it to economic globalization and European unification processes. The strongest critiques of its problems and its dysfunctional working have been based on values and objectives stemming from normative traditions such as the liberal, democratic and functional perspectives. Germany is an example of a uninational federation, so it cannot be extrapolated in every dimension to multinational federations. But it is a good testing ground for discovering the limits of classical liberal federalism in its encounters with the logic of each normative tradition. For example, it demonstrates how far limits can be diluted through ‘cooperative’ techniques, in response to the tension between the liberal principle of federal division of powers in two basic levels of decision-making and the principles of equality and solidarity in the democratic logic of unitary states.

There seems to be a consensus concerning the diagnosis of the problems that the German federal system has suffered since the ‘cooperative’ reforms were implemented. It has become ‘excessively well integrated’ at the decision-making
level, so that it no longer functions as a federation; that is, as a system with territorial division of powers where each level acts under its own political responsibility. A frequent outcome has been immobilization of the entire system, diluted political responsibilities, a lack of transparency in decision-making and a devaluation of the parliaments as representative organs that check the government. The key term in the proposed ‘therapeutic’ reforms is that of disentangling the cooperative mechanisms, seeking devolution of legislative and decision-making powers to the federal units (Länder). This involves ‘taking seriously the federal logic’, and adjusting the territorial model to the changes brought about by economic globalization and European unification. These processes are linked to a fusion/concentration of the number of actors involved in the economic and political spheres, but also to specialization and decentralization of these actors into sub-units. The general principles would be supranational concentration, and sub-national decentralization and autonomy, which allow a greater capacity for flexible responses in the midst of increasing complexity.

The liberal, democratic and functional perspectives dominate in this critical evaluation. However, the present situation demonstrates the opposite logic: bureaucratic centralization, rigidity and decision-making deficiencies. This affects both the jurisdictional arena of the two basic federation levels, as well as their financing and institutional design. The reform proposals seek to increase the autonomy of the federated sub-units, under the principle that each federal level should be clearly accountable for the consequences of its decisions, assuming its own risks in a globally competitive context. The liberal-democratic principle of equality is focused more as equality of opportunities than of outcomes.

In summary, the general criteria proposed for reforming the federation are:

1. **A clear location of the political responsibility both at the federated unit level and at the federation level.** The present federation is even labelled as an ‘organized system of irresponsibility’. From a normative perspective, in both the liberal and democratic views, the citizen has a right to know who is responsible for what.

2. **Transparency in the political structures and decision-making processes.** There can be no real political control of processes that take place behind closed doors, such as the cooperation or ‘third level’ of decision-making in the federation (ministry level conferences, specialized commissions, working groups and so on). The main losers are the parliaments of the federated units.

3. **An increase in opportunities for participation.** The principle of subsidiarity is to be applied with the burden of proof upon the higher level. The central power should take charge only when it is not possible to locate something at lower levels: ‘When in doubt, favour the Länder.’ In addition, there should be a parallel increase in direct participation mechanisms for citizens.

4. **A reinforcement of the decision-making capacity of the political system.** This must be done by combining system efficiency (more than just economic) with an optimization of parliamentary control.
5. *Maintaining the federation’s sense of community.* This programme as a whole must not undermine the ‘national unity’ underlying the federal pact. However, this does not require uniformity in citizens’ ‘living conditions’. A ‘spirit of community’ must be combined with mechanisms for competitive federalism.

In general terms, criteria 1, 2 and 4 refer to values/principles/objectives that are liberal, democratic and functional, and as such can be extrapolated to any federation, whether uninational or multinational. In contrast, criteria 3 and 5 are linked primarily to the democratic and national perspectives respectively, and they have a different connotation in each type of federation. Obviously the specific implementation of these criteria in the symbolic, institutional, jurisdictional, fiscal and international arenas depends on the contextual elements of the various federations; but it is worthwhile to identify which elements need to be reinterpreted or substituted for plurinational federations, as opposed to more generally valid criteria.

First, the relationship between the federal division of powers and the principle of subsidiarity is not as harmonious as some of its supporters contend, even in the case of uninational federations. Each of these two principles operates with a different logic as they are associated with differing normative perspectives. The latter is built upon a democratic and functional logic not easily harmonized with the more or less liberal logic of the former. Second, a multinational federation requires a political accommodation of various ‘national’ communities in one same institutional and decision-making liberal-democratic network. This accommodation would require an explicit constitutional recognition of the national pluralism of this federal democracy, which is absent in a uninational federation. In addition, determining the specific level of self-government of those federated units that have their own national characteristics would probably require granting them broader regulatory powers over symbols and jurisdiction in domestic and international policy.

*A revision of the Spanish case: four scenarios for the future*

In contrast with uninational contexts, societies such as Canada, Belgium and Spain have historically experienced competitive nation-building processes that do not affect all territories of the state equally. Contrary to what has often been stated, the Spanish territorial model’s challenge is not to articulate ‘different experiences’ of one common reality, but rather to accommodate different national realities within one democracy. This challenge is still unresolved in the contemporary constitutional history of the state.

Using a time period equivalent to that which has transpired since the ratification of the Constitution (1978) and the first Autonomy Statutes (of Catalonia and the Basque Country in 1979 and 1980), we can establish some possible scenarios for the next twenty years concerning the evolution of political and constitutional regulation of Spanish national pluralism.

The four scenarios are of a theoretical sort, and at the end of the process elements belonging to each of the scenarios may be mixed together. But it seems
worthwhile to try to distinguish the various general frames of reference, revising contemporary theory and comparative politics in order to adopt a mid-range perspective in an attempt to resolve the only question yet to be settled concerning present-day Spanish liberal democracy. These scenarios all imply some sort of unity, that is, a ‘federal agreement’ or a federalizing one. Therefore, I shall not address either the issue of secession by a minority nation or the potential evolution towards a recentralized state (which would be the fifth and sixth scenarios).

Taking the two basic criteria for establishing a political accommodation of national pluralism – recognition or non-recognition of pluralism on a constitutional level (represented by one for affirmative, zero for negative) and the degree of self-government of minority nations (on a scale of 1 to 4 with 1 representing the present ‘autonomous communities’ level and 4 the level of states in the EU) – we obtain four future scenarios with the following features:

1. **Regional-autonomic (0,1)**

   This scenario represents continuity with the ‘state of the autonomous communities’. It would maintain the present legal structure without making significant changes, only modifying certain areas of jurisdiction through the famous Article 150.2 of the 1978 Constitution (transferring areas under state authority to the autonomous communities). Or there might be constitutional developments towards autonomy that went beyond what the central authorities granted in the 1980s and ‘90s (‘basic’ constitutional laws, finance system, and so on). In this scenario the multinational character of Spanish democracy would remain unrecognized. This would maintain the perspective of a ‘Spanish nation’, diluting the distinction between nationalities and regions, and maintaining the notion of ‘popular sovereignty’ established or interpreted from the ‘monist’ premise of a single demos. This perspective considers that the territorial model is well defined in the present constitutional and statute framework, resolving the historical conflict of minority nationalisms in Spain. It would still allow reforming institutions such as the Senate or consider the distribution of jurisdiction as an area that is not ‘closed’. This scenario is compatible with a ‘plural Spain’, that is, with the idea of a single national demos composed of a plurality of ‘different experiences’ (linguistic, geographic, civil law, and so on).

2. **Uninational federalism (0,2)**

   This scenario would involve the development of ‘federal elements’ in the prior model, building the institutions and decision-making processes of traditional liberal federalism. Some of these potential elements would be:

   - **Federalization of the judicial power.** This branch of government has hardly assumed the regional autonomous model. The judicial power continues in a unitary state fashion, both at the organizational level and in its governing organs (Consejo General del Poder Judicial).
• **Federalization of fiscal matters.** In this area the present model is a long way from classical federations such as the USA, Germany or Australia. This would enable a dual level of fiscal responsibility, both in collecting taxes and in political responsibility for public expenditure.

• **Federalization of representation in the European institutions.** In this area it would be sufficient to implement a system for the Belgian or German federations within the EU context.

• **Transformation of the Senate** into a territorial representation chamber by granting it specialized functions and symmetrical bicameralism.

This second scenario would develop federal premises following basically symmetrical criteria for all the territorial units while maintaining specific asymmetries concerning the ‘differential experiences’ of the prior scenario. Here again, the state could be characterized as a multicultural and multilingual reality but there would be no constitutional recognition of a multinational character. The level of self-government of the territorial units could conceivably increase beyond the prior case based on a general development and symmetrical decentralization.

3. **Multinational or plural federalism (1,3)**

This model represents national pluralism and the coexistence of diverse types of federal regulations. It would basically regulate three questions:

1. An explicit constitutional and political recognition acceptable to the main political actors of the national pluralism of the ‘federation’.

2. The establishment of a series of agreements, likely to be of an asymmetrical or confederate nature when necessary or when there is a larger number of federated units than minority nations, for a high degree of national self-government of the minority nations of the federation. The aim of these agreements is the political defence and development of such national collectives, both in relation to the federation and in relation to the international arena.

3. A multinational regulation of the “shared rule” of the federation and in its reform processes (including potential clauses of constitutional national secession) that is able to accommodate the national pluralism of the polity.

The basic objective of plural federalism is to regulate different types of agreements depending on the functional area or matter and according to the characteristics of the federated unit. These three types of regulations span five basic areas: symbolic (and linguistic), institutional, jurisdictional, fiscal and European-international. Combining these three types of regulations and five areas results in fifteen potential intersections that specify the recognition of national pluralism and effective self-government for national minorities within a Spanish federal democracy. In fact, all the multinational democracies in the world are
federations, and all present clear legal asymmetries (Canada, Belgium, India). The constitutional framework of these democracies continues to develop. Presently they tend towards accommodating national pluralism by recognizing it and granting self-government, but this process has yet to be resolved definitively.

4. ‘Partnership’ or ‘sovereignty-association’ (1,4)

This scenario breaks with the present legal situation. Here, the content of the minority nations’ self-government would be akin to, say, Denmark’s position within the European Union, except for certain specific federal links or agreements with the Spanish state (defence, passports, and so on). There are some similar cases of associated states or ‘federations’. In contrast with the prior scenario, the decisions on the final model to adopt would lie with the national minority collectives and not be a state treaty.

The growing complexity of intergovernmental networks, especially in the European context, requires moving beyond the classical ‘independentist’ perspective and rigid state views of constitutionalism and federalism. In the Spanish case, the first two scenarios would allow an increase in regional self-government through decentralization mechanisms already provided for in the constitution. The second scenario could also imply modernizing certain important aspects of the political system by introducing the competitive and cooperative logic of traditional federalism. Another advantage of this scenario would be to lessen the present dependence of the territorial system on the electoral balance in the central parliament. However, both scenarios view the accommodation of a multinational reality as merely a process of decentralization based on federal techniques. Given its historical, social and demographic nature, it is difficult to imagine a resolution of the Spanish situation without opting for a constitutional recognition of national pluralism and levels of self-government that granted minority nations power over symbols, jurisdiction and international affairs.

It is important to consider, both in liberal-democratic and national terms, the existence of populations with diverse national identities living in the same territory, along with various dualistic national identities related to the federated units and federation. The third scenario seems the most convenient for accommodating national pluralism in a context of historical legitimacy for minority nations with complex demographic and identity characteristics among their citizens. Traditional federal symmetries seem insufficient to accommodate an asymmetrical national reality.

The usual rigidity of constitutional reform procedures can block the implementation of new decision-making institutions and processes in federations, especially when directed primarily at certain sub-units. So it may be convenient to establish alternate procedures such as opting in and opting out, that do not require formal reforms and can be established without altering the economic and fiscal balance between federated sub-units.
In the Spanish case, political accommodation is possible by combining federal techniques that articulate national and regional pluralism. One possible procedure would involve a political agreement between the main actors, establishing the general bases for an agreement. In a second phase, groups of experts would propose solutions that expand the three types of agreements in the five settings mentioned, which would subsequently be negotiated politically. A political accommodation process should move towards a liberal democracy in which all citizens ‘feel comfortable’ with the symbols and institutions of the state they live in, regardless of their basic national identity.

In general terms, the logic, objectives and values of the liberal, democratic, functional and national traditions are all worthwhile and necessary in order to increase the quality of a multinational democratic federation. But these objectives and values have more than one interpretation and are not always highly compatible. The logic and values of protecting democratic participation, individual rights and liberties, and stability and efficiency often conflict in any federation. In multinational federations we also face the challenge of accommodating differentiated demos in order to avoid the cultural problems in traditional federations and democracies. Multinational democracies present a factual and normative complexity that requires formulating and specifying liberty, equality and dignity in a more plural fashion, according to the various national groups coexisting within the polity. This can hardly be achieved when starting with concepts such as ‘postnationalism’ or ‘constitutional patriotism’ or federal models from unilingual societies. From the perspective of minority nations this is a question linked more to liberalism than to democracy. National pluralism requires more diverse treatment of the majorities and minorities constituting the various demos of the polity than established under traditional constitutionalism and federalism.

Notes

1. Robert Dahl established the existence of five great challenges to present-day democracies: balance or equilibrium between the political and economic systems; globalization and democratization of supranational powers; political accommodation of cultural diversity; citizen understanding of increasingly complex public matters; and control of threats to human rights by terrorists using chemical, nuclear or biological arms. See R. Dahl, ‘The Past and Future of Democracy’, Occasional Papers, Università degli Studi di Siena, no. 5 (1999).


5. The Bertelsmann Foundation underwrote the project on ‘Governance, Constitutional Policy and the Future of Democracy’. Its Commission on Governance and Constitutional


8. I present specific regulations of these intersections in ‘Political Liberalism in Plurinational States. The Legitimacy of Plural and Asymmetrical Federalism: The Case of Spain’ in A. Gagnon and J. Tully (eds), *Multinational Democracies*.

9. *Opting in* procedures are specific programmes established by the federal government that allow the federated sub-units to decide whether or not to participate. In *opting out* procedures, some of the federated sub-units may decide not to join a federal programme without losing the central government resources that these programmes intended for the federated unit.

10. One of the characteristics of comparative politics is that it offers more models for regulating the structure of diverse self-governments than for recognizing the multinationality of a democracy. For a comparative overview of contemporary federations, see R. Watts, *Comparing Federal Systems*, 2nd edn (Montreal and Kingston: McGill-Queen’s University Press, 1999); A. Stepas, ‘Federalism and Democracy. Beyond the U.S. Model’, *Journal of Democracy*, 10(4; 1999): 19–34. U. Amoretti and N. Berme. (eds), *Federalism and Territorial Cleavages*, Johns Hopkins University Press, 2004. In any case, it is always necessary to distinguish between institutions or procedures designed to achieve political decentralization and ones designed to accommodate plurinationalism. Sometimes these two objectives cannot be achieved with the same federal techniques. This dual nature of objectives has been confused in some ‘devolution’ processes such as Spain’s. This question has been examined in F. Requejo, ‘Cultural Pluralism, Nationalism and Federalism. A Revision of Democratic Citizenship in Plurinational States’, *European Journal of Political Research*, 35(2; 1999): 255–86.

11. This model of plural federalism is on a similar line with the important advisory opinion given by the Canadian Supreme Court concerning the constitutionality of Quebec’s potential secession (25506, 1998). This decision establishes that the constitutional text and its reform procedure must be interpreted not only within ‘democratic’ criteria, but also along the lines of the four general principles in the Canadian constitution: federalism, democracy, constitutionalism and respect for minorities. This opinion incorporates the inherent normative pluralism of a complex and plural democracy such as Canada and goes beyond the traditional perspectives.
Federalism and secession: East and West

Will Kymlicka

The history of ethnic relations in Western democracies contains many examples of injustice, oppression, coercion, discrimination and prejudice. Yet over the past thirty years, Western democracies have developed a number of interesting effective models for accommodating ethno-cultural diversity. One of these models involves the use of federal or quasi-federal forms of territorial autonomy to facilitate self-government for national minorities and indigenous peoples. I believe that these forms of territorial autonomy are in general a success, and contain potential lessons for other countries around the world struggling with issues of minority nationalism.

The merits of these models have often been underestimated, in part because many people measure success by what I believe is an inappropriate criterion: namely, the absence of secessionist mobilization. Many people believe that any reform of the state can only be declared a success if it removes secession from the political agenda, and indeed makes the very idea of secession unthinkable. By this standard, many Western countries which have adopted territorial autonomy are far from successful, since they contain active and influential secessionist movements.

However, I believe that this cannot be the standard for evaluating democratic multination states. In this chapter I will try to explain why. I begin by explaining what I take to be the main outlines of a common Western approach to territorial autonomy. There are of course many differences among the Western nations, but I will try to show that there have been several important areas of convergence in recent decades, which can usefully be seen as defining a distinctively Western approach to the issue. I then argue that the success of this approach may be related, in a complex way, to a particular view about the legitimacy and perhaps even inevitability of secessionist mobilization. Finally I explore some difficulties in trying to apply this model elsewhere in the world.

Federal and quasi-federal forms of autonomy in the West

As I said above, federal or quasi-federal forms of territorial autonomy have increasingly been adopted in the West as a means of accommodating national minorities. By national minorities, I mean groups that formed complete and functioning societies on their historic homeland prior to being incorporated into a
larger state. National minorities can be subdivided into two categories: ‘stateless nations’ and ‘indigenous peoples’. Stateless nations are nations which do not currently have a state in which they are a majority – a state literally to call their own – but which may have had such a state in the past, or which may have sought such a state. They find themselves sharing a state with other nations for a variety of reasons. They may have been conquered or annexed by a larger state or empire in the past; ceded from one empire to another; or united with another kingdom through royal marriage. In a few cases, multination states arise from a more or less voluntary agreement between two or more national groups to form a mutually beneficial federation.

Indigenous peoples are peoples whose traditional lands have been overrun by settlers, and who have then been forcibly, or through treaties, incorporated into states run by people they regard as foreigners. While other minority nations dream of a status like nation-states, with similar economic and social institutions and achievements, indigenous peoples typically seek something rather different: the ability to maintain certain traditional ways of life and beliefs while nevertheless participating on their own terms in the modern world. In addition to the autonomy needed to work out that sort of project, indigenous peoples also typically require of the larger society a respect and recognition to begin to make amends for indignities they suffered for decades or centuries as second-class citizens (or even non-citizens or slaves).

The contrast between indigenous peoples and other stateless nations is not precise, and there is no universally agreed definition of ‘indigenous peoples’. One way to distinguish stateless nations from indigenous peoples in the Western context is that the former were contenders but losers in the process of European state-formation, whereas the latter were isolated from that process until recently, and so retained a pre-modern way of life until well into the twentieth century. Stateless nations would have liked to form their own states, but lost in the struggle for political power, whereas indigenous peoples existed outside this system of European states. The Catalans, Basques, Flemish, Scots, Welsh, Corsicans, Puerto Ricans and Québécois, then, are stateless nations, whereas the Sami, Inuit, Maori and American Indians are indigenous peoples. In both North America and Europe, the consequences of incorporation have been much more catastrophic for indigenous peoples than for other national minorities.¹

However they were incorporated, both stateless nations and indigenous peoples have typically fought to maintain or regain their self-governing institutions, often operating in their own language, so as to be able to live and work in their own culture. They demand to maintain or regain their own schools, courts, media, political institutions, and so on. To achieve this, they typically demand some form of autonomy. At the extreme, this may involve claims to outright secession, but more usually it involves some form of regional autonomy. And they typically mobilize along nationalist lines, using the language of ‘nationhood’ to describe and justify these demands for self-government.² While the ideology of nationalism has typically seen full-fledged independence as the ‘normal’ or ‘natural’ end-point, economic or demographic reasons may make this unfeasible for some national
minorities. Moreover, the historical ideal of a fully sovereign state is increasingly obsolete in today’s world of globalized economics and transnational institutions. Hence there is a growing interest in exploring other forms of self-government, such as federalism.

Historically, liberal democracies have tried to suppress this sort of minority nationalism, often ruthlessly. At various points in the eighteenth and nineteenth centuries, for example, France banned the use of the Basque and Breton languages in schools or publications, and banned any political associations which aimed to promote minority nationalism; the British in Canada stripped the Québécois of their French-language rights and institutions, and redrew political boundaries so that francophones did not form a majority in any province; Canada also made it illegal for Aboriginals to form political associations to promote their national claims; and when the United States conquered the Southwest in the war with Mexico in 1848, it stripped the long-settled Hispanics of their Spanish-language rights and institutions, imposed literacy tests to make it difficult for them to vote, and encouraged massive immigration into the area so that the Hispanics would be outnumbered.

All of these measures were intended to disempower national minorities, and to eliminate any sense of possessing a distinct national identity. This was justified on the ground that minorities that view themselves as distinct ‘nations’ would be disloyal, and potentially secessionist. Moreover, it was said that economic development required access to the lands and resources in the minority’s traditional territory. And it was often claimed that minorities, particularly indigenous peoples, were backwards and uncivilized, and that it was in their own interests to be incorporated (even against their will) into more civilized and progressive nations.

But the attitude of liberal democracies towards minority nationalism has changed. It is increasingly recognized that the suppression of minority nationalism was mistaken. The evidence shows that pressuring national minorities to integrate into the dominant national group has simply not worked. Western states badly misjudged the durability of minority national identities. Liberal-democratic governments have, at times, used all the tools at their disposal to destroy the sense of separate identity among their national minorities, from the prohibition of tribal customs to the banning of minority-language schools. But despite centuries of legal discrimination, social prejudice and indifference, national minorities have maintained their sense that they form distinct nations, and their desire for national autonomy.

As a result, when the state attacks a minority’s sense of distinct nationhood, it often promotes rather than reduces the threat of disloyalty and secessionist movements. In the experience of Western democracies, the best way to ensure the loyalty of national minorities has been to accept, not attack, their sense of distinct nationality. And this accommodation of minority nationalism has typically taken the form of territorial autonomy.

In some countries, this shift to territorial autonomy has been achieved by adopting a federal system, since federalism allows the creation of regional political units, controlled by the national minority, with substantial (and constitutionally
protected) powers of self-government. Countries that have adopted federalism to accommodate minority nationalisms include Switzerland (to accommodate the French and Italians), Canada (to accommodate the Québécois), Belgium (to accommodate the Flemish) and Spain (to accommodate the Catalans and Basques).

It is important to distinguish these ‘multination’ federations from those federal systems that were not designed as a response to ethno-cultural pluralism (e.g. the United States, Australia, Germany or Brazil). In these uninational federal systems, the federal units do not correspond in any way to distinct ethno-cultural groups who desire to retain self-government and cultural distinctiveness. In the United States, for example, a deliberate decision was made not to use federalism to accommodate the self-government rights of national minorities. Instead, it was decided that no territory would be accepted as a state unless national minorities were outnumbered within that state. In some cases, this was achieved by drawing boundaries so that Indian tribes or Hispanic groups were outnumbered (Florida). In other cases, it was achieved by delaying statehood until anglophone settlers swamped the older inhabitants (e.g. Hawaii, the Southwest). As a result, none of the fifty states can be seen as ensuring self-government for a national minority in the way that Quebec ensures self-government for the Québécois.

We can call the American federal system a form of ‘administrative–territorial’ federalism, rather than a multination federalism. American federalism is a way of dividing powers on a territorial basis within a single national community, whose members are dominant within each of the sub-units. It is not a way of accommodating minority self-government. The same is true in Brazil, Australia or Germany. In multination federations, by contrast, the boundaries of one or more sub-units are designed with the purpose of allowing a national minority to exercise self-government. This is the sort of federalism we see in Canada, Belgium, Spain and Switzerland.

In other countries, or for other national groups, there may be geographic or demographic reasons why federalism in the technical sense will not work. In these cases, we see the emergence of various quasi-federal forms of territorial autonomy. For example, Britain has recently adopted a quasi-federal system of devolution to Scotland and Wales, which now have their own legislative assemblies. And while Puerto Rico is not part of the American federal system (i.e. it is not one of the fifty states), it has a special self-governing status within the USA as a ‘Commonwealth’. Similarly, while Italy and Finland are not federations, they have adopted special forms of territorial autonomy for the Austrians in South Tyrol, and for the Swedes in the Aland Islands. In all of these cases, territorial autonomy enables national minorities to establish and govern their own public institutions operating in their language, including schools, universities, courts and regional parliaments.

This trend towards quasi-federal forms of autonomy is even clearer in the context of indigenous peoples. Indigenous peoples in the West have demanded and increasingly acquired substantial forms of self-government over their lands. Indian tribes in the USA and Canada have recognized rights of self-government, and are acquiring (or re-acquiring) control over education, health care, policing, child welfare, natural resources and so on. Similarly, the Scandinavian countries
have created a Sami Parliament; the Maori in New Zealand have increased autonomy. Even indigenous people in Latin America, who long faced the threat of coercive assimilation or even extinction, in some cases are now acquiring forms of territorial autonomy (e.g. in Colombia).

In all of these countries, the goal of eliminating minority national identities has been abandoned, and it is now accepted that these groups will continue to see themselves as separate and self-governing nations within the larger state into the indefinite future. As a result, an increasing number of Western democracies that contain national minorities accept that they are ‘multination’ states, rather than ‘nation-states’. They accept that they contain two or more nations within their borders, and recognize that each constituent nation has an equally valid claim to the language rights and self-government powers necessary to maintain itself as a distinct societal culture.

Following Philip Resnick, I will call these ‘multination federations’. They are not all federations in the technical sense, but they all embody a model of the state in which national minorities are federated to the state through some form of territorial autonomy, and in which internal boundaries have been drawn, and powers distributed, in such a way as to ensure that each national group is able to maintain itself as a distinct and self-governing societal culture. The trend towards multination federalism is widespread in the West. Among the Western democracies with sizeable national minorities, only France and Greece have firmly rejected any notion of territorial autonomy for their historic minorities (and even France has recently accepted the idea of autonomy for Corsica). Most national minorities have substantially more autonomy than they had thirty or fifty years ago, and few (if any?) national minorities have had their autonomy reduced over that period.

I believe that this trend has been beneficial, and indeed quite successful, as measured by any of the criteria which should matter to liberals, such as:

- **Peace and individual security**: these multination federations are managing to deal with their competing national identities and nationalist projects with an almost complete absence of violence or terrorism by either the state or the minority.
- **Democracy**: ethnic conflict is now a matter of ‘ballots not bullets’, with no threat of military coups or authoritarian regimes which take power in the name of national security.
- **Individual rights**: these reforms have been achieved within the framework of liberal constitutions, with firm respect for individual civil and political rights.
- **Economic prosperity**: the move to multination federalism has also been achieved without jeopardizing the economic well-being of citizens. Indeed, the countries that have adopted multination federalism are among the wealthiest in the world.
- **Intergroup equality**: last but not least, multination federalism has promoted equality between majority and minority groups. By equality here I mean non-domination, such that one group is not systematically vulnerable to the
domination of another group. Multination federalism has helped to create greater economic equality between majority and minority; greater equality of political influence, so that minorities are not continually outvoted on all issues; and greater equality in the social and cultural fields, as reflected for example in reduced levels of prejudice and discrimination and greater mutual respect between groups.

On all these criteria, multination federalism in the West must be judged a success. These multination federations have not only managed the conflicts arising from their competing national identities in a peaceful and democratic way, but have also secured a high degree of economic prosperity and individual freedom for their citizens. This is truly remarkable when one considers the immense power of nationalism in the twentieth century. Nationalism has torn apart colonial empires and communist dictatorships, and redefined boundaries all over the world. Yet democratic multination federations have succeeded in taming the force of nationalism. Democratic federalism has domesticated and pacified nationalism, while respecting individual rights and freedoms. It is difficult to imagine any other political system that can make the same claim.

**Federalism and secession in the West**

There is, however, one important sense in which multination federations have not succeeded: namely, they have not removed secession from the political agenda. On the contrary, secessionist ideas and secessionist mobilization is part of everyday life in many Western multination federations. Secessionist parties compete for political office, and electors may even be given the choice of voting for secession in a referendum (as in Puerto Rico and Quebec). To date, no such referendum on secession has succeeded in the West. This by itself is good evidence that the adoption of federalism has reduced the actual likelihood of secession, since it is almost certain that one or more of these countries would have broken up long ago without federalism. Had Canada, Belgium and Spain not been able to federalize, they might not exist as countries today.

Even if federalism reduces the likelihood of secession, it does not remove secession from the political agenda. Secessionists are on TV, in newspapers, and compete freely for elected office. And secessionist political parties often receive substantial support in elections: e.g. 40 per cent in Quebec; 30 per cent in Scotland; 15 per cent in Belgium or the Basque country; 10 per cent in Catalonia; 5 per cent in Puerto Rico. This means that secessionists are present in parliament and on government commissions, and they use these platforms to articulate their views. So while multination federalism may have reduced the actual likelihood of secession, it has not removed it from everyday political life, or taken it off the political agenda. It has not ‘solved the problem of secession’.

How should we weigh this failure against the successes of federalism in terms of peace, democracy, liberty, prosperity and non-domination? In the past, Western countries thought that eliminating any threat of secession was the foremost
criterion. It was seen as the first task of any state to ensure the integrity of its borders. States must first remove secession from the political agenda, and only then think about how best to improve individual rights or democracy or equality. People who think this way will be inclined to ban secessionist parties, fire university professors who promote secession, and instruct the secret police to maintain surveillance on any secessionists. All of these measures have a long history in Western democracies. Such people will also reject the idea of multination federalism, since it provides a platform for secessionists, and a clearly demarcated territory and political infrastructure that can be used as a basis for possible secession.

Today, though, Western democracies take a different view. The goal of suppressing secessionist mobilization has long been abandoned, and the presence of secessionists is now taken for granted. The fact that secession is on the political agenda becomes a matter of grave concern only if this threatens our basic liberal values, such as peace, democracy, individual rights, mutual respect and so on. The evidence to date is that allowing secessionists to compete for political office does not threaten any of these values. On the contrary, it is the attempt to remove secession from the agenda that threatens these values, since this can be achieved only by suppressing political speech and democratic rights, and by increased police surveillance. Such actions may force secessionists underground, where they are likely to become more militant and potentially violent.

So Western countries no longer treat the presence or absence of secessionism as the fundamental criterion for evaluating political systems. Rather, it is subordinate to other more important values of democracy, peace and individual rights. The increasing acceptance of multination federalism in the West is related to this reduced fear concerning the presence of secessionist mobilization.

Why have Western countries become less hysterical about secessionist mobilization? One reason, as I’ve noted, is that allowing secessionists to mobilize freely may actually reduce the likelihood of secession. Secession is less likely in a democratic multination federation than in a centralized state where illiberal measures are adopted to suppress minority nationalism. But there is another factor, namely that adopting multination federalism reduces the stakes of secession. After all, relatively little would change if Flanders, Scotland or Quebec were to become independent states. In traditional nation-states, where all decisions are made in forums where the dominant group forms a majority, and where all public institutions throughout the territory of the state operate in the majority language, secession would involve radical changes. It would entail dramatic changes in the distribution of power between majority and minority, and in the language of schools, media, courts, government services and in national symbols. In multination federations, however, the self-governing national minority already has its language used as the main language of public institutions, it already has its symbols adopted at the sub-state level, and already is the dominant group in its self-governing territory. As a result, national minorities gain comparatively less by seceding from a multination federation than they would gain by seceding from a traditional nation-state. There is relatively little that an independent Flanders or Quebec could do which it cannot do now as a self-governing region within Belgium or Canada. And so,
Federalism and secession: East and West

too, minorities within the seceding territory have less to fear from secession: anglophones in an independent Quebec, or francophones in an independent Flanders, would probably have a set of legal rights and opportunities very similar to the ones they have now.

Of course, this assumes that, after a secession, the two resulting states would both be viable liberal-democratic states. It assumes, first, that the seceding state would become a constitutional democracy, and, second, that the rump state would remain a viable state. These two assumptions are almost certainly correct. We know that national minorities in the West are as committed to liberal-democratic norms and constitutional protections as majority groups (indeed, they are typically indistinguishable in their level of support for liberal values),\(^{10}\) and we know that Canada, Britain or Spain would remain viable and indeed prosperous states if Quebec, Scotland or Catalonia seceded. In effect, secession would mean that where there is now one prosperous liberal democracy, there would then be two prosperous liberal democracies. And while most people in the West do not want secession (both in the majority and minority groups), it is difficult to view such a development as a matter of life and death, or as a crime against humanity.

For a variety of reasons, then, public opinion in the West has become less paranoid about secession. This is not to say that most citizens approve of secessionist movements. On the contrary, they are widely seen as morally suspect. It is difficult to get a clear grip on public opinion regarding secession, but I would hazard a guess that many people among the majority group have the following complex set of views: that national minorities have no right to secede, particularly if and when they have significant autonomy within the existing state, and are not oppressed in economic or political terms (as most are not). Since national minorities in the West are not generally subject to serious injustice, they have no right to secede – it would be what is sometimes called a ‘vanity secession’, done for no other reason than the desire to have their own state. The desire for such a vanity secession is seen as selfish and morally illegitimate. (It is also seen as ungrateful. Most majorities think they have been very generous in accommodating national minorities, and view it as hurtful that secessionists do not appreciate this generosity.) For a variety of reasons, then, there is little sympathy or support for the idea of secession, and secessionists are often deeply disliked. However, most people also believe that it is not feasible or desirable for a democratic state to force a minority to stay in the country against its will. A democratic state cannot be held together by force, or by the suppression of democratic rights. So if a national minority gets a clear majority in favour of secession in a free and fair democratic referendum, then there is little that the state can do to prevent secession. The state can try to drive a hard bargain over the terms of secession, and can rightfully object if any foreign country tries to encourage such a secession. And it can expect the international community to withhold recognition to a seceding territory until an agreement has been reached over the terms of secession. But in the end, if a clear majority on the seceding territory democratically expresses a desire to secede, it must be allowed to do so. So while secession is widely viewed as selfish and illegitimate, it is accepted that secessionist parties should be able to run for political
office and, if they win the election, have the right to hold a referendum on secession. And if they win such a referendum, secession must be negotiated. No country has explicitly enshrined this sort of position in the law – that is, no Western country has enshrined a right to secede, or defined the conditions or processes under which it could be exercised. What I am describing is an implicit public opinion, not an explicit legal position. However, the main outlines of this position were endorsed in a recent Canadian Supreme Court judgment on secession. And I suspect that citizens in most other Western democracies would endorse the same strategy for dealing with secessionist mobilization.

In short, the increasing acceptance of multination federalism in the West is related, first, to the fact that most citizens are no longer hysterical about the presence of secessionist politics; and, second, to the belief that the criteria for evaluating political systems are not the presence or absence of secessionists per se, but rather deeper liberal values of democracy, individual liberty, peace and mutual respect. On these criteria, multination federalism in the West is clearly a success.

Can the model be exported?

Given this success in the West, one might expect that there would be great interest in multination federalism in other countries around the world, from Eastern Europe to Asia and Africa, most of which contain territorially concentrated national minorities. The phenomenon of minority nationalism, including the demand for territorial autonomy, is a truly universal one:

[The countries affected by it] are to be found in Africa (for example, Ethiopia), Asia (Sri Lanka), Eastern Europe (Romania), Western Europe (France), North America (Guatemala), South America (Guyana), and Oceania (New Zealand). The list includes countries that are old (United Kingdom) as well as new (Bangladesh), large (Indonesia) as well as small (Fiji), rich (Canada) as well as poor (Pakistan), authoritarian (Sudan) as well as democratic (Belgium), Marxist-Leninist (China) as well as militantly anti-Marxist (Turkey). The list also includes countries which are Buddhist (Burma), Christian (Spain), Moslem (Iran), Hindu (India), and Judaic (Israel).11

Indeed, some commentators describe the conflict between states and national minorities as a ‘third world war’, encompassing an ever-increasing number of groups and states.12 We need to think creatively about how to respond to these conflicts, which will continue to plague efforts at democratization, and to cause violence, around the world.

I believe that federal or quasi-federal forms of territorial autonomy (hereafter TA) are often the only or best solution to these conflicts. To be sure, TA is not a universal formula for managing ethnic conflict. For one thing, TA is neither feasible nor desirable for many smaller and more dispersed national minorities. For such groups, more creative alternatives are needed. So it would be a mistake to suppose that TA can work for all national minorities, no matter how small or
dispersed. But I believe it would equally be a mistake to suppose that non-territorial forms of cultural autonomy can work for all national minorities, no matter how large or territorially concentrated. What works best for small and dispersed minorities does not work best for large, concentrated minorities, and vice versa.\textsuperscript{13} Where national minorities form clear majorities in their historic homeland, and particularly where they have some prior history of self-government, it is not clear that there is any realistic alternative to TA or multination federalism.

Yet TA is strongly resisted in most of Eastern Europe, Africa and Asia. And it is resisted for the same reasons it was resisted historically in the West: fears about disloyalty, secession and state security.\textsuperscript{14} In many countries, majority–minority relations are ‘securitized’ – i.e. viewed as existential threats to the very existence of the state, which therefore require and justify repressive measures.\textsuperscript{15} Where ethnic relations become securitized in this way, states are guided by a series of interrelated assumptions:

1. Minorities are disloyal, not just in the sense that they lack loyalty to the state, but also in the sense that they are likely to collaborate with current or potential enemies.
2. Minorities are likely to use whatever power they are accorded to exit or undermine the state.
3. A strong and stable state requires weak and disempowered minorities. Put another way, ethnic relations are seen as a zero-sum game: anything that benefits the minority is seen as a threat to the majority.
4. The treatment of minorities is above all a question of national security.

Where one or more of these premises is accepted, there is virtually no room for an open debate about the merits of federalism. The perceived connection between federalism and destabilizing the state is too powerful to allow such a debate. Indeed, in many countries, for a minority to demand federalism is itself taken as proof of its disloyalty. It is not only advocates of secession who are put under police surveillance: anyone who advocates federalism is also seen as subversive, since it is assumed that this is just a covert first step to secession. Under these conditions, the whole question of what justice requires between majority and minority is submerged, since national security takes precedence over justice, and since disloyal minorities have no legitimate claims anyway. This resistance is so strong that TA is typically granted only in a last-ditch effort to avoid civil war, or indeed as the outcome of civil war.\textsuperscript{16}

On this issue, therefore, there is a wide and perhaps growing gulf between most Western countries and most countries in the rest of the world. In the West, it is considered legitimate that national minorities demand TA, and indeed these demands are increasingly accepted. The idea of TA is accepted in principle, and adopted in practice. The old self-image of states as unified nation-states is being replaced with the new self-image of states as multination federations and/or as partnerships between two or more peoples. By contrast, in many countries in Eastern Europe or the Third World, many national minorities have less autonomy
than they had thirty or fifty years ago, and it is considered illegitimate for minorities even to mention autonomy, or to make any other proposal which would involve redefining the state as a multination state. These countries cling to the old model of unitary nation-states, in which minorities ideally are politically weak, deprived of intellectual leadership, and subject to long-term assimilation.17

I believe that the inability to accommodate minority nationalism is potentially detrimental not just to the minorities, but to democracy itself, and to the existence of a peaceful civil society. In Eastern and Central Europe, for example, there is a clear correlation between democratization and minority nationalism. Those countries without significant minority nationalisms have democratized successfully (Czech Republic; Hungary; Slovenia; Poland); those countries with powerful minority nationalisms are having a more difficult time (Slovakia; Ukraine; Romania; Serbia; Macedonia; Georgia). The minority issue is not the only factor here, but I believe it is an important one.

In an interesting essay first published in 1946, Istvan Bibo provided a thoughtful analysis of this problem. He argues that the experience of nineteenth-century Hungary taught leaders that their minorities might use their democratic freedom to secede. Ever since, East European states have feared the exercise of democratic freedoms by minorities. As a result, they have consistently tried to suppress, dilute or contain these democratic freedoms, sometimes by embracing fascism or other forms of authoritarianism (i.e. by suppressing everyone’s freedom), sometimes by disempowering minorities (i.e. by suppressing the minority’s freedom). In either case, the result is a stunted and fearful form of democracy. As Bibo puts it:

In a paralyzing state of fear which asserts that freedom’s progress endangers the interests of the nation, one cannot take full advantage of the benefits offered by democracy. Being a democrat means, primarily, not to be afraid: not to be afraid of those who have different opinions, speak different languages, or belong to other races. The countries of Central and Eastern Europe were afraid because they were not fully developed mature democracies, and they could not become fully developed mature democracies because they were afraid.18

I believe this remains true today. Most East European states with minority nationalisms have the shell of liberal democracy, but remain afraid of the full and free exercise of democratic freedoms.

Federalism and secession in ECE

So far, I’ve argued that Western models of TA are unlikely to be voluntarily adopted elsewhere unless or until the framework for discussing minority issues changes from one of loyalty/security to justice. This is obviously a slow process. Indeed, it is not even clear how to start this process of addressing majority fears about loyalty and secession. Any proposal for TA must grapple with the widespread fears of secession. But how do we make majorities less fearful of TA?
This question has been addressed by various Western organizations that seek to promote democratization and minority rights in Eastern and Central Europe (hereafter ECE). We can distinguish two broad strategies. One is to try to draw a watertight separation between TA and secession, and to persuade ECE states that adopting TA will not and could not lead to secession. The idea here is to encourage states to think about TA in an open-minded way, without challenging their view that secession is unthinkable and that secessionist mobilization is intolerable. This could be done in a variety of ways. In particular, the international community can provide strong assurances regarding secession. It can make solemn pledges guaranteeing the integrity of state borders, and can insist as part of its TA proposals that the minority agree to some ‘loyalty clause’ which affirms their acceptance of state borders. And it can insist that kin-states renounce all irredentist territorial claims on neighbouring states, and indeed pressure these states to sign bilateral treaties guaranteeing the borders. With these guarantees against secession in place, the international community can then encourage states to think in a more open-minded way about TA, and about the role it can play in promoting greater trust, cooperation and stability in multination states.

Much of this has already been done in ECE, and yet it has had little success in persuading ECE states to consider TA in an open-minded way. These states obviously do not trust international guarantees regarding state borders, and understandably so. For one thing, the international community has a rather mixed record on this issue. In some cases (like Abkhazia, Chechnya and Trans-Dneister), it has indeed refused to recognize de facto secessions, and continues to support the principle of the integrity of state borders. But in other cases, notably in the former Soviet Union and Yugoslavia, it was very quick to recognize secessions. ECE states assume, perhaps rightly, that Western powers will sacrifice the principle of the integrity of state borders if they have some larger geopolitical reason for doing so.

More importantly, even if the international community does hold firm to this principle, it doesn’t really solve the problem of what to do when most members of a self-governing territory clearly and democratically affirm a desire to secede. Imagine that a national minority achieves TA, and begins to conduct democratic elections for the new territorial government. At first, none of the political parties may be explicitly secessionist, partly in order to ensure international cooperation with the new TA regime. But certainly some parties will be pushing for greater autonomy. And over time (perhaps in response to some manifestation of majority intolerance), some people will begin to discuss the merits of secession. Perhaps they won’t call it secession, but rather some form of ‘confederation’, or ‘sovereignty-association’ or ‘associated statehood’, in which the seceding territory maintains some nominal link with the larger state, while becoming de facto independent. And let’s imagine that a party promoting some such form of (quasi)-secession is created, and after a few elections eventually becomes the governing party. As part of its platform, it holds a referendum on its proposals for confederation or sovereignty-association. Perhaps this referendum is defeated at first (as every such referendum has been defeated in the West), but there is
always the chance that it will win, and then the territorial government declares (quasi)-independence.

Now what? What does the state do? Let’s imagine the international community keeps its promise, and refuses to recognize the declaration of independence. Still the territory has proclaimed independence, and perhaps is beginning to implement this on the ground. Let’s say it is refusing to pay taxes to the central government, adopts and enforces laws which violate the state’s constitution, adopts its own currency, and refuses to have its citizens drafted into the state army. In principle, the state could send in the army to crush this secessionism – that is, civil war. But even assuming that the state army could win such a civil war (which was not true in several ECE states), the fact is that the international community is unlikely to accept this sort of response. The international community may not favour secession, but nor does it favour military suppression of democratically elected and non-violent secessionist governments. It will favour ‘negotiation’, the end result of which may be to accept *de facto* independence, even if the fiction of state unity is maintained.

Of course, the state could try to short-circuit this scenario by passing a law that secessionist parties cannot run for office. But how do we know which parties are secessionist, and who is to judge? Are parties supporting ‘confederation’ secessionist? Will we send the secret police to attend party rallies to find out what the party really wants? Or perhaps the state could pass a law forbidding the holding of a referendum on secession. But even if we could define such a law (would it forbid a referendum on confederation?), there is still the problem of enforcing it. Let’s imagine that the territorial government says that it will hold the referendum anyway: will the state send in the army to break up the polling stations?

The fact is that there is no way for a free and democratic country to prevent a self-governing minority from electing secessionist parties, and from holding referendums on secession. This, at any rate, appears to be the lesson from the Western multination federations, all of whom have grudgingly accepted the legitimacy of secessionist political mobilization. The state can prevent this only by undemocratic and illiberal means. And even if these means worked, they would undermine the whole point of the exercise. After all, the point of having TA is to give the minority some sense of secure self-government. The minority will not feel any security if the larger state decides which minority parties are free to run for office, and which questions can be put to a referendum. If the minority needs the majority’s permission for every proposed law, political party or referendum, it is not a meaningful form of self-government. Notice that even those members of the minority who are not in favour of secession are none the less typically in favour of the right of secessionist parties to run for office. That the state allows such parties to run is considered proof that it is genuinely committed to democracy and autonomy.

My point is not that federalism inevitably leads to secession. Just the opposite. I believe that democratic federalism reduces the likelihood of secession. But I think democratic federalism only works (or best works) to inhibit secession when secessionist political mobilization is allowed. (Indeed, federalism is democratic
only if it allows this.) Minorities will find TA an acceptable form of self-government only if they have the right freely to debate their future, including freely debating a range of options from assimilation to secession. If the state decides for them which options they can debate, and which parties they can vote for, the minority has neither freedom nor democracy, and this will just increase the desire for true independence.

On my view, then, in order to get the full benefits of federalism, we must accept the legitimacy of secessionist parties, and that entails accepting the possibility (however slim) of a democratically mandated secession. Federalism of this form reduces the chance of secession actually taking place, but it legitimizes the presence of secessionists in the political debate, and institutionalizes the possibility of choosing secession. And it facilitates secession, if that is ever chosen in a referendum, since it provides a clearly demarcated territory and political infrastructure that can be used as a basis for a seceding state. Attempts to promote federalism while prohibiting secessionist mobilization are likely to be undemocratic, illiberal and in the end counter-productive.

In short, federalism is unlikely to work where the state views secession as unthinkable, and secessionist mobilization as intolerable. Defenders of TA in ECE have typically tried to promote TA without challenging this fear of secession. But I don’t think this strategy will work. In the Western experience, accepting TA has gone hand-in-hand with accepting the legitimacy of secessionist mobilization, and accepting the possibility of a democratically mandated referendum on secession. ECE states can see this perfectly well. They know that Western-style TA has not ‘solved the problem of secession’, and that international guarantees about state borders will not solve it either. They know that if Quebec, Scotland, Puerto Rico or Catalonia votes one day for secession, there is little that the state, or the international community, can do to prevent it.

If we want to promote TA in ECE, therefore, we need to consider a second strategy. We need to challenge the assumption that eliminating secession from the political agenda should be the first goal of the state. We should try to show that secession is not necessarily a crime against humanity, and that the goal of a democratic political system should not be to make it unthinkable. States and state borders are not sacred. The first goal of a state should be to promote democracy, human rights, justice and the well-being of citizens, not to insist that all citizens view themselves as bound to the existing state ‘in perpetuity’ – a goal which can only be achieved through undemocratic and unjust means in a multination state.

A state can fully enjoy the benefits of democracy and federalism only if it is willing to live with the risk of secession.

This indeed is the conclusion that Bibo reached in his 1946 essay. I quoted earlier his claim that ECE states were unable to ‘take full advantage of the benefits offered by democracy’ because they feared the exercise of democratic freedoms by national minorities, and that being a democrat means ‘not to be afraid of those who have different opinions, speak different languages, or belong to other races’. He went on to argue: ‘Under these conditions, a clear-sighted, brave and democratic public opinion can pursue only one course of action: It can
offer minorities the greatest opportunities within the existing framework and use its own initiatives to satisfy the boldest minority demands, accepting even the risk of secession. Of course, as Bibo notes, this sort of ‘brave and democratic’ approach is possible only if we reduce the stakes of secession. I noted above that the increased acceptance of secessionist mobilization in the West is tied to the fact that secession would not threaten the survival of the majority nation. Secession may involve the painful loss of territory, but it is not seen as a threat to the very survival of the majority nation or state. If Quebec, Scotland, Catalonia or Puerto Rico were to secede, Canada, Britain, Spain and the United States would still exist as viable and prosperous democracies. In ECE, by contrast, it is widely believed that ‘the secession of foreign-speaking or minority territories forebodes national death’. According to Bibo, accepting the risk of secession was not possible in ECE because of a ‘political consciousness burdened by fear of survival’.

Similarly, the acceptance of secessionist mobilization in the West is also tied to the fact that secession would not necessarily dramatically affect the rights or interests of people in the seceding territory. If Quebec, Scotland, Puerto Rico or Catalonia were to secede, there would be few changes in the legal rights of people within those regions, or the distribution of power between groups, or in the language of public institutions. Whether these groups have self-government within a larger state, or exist as separate states, they will in either case promote their national language and culture within the constraints of a liberal-democratic constitution which ensures respect for the rights of internal minorities. The seceding group does not gain much by going from a multination federation to an independent state, and internal minorities do not lose much.

In ECE, by contrast, secession is often viewed almost as a matter of life and death. Since politics in unitary nation-states is typically seen as a zero-sum, winner-take-all battle, it is critical whether you are a majority or a minority in the state. If you are the majority, it is your language and culture that monopolize public space and that are a precondition for access to jobs and professional advancement, and every important political decision is made in a forum where you form a majority. If you are the minority, you are faced with political disempowerment (i.e. no important decisions are made in a forum where you are the majority), cultural marginalization and long-term assimilation. It is no wonder that secession is viewed with such dread by ECE states.

If ECE states are ever to accept the risk of secession (and hence accept the risk of a democratic TA), we need to reduce these stakes of secession. We need to find a way of assuring states that the loss of a minority territory does not ‘forebode national death’, and of assuring potential internal minorities that secession does not mean that they will lose their rights or jobs or identities. I believe that such a change in attitudes towards secession is needed, in the long term, if we are ever to have the genuine accommodation of ethno-cultural diversity in ECE states. To summarize a complicated argument, I think that the fair accommodation of diversity requires that states be willing to consider claims for TA or other forms of
power-sharing; and that states will consider these claims in an open-minded way only if they are willing to accept the legitimacy of secessionist mobilization; and they will accept the legitimacy of democratic secessionist mobilization only if they no longer see secession as tantamount to national death.

This, at any rate, is the lesson I draw from the Western experience. I believe that federalism has worked well in the West to ensure ethno-cultural justice, and to reduce the likelihood of secession. But it has been able to achieve this in part because citizens accept the legitimacy of secessionist mobilization. And they accept this legitimacy because the stakes of secession have been dramatically reduced, both for the majority group in the rump state and for internal minorities.

I think there is much the international community can do to reduce the stakes of secession, and thereby increase the willingness of states to adopt forms of democratic TA. But it involves a rather different approach than that currently taken by the international community. At present, the focus is on trying to provide guarantees against secession, not on reducing the stakes of secession. In my view, the goal should not be to provide iron-clad guarantees of existing state borders (which cannot be done in a free and democratic society), but rather to provide firm guarantees that the rights of internal minorities will be protected in the event that state borders change, and that the majority group will survive as a nation even if it loses some minority territory. Needless to say, this sort of change in attitude can only be a very long-term process, but I see no realistic alternative route to the peaceful resolution of minority nationalist claims around the world.

Notes

1. On the distinction between indigenous peoples and other national minorities, and its relevance for rights claims, see my ‘Theorizing Indigenous Rights’, Kymlicka (2001: Ch. 6).
2. The use of nationalist rhetoric by stateless nations is longstanding. On the increasing tendency of indigenous peoples in North America also to adopt the language of ‘nationhood’, see Jenson (1993: 337–57).
3. For a survey of ethnic conflict that confirms this point, see Gurr (1993).
4. Hence Nathan Glazer is wrong when he says that the division of the United States into federal units preceded its ethnic diversity (Glazer 1983: 276–77). This is true of the original thirteen colonies, all dominated by Anglo-Saxon settlers, but decisions about the admission and boundaries of new states were made after the incorporation of national minorities, and these decisions were deliberately made so as to avoid creating states dominated by national minorities.
5. Far from helping national minorities, there is reason to believe that American federalism has made them worse off. Throughout most of American history, Chicanos, American Indians and native Hawaiians have received better treatment from the federal government than from state governments. State governments, controlled by colonizing settlers, have often seen national minorities as an obstacle to greater settlement and resource development, and have pushed to strip minorities of their traditional political institutions, undermine their treaty rights, and dispossess them of their historic homelands. While the federal government has been complicit in the mistreatment, it has often attempted to prevent the most severe abuses. We can see the same dynamic in Brazil, where the federal government is fighting to protect the rights of Indians in Amazonia against the predations of local state governments. The same is true in Australia, where the federal government
had to take away jurisdiction over Aborigines from state governments because of the level of abuses (Peterson and Sanders 1998: 11–19).

6. And also in India, Nigeria, Malaysia, Ethiopia and Russia.


8. Note that most of these federal systems are in fact combinations of ‘administrative/territorial’ and ‘multination’ forms. That is, typically only one or two of the federal units are vehicles for self-governing national minorities (and hence embodiments of multination federalism), while the rest are simply regional divisions within the majority national group (and hence embodiments of administrative/territorial federalism). This is the case in Canada, where the province of Quebec secures self-government for the Québécois, but the nine remaining provinces reflect regional divisions within English-speaking Canada. A similar situation exists in Spain, where the Autonomous Communities of Catalonia, the Basque Country and Galicia secure self-government for national minorities, while most of the other fourteen Autonomous Communities, such as La Mancha or Extremadura, reflect regional divisions within the majority Spanish national group. And in the new Russian federation, thirty-two of the sub-units are nominally intended to facilitate minority self-government (e.g. Tatarstan, North Ossetia), whereas the other fifty-six sub-units simply reflect regional divisions within the majority Russian national group. In these federations, then, some units embody the desire of national minorities to remain as culturally distinct and politically self-governing societies (what I will call ‘nationality-based units’), while others reflect the decision of a single national community to diffuse powers on a regional basis (what I will call ‘regional-based units’). Nationality-based units typically seek different and more extensive powers than regional-based units. As a result, all of these federations exhibit some form of asymmetrical federalism. This is another distinguishing feature of multination federations from purely administrative/territorial federations. For more on the theory and practice of multination federalism, and the role of asymmetry within them, see Kymlicka (2001: Ch. 5).


10. For more on this, see Kymlicka (2001: Ch. 14–16).


13. This is the main shortcoming of the Council of Europe’s Framework Convention on the rights of national minorities. It provides helpful guidelines for small and dispersed national minorities, but does not address the issues of territorial autonomy, official language status and higher education raised by larger minorities. For a discussion of why non-territorial forms of cultural autonomy are inadequate for such groups, see Laponce (1993: 23–43); Kymlicka and Opalski (2001: 361–65).

14. It is also sometimes resisted on the grounds that self-governing national minorities will embark on illiberal forms of nation-building, restricting the rights of their own members or of other groups on the territory. This is a legitimate concern, of course. It is an essential feature of a liberal-democratic conception of multination federalism that all governments – whether the central government or regional governments dominated by national minorities – be subject to constitutional restrictions that protect individual civil and political rights. But this is an argument for strengthening constitutionalism and the rule of law generally, not for rejecting minority self-government in particular. There is no reason to assume that minorities (and minority-led regions) are less able or willing to abide by these constitutional norms than majorities (and majority-led central states). See on this Kymlicka and Opalski (2001: 348–55).


16. For a more detailed discussion of this securitization phenomenon in Eastern Europe, and how it has precluded any consideration of TA except in the context of threats of civil war, see Kymlicka (2003).
17. These are generalizations, of course, and there are exceptions in each case. In the West, Greece remains adamantly opposed to multination federalism. In Eastern Europe, Russia has adopted it, as have Malaysia and India in Asia, and Nigeria and Ethiopia in Africa. But these are anomalies, and even these exceptions are under pressure. Multination federalism is widely disliked by Russian leaders, and there have been several plans to replace it with a more purely administrative/territorial form of federalism. If and when one of these plans is adopted, Russia will more closely fit the usual East European pattern. And the future of federalism in Ethiopia – which was adopted only after a brutal civil war – remains very much in doubt.


19. This is one reason why federalism in India has failed to reduce Kashmiri secessionist sentiments. In the name of national security, the central government intervenes constantly to replace elected state governments, repeal state laws and so on. Federalism works to reduce secessionist sentiments only if it allows for genuine self-government.

20. Rawls argues that a liberal-democratic theory of justice should be premised on the idea that people are bound to a state ‘in perpetuity’. I believe that this is an unrealistic and inappropriate goal, particularly in multination states. See Kymlicka (2001: Ch. 5).


22. ‘In Western and Northern Europe the political rise or decline of one’s country, the growth or diminution of its role as a great power, and the gaining or losing of colonial empires could have been mere episodes, distant adventures, beautiful or sad memories; in the long run, however, countries could survive these without fundamental trauma, because they had something that could not be taken away or questioned.’ In Eastern Europe, by contrast, there was ‘an existential fear for one’s community’ (Bibo [1991: 39]).

References


8 Dilemmas of stateless nations in the European Union

Klaus-Jürgen Nagel

Liberal defenders of cultural pluralism, such as Taylor, Walzer, Kymlicka and Requejo, maintain that cultural membership is important to provide the individual with a context of meaningful choice. According to Taylor, individuals identify themselves by their group membership and relations. Authentic groups should be protected if their existence is in danger. Their capacity to survive should be guaranteed by a politics of difference which is imagined to be permanent, in order to guarantee the preservation of the authentic groups. In the modern world, therefore, recognition is the essential condition of the existence of identity.¹

Kymlicka does not go as far as Taylor in the communitarian direction. However, he stresses the importance of societal cultures which are cultures with meaningful ways of life across the full range of human activities, encompassing both the public and private sphere.² He holds that cultural membership is necessary for the existence of meaningful liberal choice. However, he underlines the limits of any politics of accommodation, which, if it pretends to be liberal, has to guarantee that the granting of external protection to societal cultures is not abused as a pretext for illiberal internal pressures against individuals. Kymlicka distinguishes clearly between the situation of polyethnicity, a result of immigration, and national pluralism, which gives a right to other, more extensive forms of recognition.³

Taylor and Kymlicka try to steer a course between assimilationist state politics and the breakdown of the state’s existence as a consequence of the struggle for sovereignty by minority nationalists. Instead, they put forward confederations (asymmetrical) federations, or federacies as possible forms of accommodation. For them, recognition has to be given by the state and in mutual accordance with the authentic or societal cultures. While accepting a high degree of self-determination, they can be distinguished from the absolute defenders of national sovereignty for minority nations, who see the only solution in secession and look for recognition by the existing nation-states, the United Nations, or the most powerful states in the world, with the United States in the forefront.

Taylor, Kymlicka and their followers think that accommodation should be possible inside the existing framework, even if separation is not excluded in the event that recognition of autonomy in the public sphere is denied. Their works may be seen as intending to break with the inevitability of the consonance of state-building and nation-building.
In this context, the integration of Europe might be an interesting case. In the words of Requejo: ‘La misma existencia de un escenario político como la Unión Europea, que no reproduce el esquema estatal a mayor escala y que ya no es bipolar sino multipolar, hace que el acomodo mutuo de los distintos nacionalismos estatales y no estatales, así como la articulación inequívoca de los segundos en las premisas liberal-democráticas resulte hoy más plausible.’\(^\text{14}\) I will attempt to show in this chapter what sort of accommodation the European institutions have provided so far for cultural groups which might be understood (or at least are understood by considerable parts of their membership) as *societal culture*, *authentic*, or *encompassing* groups,\(^5\) or even as *stateless nations*. After discussing how far European integration can be seen as responsible for providing recognition, I will discuss the two fields of political accommodation on which the European institutions have so far embarked: first, the opening of spaces of public existence for the regions, and, second, the timid recognition of non-state cultural diversity, exemplified by the language policy. In this second field, I will consider the politics of the European Union (EU) and of the Council of Europe. Finally, some comments will be made about how far these politics and policies have changed the political behaviour of the groups in question.

The European Union: responsible for accommodation of stateless nations?

European integration started with the economy; but a single market posits the individual, not the group, as the central element of society. Jean Monnet, one of the acknowledged fathers of European integration, later had second thoughts: ‘Si c’était à refaire, je commencerais par la culture.’\(^6\) But the cultural dimension was long absent from the integration process, and has been recognized only since the Maastricht Treaty.

It is difficult to argue that the European Union has a cultural identity of its own. Common descent, common religion, common language roots have all been claimed to exist but without much success.\(^7\) The geography of these features does not correspond to the (changing) frontiers of the European Union. At present, there is no European people, there is no European civil society and no truly European public opinion; there are not even European mass media, and the European party system still depends on national developments.\(^8\) Maybe European institutions can create all these elements; but, until now, Europe has predominantly been a project of state and economic and financial elites, and its institutions are far removed from ‘ordinary’ European people, who have only a very mediated contact, if any, with ‘their’ European institutions. It is very difficult to imagine a constitutional patriotism which favours a polity which does not even have a constitution, though there are of course visions which point in this direction.\(^9\)

Perhaps European integration is no longer about nation- or identity-building or even about state-building. Traditional visions of European integration discussed the scenarios of *federation* and *confederation*. Federation seemed to win with the Maastricht Treaty, but enlargement to the East led to arguments for
a return to the confederation scenario. Philippe Schmitter holds that the European nation-states have entered a process of dissociation of the characteristics of all nation-states: territory, functional authority and national identity.\textsuperscript{10} His discussion of a possible future for Europe as a consortio or a condominio has reminded observers of the Middle Ages with its shared sovereignties and the participation of regional, local and private actors. If Schmitter is right, we may experience a combination of the Middle Ages plus transnational enterprises, free market and agrarian subventions. There would no longer be a single source of oppression and/or accommodation.

Do we need to go so far? Is the nation-state really dying, or is it only restructuring and diversifying?\textsuperscript{11} The European Union may as well be interpreted as a defence of the European nation-state against pressures from above and below, making concessions, but still holding a hard core of jurisdiction: welfare, social security, labour relations, justice, finance, general administration, security, education, family, civil law... And even in the economy, the role of the European states is not to be underestimated. Finally, the states which have handed over to Brussels some of their own power and, in some cases, some of those of their regions, are now in charge of control there. Without neglecting the growing importance of sub-state and public–private networks in policy formulation and implementation, it can be said that ‘states are here to stay’.\textsuperscript{12}

The European Union, based on an intergovernmental treaty, has no constitution and does not grant any fundamental rights to its citizens. Its citizenship, introduced only recently, does not supersede those of its member-states. However, the regulation of many policy areas is now supranational and no longer intergovernmental.

What does all this mean for the accommodation of minority nations? If states should recognize them and even assure the survival of their cultures, as Taylor says, should not the EU do the same? Or can the EU really be more neutral than the traditional nation-state, as ‘liberalism 1’ enthusiasts may be inclined to think?

The growth of the \textit{acquis communautaire} has not only been quicker than the democratization of the Union; it might have an effect on the conditions for the survival of minority nations as well. Can a powerful organization like the EU still be based on a mere \textit{modus vivendi}?\textsuperscript{13} And what does networking governance (where it really exists) mean for minority nations? Is it an opportunity for them, even if it has to be paid for by obscurity, lack of accountability and clientelism?

\section*{The accommodation of European regions}

These questions may seem strange to an enthusiastic believer in the ‘Europe of the Regions’. Let us analyse, then, what sort of regional accommodation the European Union currently provides and what that may mean for minority nations.

\section*{Regional policy}

Regional policy is today one of the most important policy fields, if we consider the amount of money the EU dedicates to it. But until the late 1980s, the Community
ignored the regions. When the structural funds were finally reformed and their budget doubled, this could be seen as the price paid to the poorer states to prevent them using their veto when the Single European Act opened the way to a really common market in 1988. It was not a reaction to nationalist demands, and affirmative action for minority cultures was not on its agenda.\(^{14}\) However, the introduction of the partnership principle converted the regions into actors on the stage of regional policy, and triggered hopes and suspicions that the Commission, acting as the ‘neutral’ watchdog of common interests, together with the regions might put the ‘egoistic’ nation-states in a difficult position. This did not happen, and direct cooperation did not favour minority nationalism. The omnipresent state acted as a sort of gate-keeper. The former director of regional policies in Directory General XVI once said: ‘le partenariat de la Commission avec les régions ne peut pas être un partenariat direct et exclusif. La règle du jeu définie dans les règlements fait que le partenariat est tripartite et non Commission-régions contre l’Etat […] La commission ne se prêtera pas à ce petit jeu.’\(^{15}\) Regional autonomy in sphere of European regional policy is thus very limited. In no case did the Commission mobilize regional (or popular) support as a legitimation base to act against the states.

Regional policy uses the European system of NUTS regions, which does not coincide with nationalist aspirations or realities. Catalonia, for example, is not eligible for objective 1 subventions. But lower NUTS levels of its territory have been classed as objective 2 and objective 5b regions. NUTS territories often have no identity basis but respect administrative frontiers drawn up by the states.\(^{16}\)

Finally, the introduction of the (additional) cohesion funds by the Maastricht Treaty, which bought the votes of poorer countries and stopped them hindering the path to the Euro, strengthened the role of the states, the only possible recipients of cohesion funds money. Whether they hand it down to the regions depends on them.

Regional policy can thus be seen as a corrective to market liberalization. It strengthened regional administrations but did nothing to recognize minority nations. If regions want to lay hands on European funds, their best ally is their state. The most effective strategy is not to seek more autonomy, but to achieve greater participation and influence in the state which represents it in Brussels. In Gary Marks’s words: ‘When it comes to finances, the EU is a state-centric polity, and a regional government that is oriented to money will operate through national rather than European channels.’\(^{17}\) Regional funds money generally is not used to strengthen regional culture.\(^{18}\) Regional policy treats the regions differently, according to their economic performance and state affiliation; but in respect to cultural differences, it treats them equally.

**The committee of the regions**

Equality of treatment of culturally different regions with very different levels of self-consciousness is underlined by the way the Committee of the Regions was
constituted, and how it has worked since then. The first deliberations of this purely consultative body which unites representatives from regions with very different levels of identity and powers and even from municipalities, have shown that regions with stronger identities lose out against an alliance of weak regions and local authorities. One of the first decisions was to rule out delegated votes; but presidents of Belgian regions or German *Länder* cannot be present at the long sessions of the committee.

States are, once again, the gate-keepers. They decide who represents the country in the committee; and the representatives are treated as, and often see themselves as, members for their state.

The committee permits regional and local leaders to show their voters how ‘influential’ they are on the European level, but it is questionable whether this device will work in the long run. Actually, regional and local administrations which cooperate with their state and with the Commission may profit much more than regions looking for more autonomy or striving for the recognition of their national character or culture. Once again, the treatment of the regions cannot be seen as the result of ‘politics of difference’, but as equal treatment of substantially different entities. The participation of local authorities proves that no regional chamber is in the making.

**Other features of the institutional system of the EU**

We have argued that Europe’s institutional framework has opened itself to a kind of subordinate participation of the regions. This was in the interest of the Commission, which does not have any significant bureaucracy and can now rely on the regional bureaucracies where they exist. Regions which accept this complementary position may be rewarded. Effective collective action of the European regions is not to be expected, due to the differences between them. Far-reaching nationalist demands will be smothered and extreme positions penalized in such a framework.

The most important institution of the EU is the Council of Ministers. Since 1987, not all decisions have to be taken unanimously but it is still very difficult to bypass the opposition of a member-state. Such a veto position is a strong device for protecting differences – but of course it protects the position of a member-state, not of a ‘region’. Since the Treaty of Maastricht, it is possible for states to decide to let one of their regions vote for them; but this does not strengthen the politics of difference, because in this case, the region votes for the state, and pressure to coordinate the position with its fellow regions is very high.

This leaves us with the European Parliament (EP), the weakest of the three important institutions of the EU. Again, the state is paramount in its organization: it decides on the election rules and demarcates constituencies according to its respective customs. If the state is one constituency, minority nationalists and regionalists find it difficult to achieve representation.

However, the EP has been widely seen as an ally of the regions; maybe the ‘underdogs’ unite to make themselves heard. It is true that EP-resolutions 19
repeatedly advocated a federal Europe, regionalization of the member-states, and a stronger role for the regions, and the EP was in favour of direct relations between the regions and the Commission and the establishment of the Committee of the Regions. But the federalization of the EU which these resolutions defended has always been based exclusively on the existing states, not including the regions. The regionalization of the member-states was claimed in very general terms, but there was no insistence on a federal structure for states nor on legislative or financial autonomy for the regions, and the cultural characteristics of the regions were rarely mentioned in this context. To accept the participation of the regions in the organizational framework of the EU did not mean the acceptance of a ‘third level’. The EP was always conscious that a strong Committee of the Regions which might develop into a second chamber could weaken its already not very copious powers and act as a competitor rather than as an ally. All attempts by particular Members of the EP (MEPs) to go beyond those limits were voted down. Under these circumstances, the farthest the EP could go was to include the regions in the principle of subsidiarity. But of course the EP has no chance of enforcing this.

Central governments really have no reason to fear that their sovereign rights might be bypassed by direct links between the institutions of the Community and the regions. The role of the regions in the existing framework is weak in respect of powers and the defence of identity. The proliferation of regions which has been fostered by regional policy, claimed by EP-resolutions and strengthened by the Committee of the Regions can even be seen as politics against difference. The regionalization of the member-states can, under these circumstances, secure the resources of the state against the attraction of the regional centres of neighbours who, in a system of free trade and exchange of goods, might regionalize to attract their neighbours’ resources. Controlled regionalization of equally treated regions, however, does not necessarily facilitate recognition of cultural differences. New regions may outvote the regions with old cultural identities. Regionalization may even cut across their traditional territory.

The language politics and policy of the EU

We have already seen that treating European regions on the same footing might make the defence of minority nationalism more difficult. Let us now analyse how the EU treats cultural differences at the sub-state level. Language is a particularly strong feature of cultural identity, not least because of its potential primordial, functional and instrumental aspects and values. Therefore, this section will focus on the accommodation of minority languages in the EU.

All states help create, maintain or destroy identities by exerting selections and pressures. The EU, if it takes over state functions, is confronted with this problem too. Language plays a prominent role in political integration. No administration can work without language and its use conditions identity politics. Its symbolic value should not be underestimated.
The European Community initially focused on markets and economy, not culture. It may seem that the diversity of languages is an impediment to a really common market, which has been the main target of the EU since its beginnings as the European Economic Community.

The Treaty of Rome stipulated in Article 217 that the official use of languages was to be resolved unanimously by the Council of Ministers (1957). In the Council, nearly every state jealously defends its official language(s). As a result, the EU of fifteen member-states, which have thirteen state languages, supports eleven official working languages. This gives 110 pairs of languages to be covered by the translation service. If there is no change in the system, the integration of Poland, Hungary, Czechia, Slovenia and Estonia would give sixteen official working languages and 240 pairs of languages. Languages which are co-official in parts of a member-state (Galician, Basque, Catalan, Welsh, Frisian and Laplandish) or which are otherwise protected by inner state legislation (Sorbian in parts of Germany, Slovenian and Croatian in parts of Austria) do not enjoy any recognized status by the Council of Ministers.

However, the acceptance of linguistic diversity by the EU contrasts sharply with the practice of other multinational institutions such as the Council of Europe or NATO (two official working languages each). This produces an image of openness, accessibility and even democracy, although in practice the European bureaucracy functions mainly in French or (increasingly) in English. In fact, linguistic diversity is not the result of openness and democracy, but of the respect the member-states are able to summon. A curious example of this respect is the order of rotation of the presidency of the Council, which of course follows an alphabetical order but with the names of the member-states rendered in their respective state languages.

Diversity of official languages may seem less offensive, but it does very few things to protect minority languages and nothing to guarantee their survival, as will be shown.

The protection of minority languages has never been of great concern to the major institutions of the EU: the Commission and the Council. It was left to the European Parliament or was to be dealt with in the Council of Europe, that is, outside of the EU framework. Even if some research was financed, linguistic diversity was seen as an impediment rather than as an asset to economic development, especially for the free interchange of goods, services and persons. There were dreams of a common language or at least of a reduction of the number of official working languages (to the two or three with the ‘vocation’ to be Community languages). On the other hand, it has become clear that no neutral language is available. Not even the eventual success of the two Dutch MEPs who proposed in 1974 that Latin should be made the European language would have produced linguistic ‘neutrality’.

Among the institutions of the EU, the European Parliament is the most accessible for defendants of cultural and linguistic rights. It is much less difficult to get the Parliament to pass a resolution by simple majority than to convince the Commission or the Council to vote unanimously for a Regulation or Directive. And it may
well be that some of the MEPs are far more positive on the weakening of the nation-state in Europe. The EP has found time to pass a copious number of resolutions on the subject. While some of them had a particular purpose (in 1987, the Netherlands was summoned to offer a public Frisian TV programme), others try to set the standard for the EU’s treatment of minority languages. In a nutshell, the resolutions dated 16 October 1981, 11 February 1983, 30 October 1987 and 9 February 1994 defend the individual rights of minority language speakers and invite states to promote, subsidize and protect those languages and their use in the media, education and the administrative system as well as their use in courts of law. From the perspective of a minority nationalist, they will continue to prove ineffective as long as they do not concede group rights and as long as they avoid the territorial dimension of the language issue. The resolutions are always counterbalanced and underline that official languages should be promoted and protected as well, that teaching minority languages should not reduce the teaching of the official languages, and that the resolutions are not meant to go against the territorial integrity of the member-states. But language use is in many situations a zero-sum game: you use one language or the other. EP resolutions tend to be incoherent, lamenting the suffering and oppression of minority languages but, by the same token, defending the identities of the national states that are the basis of the EU – as if there were no actors responsible for the oppression in the first place.

A small but more tangible result of EP activities was the establishment of the European Bureau for Lesser Used Languages in 1982. It is said that the EP originally wanted to assign some funds to Amnesty International, which does not accept public money – so the Bureau was created instead. The small budget assigned has always been in danger of succumbing to attacks, particularly from France and Greece, but it has grown in recent years. Another effect of the numerous resolutions may have been the inclusion of minority languages in some of the cultural programmes the EU is financing since Maastricht.

However, the EP has considered Catalan a slightly special case. In a 1990 non-binding resolution, the Parliament gave it a kind of special status, demanding that the Commission publish basic documents in Catalan and that the language be accepted in the office the EU runs in Barcelona. Yet it did not recognize Catalan as one of the languages for debates and simultaneous translation. When the University of Santiago claimed equal treatment for Galician in 1993, the Committee of Petitions of the EP conceded that, too.

A rather more interesting change might have come with the Maastricht Treaty, which in its Article 128(4) stipulates: ‘The Community shall take cultural aspects into account in its actions under provisions of the Treaty.’ As cultural and economic issues cannot be separated completely, there had always been a sort of ‘cultural policy’. But the end of the Cold War brought with it considerations of regional diversity and fears of balkanization, and the issue came into the open. Even non-state cultures are mentioned (in a way) in Article 128, which now is Article 151 of the Treaty of Amsterdam. The paragraph runs as follows: ‘The Community shall contribute to the flowering of the cultures of the Member
States, while respecting their national and regional diversity and at the same time bringing the common cultural heritage to the fore.’ The cautious formulation, which obviously confirms a hierarchy, has not opened the doors for the Commission to intermingle in sub-state nation protection, but has led to non-coordinated and piecemeal attempts to contribute to cultural diversity.36

An exhaustive guidebook about funding possibilities for minority language groups published in 1998 enumerates no fewer than ten Directory Generals of the (afterwards reformed) European Commission, where particular demands might be placed.37 But those institutions and programmes are not designed to promote minority languages. Only very few programmes mention them and, in these cases, the budget is wretchedly low. In some cases, particular governments did their utmost to exclude minority languages from EU schemes. The scant attention devoted to the problem contrasts sharply and unfavourably with the concern shown in programmes like ‘Phare’ and ‘Tacis’, aimed at Central and Eastern European states. These schemes show far greater awareness of cultural minorities than those aimed at the EU itself.

The only budget heading which refers specifically to them is Budget Line B3-1006. A budget line differs from a community programme in that it does not form part of the Community budget sent to the EP by the Council, but is a posterior addendum of the EP on a particular subject matter. However, its assignment has been lifted by the EP recently.38 Projects for teaching languages and for the publication of educational materials, for the promotion of language-use in the media, and for the general promotion and standardization of languages may qualify for subventions under this title, which includes the financing of the ‘Mercator’ computer database to improve exchange of information on lesser-used languages as well. Languages which might profit have to be recognized by the member-state in question. And, needless to say, the projects have to be presented in one of the official languages of the EU (and, so much for official and real linguistic diversity, have to include a resumé in English, French or German).

A clear consequence of the inclusion of cultural policy in the powers of the Commission was the introduction of new programmes in the late 1990s. ‘Kaleidoscope’ (1996–99) encouraged artistic and cultural creation and cooperation, ‘Raphael’ (1997–99) supplemented the policies of the member-states in the field of cultural heritage of European importance, and ‘Ariane’ (1997–99) was devoted to books and reading, and in particular to translation, and was designed to give preference to works published in lesser-spoken languages if they enjoyed a certain recognition in their states. All three programmes, which are now united under the new heading ‘Culture 2000–2004’, can theoretically be used to subsidize minority language projects.39 But their budgets are low compared with ‘Lingua’, the European programme for teaching the official languages of the Community, which is very profitable for smaller state languages such as Danish. It follows that majority language speakers probably still receive more subsidies per head than minority language speakers. Really big programmes like ‘Lingua’ explicitly exclude non-state languages or, in some cases, include only some of them (‘Socrates’ tolerates university languages, even if they are non-state).
It seems that under the initiative of the new Commissioner for Culture, the Luxemburgian Viviane Reding, who is sympathetic towards lesser spoken languages, the Commission may study the feasibility of proposing a particular action programme in the area of regional and minority languages. For the European Year of Languages in 2001, the Commission decided that it should embrace the official languages, together with Irish and Letzeburgesch, but including other languages if they enjoy recognition by the member-states.\textsuperscript{40}

Cultural and linguistic diversity may make the EU seem more receptive to accommodating cultural minorities than the national states; but reality may fall short of the high hopes minority nationalists often place on European integration. The main cause for European linguistic pluralism is the respect European institutions still have to pay to the nation-states. The realization of the main objective, the opening of the Common Market, may have cost the smaller linguistic groups more than the tiny compensation policies can make good.

\textit{The council of Europe}

The question of linguistic rights has been present in European institutions outside the EU, too. The Council of Europe was founded in 1949 in order to ‘translate’ the UN Declaration of Human Rights into European terms, and the corresponding European Convention of Human Rights contains some advantages in comparison to its model. But, like the UNO document, it defends only individual rights.

With the passing of the years, the Council of Europe, founded during an epoch of pro-European enthusiasm, has issued a couple of non-binding resolutions on regions, minority languages and minority rights; 350 non-governmental organizations (NGOs) have advisory status, and they may sometimes see their influence reflected in the propositions discussed by the parliamentary assembly. But afterwards, the accepted documents may be watered down by the Council of Ministers of the member-states. If the propositions result in a covenant or charter, the fight is still not won. The document has to be signed by a minimum of member-states, who sometimes sign only parts of the documents. And ratification is yet another problem.

Accommodation may have territorial or cultural components or both; in the latter case, recognition as a nation may be on the table. There have been attempts to recognize regions and regional and minority languages, but no attempt has been made so far to recognize nationalities. However, some resolutions speak about ‘national’ minorities.\textsuperscript{41}

To begin with the regions, the Council organized a permanent conference of regional and local authorities, whose members, however, depend on the will of their states. The European Convention of Transfrontier Cooperation was opened for signature in 1980, after preparations dating from 1964. And ratification took even more time. Spain ratified in 1990 after making (like France) reservations, so that cooperation between neighbouring regions in these states depends on the existence of preliminary treaties between them.
For our purpose it is perhaps illustrative to recall the history of the European Charter for Regional or Minority Languages. Preparation started in 1982, under the influence of one of the EP resolutions. A proposition was voted in the Parliamentary Assembly in 1988, but afterwards, in the Council of Ministers, the original text which spoke of collective rights and was planned as an annex to the European Human Rights Convention, had its character and wording changed. To ‘guarantee’ and to ‘assure’ became to ‘promote’ and to ‘allow’. The outcome was just another text opposing linguistic discrimination against individuals. The measures are to be chosen by the signatory states themselves. By then, the objective of the Charter had changed from solving the problems of minorities to protecting their linguistic heritage. Now it was the languages themselves which were to be protected, as a manifestation of cultural wealth, not their speakers or their cultural identities. The states can choose between ninety-eight proposed measures to protect this cultural heritage; they must choose a minimum of thirty-five. The Charter was opened for signature in 1992, and it came into force in 1998, when the first five states had signed. Until 2 December 2002, twenty-nine of the forty-four member-states of the Council of Europe had signed, but only seventeen had ratified. Among the non-ratifiers are Russia and Italy. Belgium, Turkey and Greece have not even signed. Spain and Great Britain did, and Spain and the United Kingdom ratified in 2001. France, as is well known, had second thoughts and ratification has not taken place. One of the problems is that signatory states themselves define the languages they agree to protect, which produces significant problems when the state uses strategies of divide et impera. The French Cequillini Report published in 1999 spoke of seventy-five languages which might profit from the Charter, twenty of them in metropolitan France; against the intentions of the Charter, this report included immigrant languages, stating that some of them were of long historical usage and distinctions would be unfair.

A second example is the Framework Convention for the Protection of National Minorities which was opened for signature in 1995, after a long period of discussion. As usual, definitions were most problematic. While the Turkish delegation fought for the recognition of Turkish immigrants in Germany as a national minority, it denied the existence of a Kurdish national minority in Turkey. Finally, the definition of what was to be understood as a national minority was left to each signatory state. The Convention finally does not establish rights but principles for legislation and politics the signatory states have to respect, but at the same time insists on the loyalty that members of these minorities owe to the states. Until 2 December 2002, among the member-states of the Council of Europe, only France, Turkey and tiny Andorra had not signed. Greece and six other states had not ratified.

In conclusion, we may say that the Conventions of the Council of Europe, which in theory establish strong protection as they are justiciable by international courts, fail because they leave crucial definitions to the very states that should be controlled. They do not define what a minority language is nor what should be understood by a national minority. Instead of group rights or rights of individuals which identify themselves as members of cultural groups, they speak of purely
individual rights, of promotion and protection, of languages as a cultural heritage. Nationalists who think that their cultural group, as a nation, is entitled to the right to self-determination cannot accept terms such as ‘minority’ or ‘regional language’. The wide differences in the situation of minority languages make coalitions of the communities of the speakers of those languages improbable. Catalan governments or ruling parties are not at all keen to see their language (which has more speakers than some official languages of current and future EU member-states) put on the same footing as Cornish, Manx or Sorbian. The existence of a vivid and controversial debate over the ratification of the Charter in France contrasts with the non-existence of such a debate in Spain. Both states signed but only Spain has ratified. But whereas every Occitanist knows about the Charter, Catalanists don’t – the sort of accommodation the signing might provide for Catalan is far below the standards the Catalan autonomous government has been able to establish.

Final remarks, with some reference to the Catalan case

What role can a stateless nation play in the integrating Europe? If the European Union is to be interpreted as a community of states, full recognition (territorial and cultural) can only be achieved by some form of statehood. The Scottish National Party (SNP), for example, officially defends independence in Europe. The argument is that stateless nations have the right to self-determination and that there should be a referendum on the issue. Once it becomes a state, the nation would be entitled to a seat on the Council of Ministers. In order to achieve this goal, nationalists might look for allies among other nationalist movements and parties that find themselves in the same boat.

However, the current strategies pursued by nationalist regional governments do not follow this scheme. Catalonia, for example, has staked a claim to have a vote in the Council of Ministers but only as a Spanish region rather than as a nation in its own right. It has stressed the importance of collaboration with other ‘regions’ and not only with other stateless nations. Continuity over time has been very great in this respect. Culture and language, its main identifying traits, have not been at the centre of its European policy, but have been, at least, on the agenda. If a government does not address such problems in Europe, what can society at large do? In the case of stateless nations without a regional government of their own, ‘grassroots action’ is the only option available.

National movements of non-state nations in the 1970s cooperated actively against their states, or at least tried hard to do so. But those movements are no longer in a position to accomplish much. Political parties and, in some places, institutions took the lead. It has even been argued that Catalan civil society at large, once strong, has been ‘domesticated’ by its own government, political parties and public institutions. Associations of nationalist parties were short-lived and weak. The European Free Alliance has never been able to form its own parliamentary group. Catalanist MEPs who are elected on the common ticket of Convergència i Unió (CiU) enter the liberal group if they are from Convergència, or the Christian Democratic one, if they are from Unió Democràtica. Both prefer
relations with state-wide parties. As for the Christian Democrats, Unió and (until very recently) the Basque Nationalist Party (PNV) belong to the European People’s Party, even siding with the Partido Popular. The impulse for the parliamentary intergroup founded in May 2000 came from CiU and Galician and Basque nationalists (PNV), but the deputies did not leave their traditional affiliations to the Liberal Group (Convergència), the Greens/European Free Alliance (PNV, Eusko Alkartusana, Bloque Nacional Gallego, SNP, Plaid Cymru and Volksunie), and the Christian Democrats (Concepció Ferrer, from Unió). The intergroup demanded the sharing of sovereignty, the presence of the regions in the Council of Ministers and the COREPER, the demarcation of European constituencies and a recognition of the languages of stateless nations on the same level as Portuguese, Danish and Swedish.

If we leave aside the weak and heterogeneous European alliances of nationalist parties and organizations, there is still the possibility that nationalist claims, especially those which refer to language and culture, may be integrated within NGO programmes in these fields. The campaign for direct Catalan membership in UNESCO has had the support of the Catalan government but is rejected point-blank by the Spanish UNESCO delegation. The campaign was based on the work of the private Centre de la UNESCO de Catalunya. The Catalan government and its ruling parties can drop support if this suits their purposes. NGOs tend to be left to fend for themselves when governments think that higher things are at stake.

Non-state nationalisms differ in their capacity to mobilize and organize their people, as variations in party structure and electoral success indicate. Besides, the degree of acceptance of nationalist claims by their general public and the institutional power and influence in their respective states differ. Depending on those variables, European integration has different effects on different nations and their respective nationalist movements. On the other hand, the impact of claims to defend minority identity in Europe depends primarily on the ability to mobilize at home, because only a strong base at home influences state governments and administrations.

Regional administration, where it exists, may capitalize on this. In a polity which mixes – as the EU does – elements and characteristics of federations, confederations and governance by networks, the line between regionalism and nationalism becomes blurred. But if regional political and even cultural actors have some access to European institutions, that does not mean that European integration will save or guarantee or even promote a high degree of ‘regional’ cultural identity, even if the corresponding symbols are tolerated.

Regions may be content to complement the role of the states. It may well thus be that regional empowerment in the EU helps to divert possible separatism to regionalism. Decentralization of EU member-states has been carried out without much pressure from below, depending on the interests of state governments and to counter the consequences of the economic attractiveness of neighbouring regions or as a result of EU politics and opportunities. In these cases, notably in France, a ‘soft’ regional conscience may arise in the newly formed regions, and clash
with minority nationalist projects like Occitania, based on language and culture. The EU offers opportunities to administrative regions, but none to the linguistic ones. There is always the possibility of looking for small outlets for linguistic claims among the contradictions arising from different European policies, but it would be wrong to expect nationalist success without mass mobilization.

‘Soft’ nationalism has incurred no penalties so far. On the contrary, it is an asset for competition but, if too strong, may endanger collaboration with the state, which is essential for pursuing interest politics in Europe. On the other hand, if it is too weak, nationalism may lose its influence on state government. If the votes of minority nationalists decide which party governs in the parliament of the state, their claims may be heard, but they always run the risk of stirring up majority nationalism. These situations require a high degree of control by the respective elites, to prevent the situation getting out of hand. The fear of provoking the nationalism of the state’s majority even inside the territory of the minority nation helps to ensure the basic cooperation of minority nationalists. Consensus on Europeanism (or competition to be the most European) may contribute further to this cooperation. Catalan president Jordi Pujol stated that his government assumes the role of an international advocate of autonomy as an alternative to secessionist approaches.\^49

One last word may be said on non-liberal nationalism and the Europe of the regions. Perhaps we shall see more right-wing ethnic regionalism in the future. In many countries, the populist right is still professing strong state nationalism, and, sometimes, anti-Europeanism. But there are politicians like Jörg Haider in Austria who are already talking of their vision of a ‘Europe of the Regions’, in which ‘ethnic’ regions hold on against ‘multicultural’ states. ‘Europe of the [autochthonous] ethnic groups’ has already been used as a anti-immigration formula to defend ‘white’ Europe. To ‘Europeanize’ non-state nationalism, to defend or to reawaken its democratic traditions and non-exclusive cultural identities may well be a way forward in countering such extremist views. However, a European project run by closed elites and unresponsive to democratic precepts seems unlikely to enjoy much success in pursuing such a strategy.

The integration of Europe has been seen as a kind of ‘postmodern chance’\^50 to construct a polity based not on a demos with a primordial substrate, but on the free and pure will of the people. But even if such a thing were possible, Europe as it actually exists, which in many respects is still a Europe of the states and which, in other respects, is marked by its democratic deficit, does not look like that.

Notes


8. On some of these features, see D. Grimm, *Braucht Europa eine Verfassung?* (München: 1994).


13. See Norman, ‘Construcción’.

14. I doubt that the economic and administrative logic for regional policy and the demands for respect of identity are as much in consonance as some observers think (e.g. S. Petschen, *La Europa de las regiones* [Barcelona, 1993], p. 17). But Petschen is of course right when he stresses the vagueness of the concept of ‘region’.


16. H. Rosenstrauch cites a cynical Austrian politician who defines the region as the entity you need in order to get money from the EU (‘Großwetterlage und regionale Klimaveränderungen’, *t.h.e.m.a.*, 3 [1996]: 57).


20. But the Community Charter for Regionalization passed as a resolution in 1988 cannot be interpreted as a call to base the EU on the regions.

21. Luxemburgish and Irish have a somewhat lower status, but legal documents have to be translated officially into Irish, too.


28. Ibid., p. 15.


32. See Biscoe, ‘European Union’, p. 103.

33. The Kililea resolution, passed in February 1994, went in that direction.


35. Irish may be spoken in the debates when its use has been previously announced to the interpreters. However, on several occasions, some sentences have been spoken in Catalan, Basque and Welsh, and have been reproduced in the official minutes of the sessions.

36. See Biscoe, ‘European Union’, p. 94.


40. The activities are budgeted with 4 million Euros for preparation in 2000 and 8 million for realization in 2001.


45. Even Armenia and Bosnia-Herzegovina had ratified, probably in order to improve their image. As has non-member Yugoslavia.
46. This follows the example of the UNO. Against this model, the Declaration of Universal Linguistic Rights of the PEN-Club postulates the existence of group rights (6 June 1996).
48. The authors of this last claim were Convergència politicians Esteve and Gasòliba. See Avui, 19 May 2000.
49. ‘[...] el nostre govern ha assumit voluntàriament, el paper de defensor internacional de les autonomies territorials com a alternativa als plantejaments secessionistes’ Avui, 29 April 1999.
The ‘transformation’ of governance: new directions in policy and politics

John Loughlin

The terms ‘transformation’ and ‘governance’ are increasingly used in the academic literature, but often in a confused way. This chapter attempts to define both terms. It argues that there are three kinds of transformation: pseudo-change; Incremental Evolutionary Transformation (IET); and Revolutionary Transformation (RT). IET is the most common form. It applies this model of change to three paradigm shifts in developed countries since 1945: the welfare state; the neoliberal state; and the communitarian social state (sometimes called the Third Way). It argues that each of these paradigms involves a particular mode of governance: statist, pluralist and network, respectively. It examines both the causes and consequences of these transformations for politics and policy.

A quick survey of titles of books and working papers since 1979 shows that the term ‘transformation’ has become increasingly popular. At the very least, this reveals that something is going on that is attracting the interest of social scientists and that a claim is being made that some kind of transformation is indeed occurring. The problem is, though, that, quite often, the word is included in the title simply as a shorthand way of indicating change with little attempt to indicate the nature, extent and significance of this change. Indeed, for almost every claim of transformation, whether economic, cultural, political or social, and for every process that is alleged to be causing such transformations, a counter-claim is made both as to the nature and the extent of the transformation. Thus, claims that there has been a specifically new kind of globalization since about the 1980s, which has profoundly modified the nature of the nation-state, made by authors such as Cerny (1995), Held (1999), Habermas (2001) and Beck (2000), can be countered by authors such as Hirst and Thompson (1996), who assert that globalization has been with us at least since the end of the nineteenth century, when capitalism had a truly global reach, and that the nation-state has survived nicely even in the recent period. Some years before this, Garrett and Lange (1991) sought to show that, despite claims that the nation-state was no longer the most important arena of social and party mobilization, in fact the ‘partisan–ideological’ thesis, that is the continuing importance of Left–Right party competition within national political systems, still held up. The claim that accelerated European integration is leading to a new kind of European governance system, as put forward by Gary Marks et al. (1996),
The ‘transformation’ of governance

Beate Kohler-Koch (1999) or Wallace and Wallace (2000), is countered by liberal intergovernmentalists, such as Andrew Moravcsik (1993) or Alan Milward (2000), who assert that this allegedly new system is little more than a strong international regime which has modified but little the role of national governments and actors within national states. Those who point to a new role for regions in a postnational and post-sovereign Europe such as Michael Keating (1998) or John Loughlin (2000, 2001) are countered by Patrick Le Galès and Christian Lequesne (1998) who deny that the region has any great significance and hold up instead the city as the key political unit of territorial politics. Postmodernist authors such as Jean Baudrillard (1990), who point with approval to what they claim is the fragmentation both of the epistemological and the ontological dimensions of society, are countered by Alain Touraine’s (1992) critique of modernity or the sociology of modernity of Peter Wagner (1994), both of whom, while accepting some of the postmodernist diagnosis, seek to rescue and update the concept of modernity itself. One could continue with even more examples and counter-examples.

These reflections call forth two sets of remarks. First, there is a prima facie case that some kind of transformation has occurred to spark off such a vast literature in the social sciences and humanities. Second, it is often very far from clear from this literature exactly what has changed, why these changes, if any, have occurred, and what is their significance. It is remarkable that so few attempts have been made either to define and clarify the concept of transformation itself or to link up the different dimensions of transformation, whether cognitive or empirical. This chapter will examine one area of public action for which claims of transformation have been made, that is, what is known as ‘governance’, although I am aware that this concept, too, is a fuzzy one despite (or because of) its widespread use and, indeed, despite its having become a buzzword in the European Commission, which has even produced a (unsatisfactory) White Paper on the subject (2001).

‘Transformation’ and ‘governance’: an attempt at clarification

Transformation

As remarked above, the word ‘transformation’ is often simply used as shorthand for change without specifying the extent of the change. One of the methodological difficulties which arises here is to choose a standpoint from which one might evaluate whether change has actually occurred and to what extent it has occurred. In the field of public action, there those with vested interests (for example, civil servants with a stake in preserving the status quo) who may claim that change has occurred when this is not the case. On the other hand, those with a vested interest in bringing about substantial change may claim that change has not occurred or has not gone far enough when, in reality, real and significant change has in fact occurred. Furthermore, many academics, particularly those in the Anglo-Saxon world, seem to have an inbuilt bias against recognizing the possibility that real change might occur or that political, policy and administrative reforms are even
possible. This may be a result of disappointments due to the failure of optimistic policy programmes in the 1960s to deliver real results (for example, programmes to eliminate poverty, illiteracy or Third World debt) or it may have deeper philosophical and epistemological roots, related to contemporary forms of philosophical scepticism. This chapter does accept that substantial change, and indeed transformation, is possible in areas of public action but it will try to specify how one might evaluate this when it occurs. To begin it might be useful to distinguish three kinds and degree of change or, in the case of the first, pseudo-change.

First, there is that kind of change, to paraphrase di Lampedusa, that ensures that, if things are going to remain the same around here, they will have to change. This is captured in the French phrase, *plus ça change, plus c’est la même chose*, that is, change that is purely presentational and related to appearances but which does not fundamentally alter the substantive realities of the object allegedly changed. It is this kind of pseudo-change that perhaps underlies the academic scepticism referred to above. A good example is the British civil service, which, in the 1960s, underwent several programmes of reform (the best known being the Fulton Reforms). These basically changed nothing of the underlying operating civil service culture since the reforms were in the hands of those Whitehall mandarins who most represented what needed to be changed and thus ensured that no change occurred (Metcalfe and Richards 1990). The word ‘transformation’ can scarcely be applied to this form of change.

Second, there is change that does bring about real and substantial differences in the object that is being changed but which also retains elements of the previous system. Within this category of change there is a time factor. In the short to medium term, features of the previous system might remain predominant, but in the longer term they are replaced by the newer elements. As Pridham (2000: 18) remarks: ‘Transformation usually indicates a fairly deep or fundamental process of change […] It is also likely to be a process that is distinctly more long- than short-term.’ This is indeed transformation but one which is *incremental* and *evolutionary* – Incremental Evolutionary Transformation (IET). In this case, and in contrast to the first type of change, the forms might remain the same but the substance underneath alters.

A third type of change is Revolutionary Transformation (RT) in which there is a rapid, short-term transformation of political, economic and social conditions. The concept of revolution has been debated in the social and historical sciences and it is sometimes questioned whether there is really such a thing as true revolution, given that the new regime may retain many features of the old, as in France after 1789, Russia after 1917 and China after 1949. What seems to have happened in these three classical revolutions is that a deep transformation – an overthrow of elites, the dismantling of a regime, a radical change in the social and economic infrastructure of a society – occurred within a short space of time but some elements of the old regime were retained (for example, a high level of political centralization, the retention of elements of a political or administrative culture) and the deeper transformation took some time to work itself through. This, too, is clearly a true transformation.
In any case, IET sometimes gives way to RT. This means that the conditions of change might build up over a more or less long period of time. However, at certain key moments, these lead, in a fairly short period of time, to Revolutionary Transformation, or what Ruggie (1993: 166) calls ‘epochal change’. A similar model of radical change is suggested by Cerny in relation to the historical evolution of political-economic structures which develop ‘mainly through a continuous process of bricolage or tinkering’ with ‘[o]ccasional paradigmatic change’ leading to a major transformation (Cerny 1995: 602). This is not to suggest a teleological progression from one to the other. Indeed, often epochal change or transformation is a result of the unintended consequences of previous actions by key actors. Furthermore, epochal change, according to Ruggie, is never complete or all-embracing. In other words, elements of the previous regime might survive and continue after the epochal change has occurred. Again, our examples of the French and Russian revolutions come to mind.

**Governance**

It is Incremental Evolutionary Transformation, that is, gradual tinkering and bricolage, punctuated by moments of epochal or paradigmatic change, that best describes the processes of change in Western capitalist states and it is probably this that is captured by the exploding number of ‘governance’ titles referred to above. ‘Governance’, like the term ‘transformation’, also needs to be carefully unpacked as it has often been used in a vague and fuzzy way. Kooiman (1993) helps to clarify the issue by distinguishing the concepts of *governing*, *government* and *governance*. Government and governance are both ways of governing society but the former relates to the forms associated with liberal representative democracy, the traditional state, while the latter involves a wider set of actors, including elected politicians and public officials but also various non-elected interest and pressure groups (Rhodes 1997). The main thrust of the argument of governance theorists is that, as society becomes more complex and differentiated, the traditional method of governing from above – government – becomes more difficult. This leads to governance, understood as steering rather than directing, which they claim supplements or even replaces government. Governance is allegedly more bottom-up than top-down and involves a partnership between government and non-governmental elements of civil society. Within this same ‘bottom-up’ perspective, Rhodes asserts that ‘governance refers to self-organizing, interorganizational networks’ (1997: 53), which are distinct from government. Implicit in this work on governance is the notion of transformation: modes of governing go from simple government to a wider system of governance. Kohler-Koch (1999), too, analysing the European Union as a political system, postulates an ‘evolution and transformation’ of the EU to a system of *network governance*. Comparing different kinds of states with each other and with the EU, she proposes a typology of modes of governance (see Figure 9.1).

In this schema, which combines typologies elaborated by Lijphart and Lehmburch, systems of governing may be categorized as being organized according to basic
principles: the way in which political relations are organized – majority rule or consociation (Lijphart) and the way in which the basic logic of the polity is conceptualized – according to a principle of the common good or of individual interests (Lembruch). This leads to a matrix of four possible modes of governance, each with its own country or system exemplar: statism (France); corporatism (Switzerland and Germany); pluralism (United States); and network governance (EU). Kohler-Koch’s typology is useful both in so far as it illustrates that there exists a variety of state traditions and also that the EU is not simply a system of governance *sui generis* but can be analysed comparatively in the context of these state traditions. She also argues that governance coexists with government, in contrast to approaches that suggest that governance is replacing it. What is not clear, however, is whether ‘network governance’, which characterizes the EU, is also becoming predominant within the national systems. In other words, is it at least modifying French statism, Anglo-American pluralism and German or Dutch corporatism? The rest of this chapter will examine the extent to which the national traditions of government associated with classical nation-states of various kinds are being transformed into new systems of governance. It will argue that all states have been subjected to common pressures which have indeed led to a certain convergence but that this has also been shaped by the traditional modes of governance: statism, consociationalism or pluralism.

It might be argued that governance has always been part of government in the sense that there have always been interest groups from outside the official political system involved in the policy-making process. The vast body of literature devoted to the policy sciences, policy analysis and policy communities and, indeed, the debates on relations of political power which have involved elitists, pluralists, Marxists and neo-corporatists, were all concerned with what is now referred to as governance. Furthermore, it is exaggerated to claim, as Rhodes seems to imply, that governance is replacing government. On the contrary, government is still very much with us. Government and governance are, as Kohler-Koch
The ‘transformation’ of governance stresses, closely intertwined. The question is how they relate to each other and whether we are witnessing a new configuration, or paradigm, of the relationships between government and governance, state and economy, state and civil society. If a transformation has occurred, it is in the paradigm and this, in turn, will affect both government and governing. I will argue in this chapter that such a shift has occurred.

Paradigms exist both at the cognitive or conceptual levels and at the empirical levels of institutional and policy design. I will argue in the next section that advanced capitalist states have undergone at least two paradigm shifts since 1945 (see Figure 9.2). The first paradigm shift was the setting up of welfare states during the period of what the French call the Trente Glorieuses (1945–75); the second occurred with the hegemony of the neoliberal model, which seriously challenged the welfare state model; the third is the one we are currently living through, which is the search for a Third Way, and which I call the emergence of the Third Way state. A paradigm shift occurs when both the cognitive and empirical elements of one paradigm are replaced by another – an epochal change, in Cerny’s term. Such a paradigm shift also affects the mode of governance, as it redefines the role and nature of government and its relationship with the wider civil society. During any one period there are a number of competing paradigms which may overlap with each other, and it is also difficult to discern when one paradigm ceases to be hegemonic and gives way to another. Nor is it always easy to lay out the reasons for the shift in the short term. Nevertheless, that a shift has occurred is usually discerned post hoc facto and in the longer term. It is with these cautions in mind that the following section should be read.

**Paradigm shifts**

Although the welfare state pre-dates the period following World War II and has its roots in the Bismarkian state, the British liberals and the Swedish social democrats, it established its hegemony as part of the post-war political, social and economic reconstruction of Western Europe. Even the United States adopted some elements of the welfare state. The welfare state was accepted by both moderate social democratic or labour parties and centre-right conservative

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<th>Paradigm</th>
<th>Role of State</th>
<th>Role of Market</th>
<th>Role of Society</th>
<th>Mode of Governance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Welfare state</td>
<td>Dominant</td>
<td>Subordinate</td>
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<td>Statist</td>
</tr>
<tr>
<td>Neoliberal</td>
<td>Subordinate</td>
<td>Dominant</td>
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<td>Pluralist</td>
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<td>Arbitrating state</td>
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*Figure 9.2 Modes of governance in three paradigms*
and Christian democratic parties. Crouch (1999) has dubbed this the ‘mid-century consensus’.

Although Esping-Anderson (1990) distinguishes three kinds of welfare state or, in his term, welfare capitalism, corresponding to Scandinavian, Anglo-American and Catholic approaches, all welfare state systems have a number of common features. Cognitively, it was accepted by most elites as well as by civil society that the state not only could but ought to intervene in the economy and civil society in a Keynesian approach to economic governance. Empirically, during this period, everything was expanding: the economy, citizens’ needs, and the policy programmes, administration and public spending designed to meet those needs. This led to the development of a particular kind of state whose characteristics were: centralization to assist redistribution, standardization to ensure equality, and a bureaucratization of civil and economic life. Welfare state governance was elitist, neo-corporatist and top-down (Lehmbruch and Schmitter 1982).

It is widely accepted that the welfare state represented the culmination of the nation-state as the political system most closely associated with liberal, representative democracy as well as modernity (Touraine 1992; Habermas 2001). According to Wagner (1994), it was the final phase of ‘organized modernity’, as opposed to the ‘liberal modernity’ of the nineteenth and early twentieth centuries. In its ulterior form, modernity was ‘organized’ by state forces unable to tolerate the disruptive potentialities of ‘liberal’ modernity as found in the explosion of market forces in the nineteenth and early twentieth centuries, which Polanyi (1957) labelled ‘the Great Transformation’.

It was this aspect of ‘organization’, or what was perceived as over-determination that became the subject of critiques both from the Left and the Right. The most systematic critique from the Left came from the Frankfurt School led by Horkheimer (1972), Adorno (1960) and Marcuse (1972). This was based on the notion that ‘organized modernity’ suffocated the human spirit and produced ‘one-dimensional man’, subject to bureaucratic pressures and reduced to a state of passivity. These critiques, especially that of Marcuse, eventually fed into the student revolts of the 1960s and were important elements in the later partial disintegration of ‘organized modernity’ and the emergence of ‘postmodernism’. The left-wing critique of welfarist modernity would not have rejected the role of the state as such, but rather this kind of centralized and bureaucratic state.

Perhaps even more telling was the critique from what came to be called the New Right, a form of right-wing libertarianism, with a series of economic (Friedman 1961), bureaucratic (Niskanen 1971) and philosophical (Nozick 1974) analyses directed at the state itself. These authors claimed that welfare states both stifled the freedom and entrepreneurial spirit necessary for human beings to realize their full social and economic potential and also that they are ultimately ‘ungovernable’.

As Offe (1984) pointed out, these critiques from the Left and the Right were rooted in a similar analysis of ‘the contradictions of the Welfare State’, and based on the notion that it is impossible to realize both bourgeois democracy and ever-increasing welfare provisions. Thus, it might be said that, during the period of welfare state hegemony, there coexisted three main competing models: the
welfare state of the moderate labour and conservative movements, the left-wing libertarianism of the New Left, and the right-wing libertarianism of the New Right, but only the first was hegemonic.

Most commentators would agree that the welfare state model underwent a serious crisis at the end of the 1960s and the beginning of the 1970s, although it would be incorrect to assert that the model collapsed completely. What does seem to have happened is a serious crisis of ‘fordist’ capitalist methods of production, coupled with the oil crisis of 1973, leading to a serious economic crisis which the Keynesian approach was incapable of solving. This put even greater strains on the welfare state as unemployment rocketed and industrial production plummeted. This crisis led to two responses in political philosophy and practical politics. First, the New Left critique fed into the ‘gauchiste’ movements of May ’68 and then into the postmodernism of subsequent years (Touraine 1992). Although these movements had a profound impact on cultures and lifestyles, they had little impact on politics and governance, except in their encouragement of ‘new social movements’ and their critique of the over-centralized state, which encouraged demands for decentralization and regionalization.

It was what we can call, perhaps retrospectively, the ‘neo-liberal movement’ which had more profound political and policy consequences as it succeeded in winning the hearts and minds of those political, administrative and industrial elites still in control of the economic and political systems. While the May ’68ers were experimenting with being homo ludens, those at the centre of power were being won over to the arguments of the New Right. Meanwhile, society itself was undergoing profound social and economic transformations to the extent that, as Mendras (1984) argues, traditional social classes and even ‘social movements’ in Touraine’s meaning of the term, ceased to exist. Thus, we find a number of transformations occurring simultaneously and relating to each other in quite complicated ways: at the base, economic, social and cultural transformations which restructured social and economic systems and produced new cultural values; at the political and policy levels, reforms that were both a reaction to these deeper changes as well as attempts to guide them. The end result, which occurred over a number of years between the mid-1970s and the early 1980s was the replacement of the hegemony of the welfare state with a predominant neoliberal paradigm. This corresponds quite closely to the Ruggie and Cerny model of change as bricolage leading to intense paradigmatic change and what I have termed Incremental Evolutionary Transformation. The difficulty in disentangling the causal relationships is a result of the complexity of the factors and also because there is a simultaneous coexistence of the two models in the sense that the outer forms of the Welfare State model remain even after the underlying cultural values and operating procedures have changed.

The dimensions of the transformation of governance

One way of examining these transformations is to examine the degree of relative importance of the state, market and society during each of the epochs. All three
dimensions of politics, economics and society are simultaneously present but usually one is dominant or hegemonic. Within each paradigm, there is a particular understanding of the nature, role and functions of each element and of their relations to each other but also of key concepts of democratic theory and practice such as sovereignty, responsibility and accountability. Each paradigm also implies a particular understanding of public policy, public administration and the nature of institutions. All of these elements add up to what we have defined as governance.

The welfare state
In all welfare state systems, state, market and society are, theoretically, congruent but with the state dominant and, to some extent, attempting to control society and market in a top-down manner. Sovereignty is also theoretically exercised in an absolute manner by central governments on behalf of their national populations within clearly defined territorial boundaries. In Hirschman’s terms, exit opportunities are reduced (that is, opportunities to escape across borders), loyalty is emphasized and voice is encouraged (Hirschman 1970). This closure was the culmination of processes of nation-state building that had begun at least two centuries earlier. Both internally and externally, relations between nation and state and with other nation-states may be seen as a zero-sum game – either you are in or you are out – and lead to exclusive definitions of citizenship. This was necessary both in terms of international relations as well for consolidating nations internally. Externally, states entered into relations with similar entities, whatever their internal features. Internally, governments and executives were responsible to elected assemblies.

Governance, during this period, might be described as hierarchical, top-down and technocratic. The dominant actor in this mode of governance is the state and this corresponds to Kohler-Koch’s category of statist governance (Figure 9.1). This is true of all welfare states, even if the institutional expression is consistent with each state’s particular political culture and state tradition.

The neoliberal paradigm
The neoliberal paradigm is almost the diametrical opposite of the previous one and, indeed, some of its propagators consciously sought to overturn the welfare state or at least to undo what they regarded as some of its most harmful features. It is doubtful whether they succeeded in doing so completely but nevertheless it is possible to note some quite fundamental changes in governance occurring in the attempt. First, the rapid changes associated with globalization as well as accelerated European integration meant that national governments were no longer capable of exercising the sovereignty that they once aspired to and exercised in practice at least partially. Areas of public policy slipped from their grasp and sovereignty became an increasingly empty concept, whether it was understood as referring to the position of national governments in international relations or to the exercise of internal control within the boundaries of the state. Exit began to predominate over loyalty, at least with regard to the activities of economic
entrepreneurs (Bartolini 2000). What had been perceived as a zero-sum game – exclusive definitions of identity, citizenship and sovereignty – increasingly became viewed as positive-sum: multiple identity, joint citizenship and shared sovereignty. In Western Europe, the European Union took over many of these functions but there was also a general phenomenon of regionalization and decentralization, at least in the larger states, as central governments were incapable of performing the many tasks expected of them (Loughlin 2001). Governance became more complex as society itself diversified from the highly stratified and structured version of the 1950s and early 1960s to one that was more fragmented and atomized. This has not resulted in complete anarchy or societal breakdown but rather to a new recomposition of political movements and parties who have been forced to rethink and reformulate their political projects. The old Left/Right cleavage is now less relevant as new issues and concerns have emerged that are mainly about lifestyle or identity issues rather than about deep structural questions concerning the organization of the state and society themselves.

In contrast to the welfare state period, society and the market have tended to become dislocated from the state. In the neoliberal paradigm of governance, it is the market that is dominant and market-based approaches have been increasingly introduced into public administration and policy. The state is reduced to facilitating, or steering, and governance is now seen as a bottom-up, pluralistic process involving a myriad of groups. It is true that this conception of government and politics is largely derived from the American model of politics as expressed by writers such as Dahl (1967) and Lindblom (1965). What we are arguing here is that this understanding of politics has also penetrated the political systems of Western Europe, whose intellectual, historical and empirical foundations are quite different from those of the United States. In effect, the new governance corresponds closely to Kohler-Koch’s pluralist mode of governance and is similar to Esping-Anderson’s Anglo-American form of welfare capitalism. However, the new neoliberal governance is different from these in that it operates in a very different political, economic and ideological context from that which prevailed during the heyday of the welfare state. This is a world of economic, social and cultural globalization, deregulation and open borders. To a large extent, the new governance has been imposed by necessity on nation-states but also in part it has been welcomed by them as means of easing the burdens of governing.

The ‘third way’ state paradigm

Experiments in neoliberal governance spread across the developed world, many of the states of Latin America and in the newly liberated states of the former Soviet empire in the 1980s and early 1990s. The political icons of this movement were Ronald Reagan and Margaret Thatcher but many other political leaders espoused the new approach. In the European Union, the Single Market project gave it an important boost as it seemed to sanctify the principle of market dominance.

Nevertheless, neoliberalism was not universally accepted and, indeed, the political Left and some of the political centre actively opposed it. What seems to have
occurred, however, is that during the 1980s and 1990s, a series of irreversible reforms, inspired by neoliberal approaches, and supported by international organizations such as the OECD, the World Bank and the International Monetary Fund, were implemented in most countries. These included privatization, deregulation, regional pacts which lowered tariff barriers (as with NAFTA) and abolished frontiers (as in the Schengen group of the EU) and reforms of public administration which was opened up to internal competition and in effect adopted a new operating culture. All of this occurred according to individual state traditions but the similarities across countries are striking (Loughlin and Peters 1997). Those opposed to many of the ideas and approaches of neoliberalism were, therefore, faced with a series of *faits accomplis* by the time they took power again in the 1990s (when Clinton was President of the USA and the majority of EU states were led by governments of the centre-left). They were left with little choice but to accept these reforms. There was no turning back to the golden age of the welfare state and the *Trente Glorieuses*.

The response was what came to called the Third Way, most strongly espoused by Prime Minister Tony Blair and his Chancellor of the Exchequer Gordon Brown but already present in Clinton’s reinventing government movement and given some intellectual respectability by authors such as Amitai Etzioni (1993) and Anthony Giddens (2000). The notion of a Third Way goes back to the intellectual roots of Christian democracy and in particular to Catholic social philosophy, which sought to find a third or middle way between the totalitarian systems of communism and fascism and the individualistic capitalism of the 1930s (Hanley 1994). The German social market of the 1950s and 1960s and the Dutch ‘polder model’ might also be seen as examples of a third way between market- and state-dominated approaches or between balanced public and private sectors. What has changed is that these earlier versions of the Third Way were elaborated either in the period of struggle between liberal capitalism on the one hand and totalitarian and authoritarians regimes such as Nazism, fascism and communism on the other before World War II or during the welfare state period afterwards. Today’s version accepts the irreversibility of the neoliberal reforms, while at the same time attempts to add a social, communitarian or solidaristic elements to these. European socialists and social democrats such as Jospin and Schröder have also felt it necessary to elaborate their own national versions of the Third Way. Jospin’s would accept more state intervention than Blair while Schröder would be more concerned to preserve some of the *acquis* of the welfare state. Both, however, would accept some injection of market principles into these systems. In Spain, the centre-right government of Aznar is ideologically not so far removed from Blair’s New Labour and the British Tories and US Republicans are speaking of ‘compassionate conservatism’. In essence, then, the various third ways seem to be attempts to bring together once again state, market and society but this time with a greater emphasis on ‘society’. All this points to a transformation – at least at the level of discourse and ideology – at the cognitive level.

A crucial difference between these attempts and the earlier pre-war and immediate post-war third ways, is that society itself has been fundamentally transformed.
Then, there were recognizable social classes with reasonably clearly defined roles in the system of production. The public and private domains were distinguished with work, whether industrial or administrative lying clearly in the public sphere, while families, based on male breadwinners and female carers, and communities, living in clearly delineated geographical territories with little mobility, constituted the private sphere. Today, social classes have been transformed into ‘constellations’ (Mendras 1994); families, although still the most common form of human habitation, have become less patriarchal and are now more democratic (Giddens 2000); while the old rural and working-class communities have given way to less cohesive groupings of residents. It is this new societal context that has necessitated the ‘new governance’ as governments try to find public policy approaches which can respond to this new complexity. The difference between the neoliberal approach and the communitarian social approach is that society is not conceptualized simply as a loose collection of individuals (even if it sometimes resembles this) operating in a market-like situation, but is essentially a community. At least, there is a normative presupposition that society ought to be a community and the new Third Way governance, influenced by theorists such as Giddens and Etzioni (1993) is an attempt, at least in part, to rebuild community. This is a sea-change when compared to the heyday of neoliberalism under Mrs Thatcher and reflects the empirical dimension of the transformation which has occurred.

Thus, the Third Way, or what we have called the communitarian social state, is different from the neoliberal paradigm and is not simply neoliberalism dressed in fancy social democratic clothes. This becomes clear when we examine the mode of governance that is associated with it. Neoliberalism attempted to reduce or marginalize the state and to give predominance to the market. It tended to deny the existence of society and concentrated on entrepreneurial individuals. The new approach accepts the market but gives an important role to the state, albeit one that is based on a facilitating and partnership role rather than a top-down interventionist one. It also accepts the reality of ‘society’ (in contrast to Mrs Thatcher’s infamous statement that there is no such thing) and even of ‘community’ and attempts to rebuild these. Thus, the relationships between the three entities state, market and society are reconfigured differently from either the welfare state or the neoliberal models and are based on the principles of partnership and subsidiarity, which are also of course two of the guiding principles of the European Union. In Kohler-Koch’s model, this is called network governance but, in our conception, it is a feature of governance within member-states as well as within the European Union.

Is there any evidence to support this argument? It could be argued that, in the UK, one of the originators of the neoliberal model, the reforms being carried out by the Blair government are very much along the lines outlined in the previous paragraphs: devolution to Scotland and Wales and, in the future, to the English regions; the power-sharing arrangements in Northern Ireland and between the Republic of Ireland and the UK; the reforms of local government, all along the lines of partnership and subsidiarity, are very different from what could have happened under the previous Tory governments. In Italy, significant reforms are
taking place to improve regional and local democracy; in France, there have been important reforms and experimentation also at local government level and a new programme of decentralization is being prepared; in Spain, several of the Autonomous Communities are experimenting with local democratic participation; Ireland’s economic miracle is largely based on this partnership approach. The European Union itself is promoting ‘network governance’ through programmes such as LEADER (the rural development programme). One could multiply examples.

Of course, it is also possible to argue that the neoliberal reforms were less radical than is being claimed here and that, in practice, they were in fact what we have just described. I accept that the neoliberal programme was never fully implemented nor, perhaps, could it have been. Nevertheless, it did exist at the level of discourse, of analysis and of political ideology and it did have real effects in the transformation of political and policy systems. What has changed is the discourse, which has been replaced by the programme outlined above and this, in turn, is the basis of further experimentation and reform in policy and administration. What has also changed is the context; these is a quite different economic, social and geopolitical situation today than there was in the early 1980s. Thus, although much more empirical research is needed, it can be argued that real transformations have occurred and are still taking place.

Explaining the transformations

The notion of Incremental Evolutionary Transformation, with long periods of bricolage punctuated by shorter terms of more fundamental paradigmatic shifts is a good description of the changes outlined above. The question remains: what has brought about these changes? Epochal change occurs when there are contradictory forces at work which undermine either the legitimacy or the effectiveness of a given set of political, administrative and social institutions. These underlying forces are usually new forms of economic activity and relationships that are best served by particular forms of organization and that other forms hinder. Spruyt (1994) argues that, in the fourteenth and fifteenth centuries, the new economics of trade and urban development were hindered by the older feudal system, as well as by the Holy Roman Empire and the Papacy. The three more ‘modern’ forms of political organization were the city-states, the city-leagues and the sovereign territorial state (the forerunner of the modern nation-state). In fact, it was the latter which proved in the end victorious, as best suited to the emerging forces of mercantile and industrial bourgeois capitalism. Polanyi, in The Great Transformation, made a similar argument pointing to the necessity for markets to break down the older forms of social and political organization to create the nation-state. Today, we are witnessing a similar transformation as the nation-state is finding it increasingly difficult to provide either a suitable framework of welfare democracy – its internal function – or of operating as a sovereign entity on the level of international relations (Ruggie 1993) – its external function. According to Cerny: ‘the state is being not only eroded but also fundamentally
transformed within a wider structural context [...] The international system is no longer simply a states system; rather, it is becoming increasingly characterized by a plural and composite [...] structure’ (Cerny 2000: 595). The same author identifies paradigmatic change as occurring ‘when the requirements for providing [...] both public goods and private goods in some workable combination increase beyond the capacity of the institutional structure to reconcile the two over the medium-to-long term’ (ibid., p. 602).

The most probable explanation of the forces driving the changes is that these were economic: the crisis of the capitalist model of the 1930s which contributed to World War II and the adoption of the Beveridgean/Keynesian model which led to the welfare state; the economic crisis of the 1970s which led to the subsequent crisis of this model and to the success of neoliberalism, deregulation and globalization; the costly societal and economic disfunctions of the strong version of neoliberalism in the 1990s which led to its modification in the form of the Third Way. Political and administrative elites have responded to these changes by reinventing government with new modes of governance each corresponding to the challenges of the particular paradigm: statist during the welfare state; pluralist during the neoliberal period; network during the social state period. In the period of growth of the welfare state, the concerns were the management of growth and the effectiveness of policy programmes and ‘fordist’ models, mirroring the large-scale corporation, were adopted. In the neoliberal period, the concern was the management of contraction and efficiency with the adoption of ‘post-fordist’ management models emphasizing ‘flexibility’ and customized variation. In the current phase of evolution, flexibility and customization are tempered by concerns of partnership and social solidarity. Wider changes in society, culture and values both fed into and were influenced by these economic, political and administrative changes.

Conclusions

The main conclusion of this chapter is that there has indeed been a transformation, or even several transformations, of governance in Western states since 1945. However, the social science literature has been deeply divided with regard to the significance of these changes and indeed whether anything has really changed at all. In this chapter I argue that there has been at least one paradigm shift – from the welfare state to the neoliberal state – and that we are perhaps witnessing a third towards something that we have called the social state. The transformation of governance is really one manifestation of a wider set of transformations: of the economy, of the state, of society and of culture. These transformations signalled the collapse of at least one conception of the modern nation-state and have profound implications for political democracy and the nature of our political systems. We cannot turn the clock back to either the liberal nineteenth-century watchman state (the neoliberal project) or to the mechanisms of the welfare state. Nor should we resign ourselves to sinking into postmodernist disintegration however much contemporary culture and society seem to have these characteristics. Rather,
we need to refound the basic concepts of democracy and to reflect on the kinds of political, economic and societal institutions that might be necessary to give this expression.

Notes

1. A search of the library of the European University Institute reveals that, between 1979 and 1985, there were twenty-one books and working papers with the word ‘transformation’ in the title; between 1986 and 1990, there were twenty-two titles; between 1991 and 1996 the total leapt to 181 and, from 1997 until the present it was 134. A similar search in the LSE library found 936 records from 1986 until the present.
3. See, for example, Natali and Rhodes (2002).

References


Adorno, T. 150
‘age of migration’ 25
allegiance 25, 26, 27, 35, 37
American federal system 111
Anderson, B. 71
Antola, E. 56n21
Autant de façons d’être Québécois 30
Barry, B. 2
Basque Nationalist Party (PNV) 10, 139
Beck, U. 144
Benhabib, S. 2, 3, 4, 72, 73
Bibo, István 118, 121, 122, 125n18, n21, n22
bilingualism 34
Billig, M. 58
Bobbio, Norberto 56n23
Bonin, P.-Y. 58
Bosans, A. 56n21
Brass, P. 75
Brown, D. 94n9
Brubaker, R. 3, 4, 62, 70
Burns, T. R. 158n2
citizenship 25, 27, 51; equal citizenship status 27; multicultural versus homogenous 26–8; Quebec 28
civic nationalism 88–9
classical normative democratic theory 60
collective identity 5, 31, 59, 61, 62
Colley, Linda 55n5
common political will 71
‘common public culture’ 30–1, 67
Connor, Walker 124n11
constitutional patriotism 99–100
Convergència i Unió (CiU) 138–9
Cooke, M. 74
Crick, Bernard 55n2, n3, 56n13
Crouch, C. 150
cultural communities 2, 14–15, 18, 26, 43, 49
cultural diversity: historical and ideological context 14–15; in modern society 14; role in intercultural dialogue 15–16; role of religion 14; sources of 13–14
cultural membership 127
cultural pluralism 2, 3, 25, 28; Quebec’s model of 28–33
culture(s) 13, 27; dominant versus non-dominant 16; nature of (applicable to nations) 70; open character of 69
Dahl, R. 60, 106n1, 153
deliberation 72–3
democracy 15; common political will 71; deliberation 72–3; modern theories of 59; normative theory of 4;
pluralism 71–2; political nature of nation in 66–1; role of citizenry 61–2; tolerance 74
democratic dialogue 20

Canada: bases of belonging in 33; Canadian identity 36–7; Canadian policy versus Québécois policy 28, 31; failure to differentiate national minorities and polyethnic communities 34–5; nation-building strategy 34; political community 34; ressentiment by English Canadians 50
Canovan, M. 58
Carens, J. 3, 29, 31, 38, 40n13, n20, 42n39, 94n15
Carson, M. 158n2
Catalan case 138–40
Cerny, P. 144, 147, 149, 151, 156, 157, 158n2
collective identity 5, 31, 59, 61, 62

Cerny, P. 144, 147, 149, 151, 156, 157, 158n2
collective identity 5, 31, 59, 61, 62
Index 161

democratic state 9, 25, 59, 60, 62–4, 66–8, 85, 93, 97, 115; ‘comprehensive doctrines’ 64
demos 59, 60, 63, 98, 99, 103, 106, 140
Deprez, Kas 55n8, 56n12
Dworkin, R. 65
equality, ideal of 27–8
Esping-Anderson, G. 150, 153
ethnocratic state 62
Etzioni, A. 154, 155
Europe, Eastern and Central: federalism and secession in 118–23; see also western democracies
European Commission 10, 94n7, 135, 142n24, 145
European Union: committee of the regions 130–1; council of Europe 136–8; features of institutional system 131–2; language politics and policy of 132–6; regional policy 129–30; responsible for accommodation of stateless nations 128–9
Favell, A. 94n21
Fearon, J. 5
federal and quasi-federal forms in the west 108–13
federalism: federal system versus multination federations 111; multinational federalism 74–6; and secession in the west 113–16; uninational and plurinational 100–6; see also Germany’s federal system; Spain’s nation-building process
federation, reforming the 101–2
fundamentalism and intercultural dialogue 19–23
fundamentalists, religious 21–2
‘fusion of horizons’ 32
Gagnon, A. 5, 25, 75, 106n3, 107n8
Garrett, G. 144
Germany’s federal system 100–2
Gibbins, Roger 56n22, 107n6
Giddens, A. 154, 155
Glazer, Nathan 2, 123n4
‘global society’ 25
globalization: logic of 15; and national pluralism 96; source of diversity 13
good society 23–4
Greenfeld, L. 60
Gurr, T. R. 3, 4, 70, 123n3
Gutman, A. 2, 40n9, 140n1
Habermas, J. 2, 9, 46, 67, 73, 97, 98, 99, 106n2, 141n9, 144, 150
Hampshire, S. 71
Hanley, D. 154
Heffer, Simon 51, 56n14
Held, D. 144
Hermans, Theo 55n6
hijab 19
Hirschman, A. 152
Hirst, P. 144
homogenization 14
Horkheimer, M. 150
identity: Canadian 36–7; collective 31; constructionist analysis of 5; mononational (Jacobin) 26; national 70; Québécois 35
‘identity politics’ 26
Ignatieff, M. 94n10
immigrants: group identities 5; source of diversity 13, 14
incremental evolutionary transformation (IET) 144, 146, 147, 151, 156
indigenous peoples 109; stateless nations and 109–10
individual rights 34
industrialization 14–15
integration 28; evaluating 34
intercultural dialogue: and fundamentalism 19–23; role of cultural diversity in 15–16
interculturalism 28–33; as a model for addressing polyethnicity 37; Canadian model of 36–7; virtue of Quebec’s model of 37
Jenson, Jane 123n2
Juaristi, J. 61
Keating, Michael 56n15, 142n25, 145
Kohler-Koch, B. 141n12, 145, 147, 148, 152, 153, 155
Kohn, H. 67
Kooiman, J. 147
kratos 59
Kymlicka, W. 2, 7, 8, 9, 27, 28, 34, 35, 36, 37, 39n1, n2, 40n8, n11, 41n31, 36, 42n37, 61, 63, 65, 66, 67, 68, 69, 72, 75, 94n12, n20, 108, 123n1, 124n8, n10, n13, n14, n16, n20, 127, 141n2, n3; classical liberal response to polyethnicity 27; cultural membership 127; flaws in stages described by 2–4; importance of societal cultures 127; political theory development 2–3
Laforest, G. 56n22, 58, 65, 68, 72, 75, 94n4, 107n6
Laitin, D. 3, 4
Lange, P. 144
Lapoune, Jean 41n32, 124n13
Le Galès, P. 145
Lehmbruch, G. 147, 150
Lequesne, C. 145
Levy, J. 39, 94n8, n19, n20
liberal democracy: normative theory of 64; suppressing minority nationalism 110
liberal nationalism debate 58; arguments recurring in the 58–9; relationship between citizen and state 64–6; relationship between nation and state 59–64; understanding 80
liberalist nationalist: proposed criteria of nationality 67; reconstruction of concept of nation 66–7; right to a culture 69–70
liberalist nationalist discourse 60–4
Lind, M. 54, 58
Lindblom, C. 153
Lois, M. 41n35, 70
Loughlin, J. 10, 144, 145, 153, 154
Louis Vos 55n8
McRoberts, Kenneth 56n20
Máiz, R. 2, 5, 7, 58, 61, 70, 72, 75
majority nationalism 45–6, 52; pining for certainty 53
majority nationalities 44–5; fears of 49–50; ressentiment 50
Marcuse, H. 150
Margalit, A. 66, 141n5
Marienstras, E. 61
Marks, G. 130, 141n17, 144
Meadwell, H. 61
Members of the European Parliament (MEPs) 132, 133, 134, 138
Mendras, H. 151, 155
Metcalfe, L. 146
Miller, D. 2, 65, 67, 71, 93n1, 94n6
minorities and polyethnic communities, difference between national 34–5
minority cultures 27
minority nationalism 45, 46, 52; asymmetrical arrangements 54; mobilizing power of 53
minority nationalities 44; fear of assimilation 47–8; ressentiment 48
modern societies see multicultural societies
modernist rationalism 14
Moore, M. 5, 93n2
‘moral contract’ 30–1, 33
Moravcsik, A. 145
Mozaffar, S. 2
multicultural societies 13–16; principles determining permissible range of diversity 19–20; see also cultural diversity
multiculturalism 16–18; according to Joppke 28; as a theoretical paradigm 26–8; in Canada 36–7; feminist criticisms 18–19; feminist writers: critics of 18–19; force of (Isajiw) 27; grounded in three-fold belief 16; ideal of 34; meaning of 34; misconceptions 17–18; notion of ‘benign neglect’ 27; outcomes of Canadian 34–5; shortcomings 2–4; in Taylor’s terms 27–8, 35; theory about human freedom and well-being 16; to reinforce state nationalism 4–6; value cultural diversities and intercultural dialogue 16
multination federations 112; democracy 112; economic prosperity 112; federal system versus 111; individual rights 112; intergroup equality 112–13; peace and individual security 112
multinational federalism 8, 66, 74–6; alternative to political logic of statehood 59; experiments in Canada, Spain and Belgium 1; policy of cultural recognition to formal 68; reducing probability of secession 9
multinational states 43, 64, 80; accommodating national differences within 43–5; nationalism for 80
nation-building 79; active component of nationalism 79–80; politics 85–6; projects shaping national identities 83; strategy for enhancing stability and unity 80; types of objectives 83–4; understanding liberal nationalism 80; with ethnic bricks 89–92
nation-building strategies, concurrent 33–8
national culture 61
national differences, verities on 43–4
national economy 61
national engineering see nation-building
national identities 79, 81–6; civic 88; content of ethnic 86–7; ethnic conception of 87; moral and political relevance of content of 86–9; nationalism and 88; nature of 88; shared ethnicity and political values 89
national minorities suppression 110
national pluralism: democratic legitimacy and 97–100; and globalization 96
nationalism 5; appeal to emotions 50; dynamics of 69; and liberalism 61; and national identity 88; republicanism and 61; of ‘stateless nations’ 62; see also majority nationalities; minority nationalities; nationality
nationality: as a dynamic process 68–9; proposed criteria of 67; roles of 68
nationalizing state see ethnocratic state
Nederveen, J. 70
new social contract (United States of America) 61
Newman, S. 124n9
Nietschmann, Bernard 124n12
Niskanen, W. 150
Norman, W. 3, 7, 8, 39n1, 68, 79, 94n5, n20, 141n9, n13
Nozick, R. 150
Offe, C. 150
Parekh, B. 2, 6, 13, 24n1, 59, 68, 69, 94n14
Parti Québécois (PQ) 29, 50, 51, 54
Paterson, Lindsay 54, 56n19
Patten, A. 58
Payton, Philip 124n9
Peters, B. G. 154
Peterson, Nicolas 123–4n5
Pinard, Maurice 56n15
pluralism 71–2
Polanyi, K. 150, 156
political theory: development stages described by Kymlicka 1–2; flaws in stages described by Kymlicka 2; nations in contemporary 59; shortcomings 2–4; shortcomings of contemporary 59–60; traits of 61–2
politics 70–1
postnationality 97–9
Pridham, G. 146
‘private interaction’ 31
‘public life’ 31
Quebec: as a host society 28, 32, 33–4; basis of self-definition as political community 31; Canadian policy versus Québécois policy 28, 31, 33–8; citizenship 28; discourse of interculturalism 30; eventuality of conflict 32; extensive authority over immigration 33; French: integration 29–30; nation-building strategies, concurrent 33–8; national identity of 35; response to Canadian policy of multiculturalism 28; role of language 29–30
Quiet Revolution 28, 30
Rawls, J. 19, 64, 65, 67, 94n16, 99, 125n20
Raz, J. 2, 66, 141n5
refugees: source of diversity 13
religion 27; decline of 14
Renan, Ernest 37, 50, 55n9
Requejo, Ferran 2, 5, 7, 8, 56n20, 75, 96, 106n4, 107n6, n7, n10, 127, 128, 140n1, n4, n7
Resnick, Philip 7, 43, 55n3, 56n18, n20, 75, 112, 124n7
resentment: Belgian case 50; Canadian case 50; majority nationalities 50; minority nationalities 48
revolutionary transformation (RT) 144, 146, 147
Rhodes, M. 158n3
Rhodes, R. A. W. 147, 148
Richards, S. 146
Ruggie, J. G. 147, 151, 156, 158n2
Ruys, Manu 55n6
Sandel, M. 61
Schmitt, Carl 55n4
Schmitter, P. 129, 141n10, 150
Scottish National Party (SNP) 10, 51, 138, 139
secession: and federalism in Eastern and Central Europe 118–23; and federalism in the west 113–16
Seglow, J. 58
self-realization 26, 27
Seton-Watson, H. 71
Seymour, M. 3, 72
shared values, ideology of 68
Smith, A. D. 59, 60, 62, 66, 67, 68, 70
social science, contemporary 3–4; contributions of 4
‘societal culture’ see ‘common public culture’
societal cultures 127
Spain’s nation-building process:
  partnership/sovereignty-association 105–6; plurinational/plural federalism 104–5; regional autonomic 103; uninational federalism 103–4
Spillman, L. 61
Spruyt, H. 156
state: conception as nation-state 1; dual legitimation of democratic 60; legitimation of 60; recognition of cultural pluralism by 28; roots of modern idea of liberal 60
state and non-state nations, distinction based on principles 4
state inactivity 27
stateless nations 62; see also European Union
Stavenhagen, R. 4, 62, 70
Tamir, Y. 2, 4, 58, 63, 65, 68, 69, 70, 93n3
Taylor, Charles 3, 27, 35, 40n10, 43, 55n1, 61, 65, 127, 129, 140n1
Taylor, Charles: existence of identity 127; multiculturalism according to 27–8, 35; popularizing nationalism and multiculturalism in contemporary debates 43
territorial scope, agreement on 60
Thiebaut, C. 74
Thom, M. 61
tolerance 74
Touraine, A. 145, 150, 151
Tully, J. 2, 5, 106n3, 107n8
unity 35, 36
universal educational system 61
Valadez, J. 2
Verdussen, Marc 56n16
Wagner, P. 145, 150
Wallace, W. 145
Wallace, H. 145
Walzer, M. 68, 74, 127
Ward, C. V. 2
Warren, M. 71
Wayne Norman 8, 39n1
Weaver, Ole 124n14
Webber, J. 38, 74
Weinstock, D. 69, 70, 94n4
western democracies: federal and quasi-federal forms of autonomy 108–13; federalism and secession 113–16; see also Europe, Eastern and Central
Western universalism 26
Yack, B. 58
Young, I. M. 4, 5, 26, 27, 39n5, 40n7; citizenship and common good link 26; concept of nation 5
Zelinsky, W. 61