

**The Concept of the Nation and the Question of Nationalism:
The Traditional 'Nation State' versus a Multicultural 'Community State'***

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The traditional nation-state is based on an authoritarian ideology in terms of the ethnic, religious and regional status of the individual (the citizen). This ideology corresponds to a centralist power structure and to the regrettable fact that population groups which differ from majority populations (in terms of their ethnic, religious, cultural orientation and so forth) do not enjoy equal rights. (Examples of this denial of basic rights are numerous even in the member states of the European Union.)

The often un-reflected equation of nationality and citizenship fails to provide proper legal (constitutional) safeguards for human rights in the sense of peoples' (ethnic) rights.¹ The inhuman result of such an 'ideology of equation' can best be studied by analyzing the present ethnic strife in the territory of former Yugoslavia, where regrettably—with the help and tacit approval of European and United Nations diplomats—nationalist and chauvinist policies are being re-introduced as major factors shaping international relations.

A clear conceptual distinction should be made between citizenship (which is related to the state as a subject of international law) and nationality (which refers to a community or a people that has common roots in terms of language, culture, race, etc.). The common, English usage of the term 'nation' is extremely misleading; for nationality and citizenship are not necessarily identical.² I may belong to the Slavic nation (for example, as a member of the Slovenian minority in Carinthia); but at the same time I may be a citizen of the Austrian state. I may belong to the German-speaking national minority (as a Tyrolean living in South Tyrol), but actually be an Italian citizen. In such a case, nobody would consider me a member of the Italian nation. In the same way, the Arabs—living in more than twenty sovereign states—would not consider themselves as members of more than twenty different nations: they all belong to one Arab nation that is politically organized in a number of sovereign entities.

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¹ For a detailed description of this concept, see Edmond Jouve, *Le droit des peuples*, Que sais-je no. 2315 (Presses universitaires de France, Paris: 1986).

² For the distinction, see James Kurth, 'Toward the Postmodern World', *Dialogue* 100 (No. 2, 1993), pp. 8-13.

Only a clear distinction between these two conceptual levels (nation and state) will pave the way for a philosophy that encourages cultural dialogue and multicultural respect among nations, which is itself the basis for the understanding of a political entity (state) in the sense of a multicultural society and which is the only guarantee for the peaceful co-existence among nations, both on the national (i.e. intra-state) and on the international (i.e. inter-state) level.

The over-emphasis on state sovereignty in the traditional nation-state confirms the prevalence of the authoritarian ideology mentioned above: the individual citizen is held hostage by an abstract entity that is articulated in the central power of the state.³ Every subjection of the individual to another authority that disposes of him means alienation: that is, negation of his will and of his status as an autonomous subject.⁴ The individual characteristics of the citizen (in regard to his nationality, socio-cultural orientation etc.) are completely absorbed by his subjection to the one nation (equated with the state) to which he is supposed to belong. Traditional power politics—as typically expressed in an aggressive, chauvinist foreign policy—is the concomitant expression of such an orientation towards the abstract entity of the state.⁵

The political concept of representation is one of the expressions of the undemocratic nature of such a political equation: all individuals living in a certain territory and under the same legal authority are perceived to be represented by the state's legislators as a whole. The doctrine of the state as the primary subject of international law is ideologically reinforced by this doctrine of representation.⁶ This creates a false, misleading sense of unity, when in reality each citizen enjoys inalienable rights both as an individual and as a member of a group. (The national slogan of the United States, *e pluribus unum*, should not be misunderstood in the sense of such an abstract unity of its citizens.) The abstract concept of representation merely does away with these differences and does not meet the requirements of a multicultural society, with a vast variety of perceptions of what the political entity they all

³ For a detailed analysis of the concept of sovereignty and its legal-philosophical implications, see Hans Kelsen, *Das Problem der Souveränität und die Theorie des Völkerrechts: Beitrag zu einer reinen Rechtslehre*. 2nd ed. (Mohr, Tübingen: 1928; Scientia, Aalen: 1960).

⁴ As I have argued in *Democracy and Human Rights: Do Human Rights Concur with Particular Democratic Systems?* (International Progress Organization, Vienna: 1990), esp. pp. 14ff.

⁵ Albert F. Reiterer, *Die unvermeidbare Nation: Ethnizität, Nationalität und nachnationale Gesellschaft* (Campus, Frankfurt am Main: 1988), esp. Chap. 3: 'Nation als eine Hegemonialstrategie: Gesellschaft und Staat'. Cf. Kurth, 'Toward the Postmodern World', p. 8.

⁶ The problem of the legitimacy of parliamentary systems (*qua* oligarchic power-structure) is discussed in Hans Köchler (ed.), *The Crisis of Representative Democracy* (Lang, Frankfurt am Main and New York: 1987). See also Köchler, *Democracy and the New World Order* (International Progress Organization, Vienna: 1993), pp. 19ff.

share might and should be.⁷ Representation completely absorbs and finally negates the autonomy and individuality of the citizen. (One often completely ignores the remains of absolutism as manifested in the privileged position of the representative *vis-à-vis* the citizens and the communities forming a particular state.)⁸

A truly multicultural society can be based much better on the paradigm of direct (participatory) democracy than on the authoritarian or oligarchic concept of decision by proxy (as in the case of political representation).⁹ Long ago Hans Kelsen pointed out the fictitious character of representation which—in its holistic vision of the ‘people’ as an ontological entity or unity above all individuals—is not compatible with the basic requirements of democracy.¹⁰ The underlying undemocratic ideology of representation can be best illustrated by referring to Carl Schmitt’s quasi-ontological justification of the concept of representation in regard to the nation as a whole (*Volks Ganzes*), which is completely compatible with earlier German ideology.¹¹

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A truly democratic system can only be based on socio-cultural self-comprehension along the lines of an inter-cultural dialogue. Only if the citizen understands himself not as the representative of ‘the’ nation—being equated with the state—but as an individual belonging to a certain community (national group) without pretending that his group ideally represents the state as a whole; only under these circumstances might we expect that a given value system related to a certain cultural (national) identity will transcend the uncritical and naïve universality which it possesses as long as it is expressed in a merely instinctive manner. The cultural self-comprehension of each nationality in a given state should be seen as a dialectical process similar to the fashion in which each individual attains consciousness for him/herself.¹²

⁷ For the authoritarian ideology of the political concept of representation, see Hans Köchler, *Philosophie—Recht—Politik: Abhandlungen zur politischen Philosophie und zur Rechtsphilosophie* (Springer, Wien and New York: 1985), esp. pp. 27-45: ‘Die Repräsentationslehre: zum Problem des Idealismus in der politischen Theorie.’

⁸ For a general critique of the concept and practice of ‘liberal’ representative democracy in the industrial societies in the North, see Noam Chomsky, *Deterring Democracy* (Verso, London and New York: 1991), esp. pp. 331ff. For a specific critique of the American political system, see William Greider, *Who Will Tell the People: the Betrayal of American Democracy* (Simon & Schuster, New York: 1992).

⁹ Cf. Benjamin R. Barber, *Strong Democracy: Participatory Politics for a New Age* (University of California Press, Berkeley: 1984).

¹⁰ Hans Kelsen, *Vom Wesen und Wert der Demokratie*. 2nd ed. (Mohr, Tübingen: 1929; Scientia, Aalen: 1963).

¹¹ Carl Schmitt, *Verfassungslehre* (Duncker & Humboldt, Berlin: 1954), esp. pp. 208ff.

¹² A. O. Sanda, ‘Cultural Self-Comprehension in Ethically Plural Societies: the Case of Sub-Saharan Africa’, in Hans Köchler (ed.), *Cultural Self-Comprehension in Nations* (Erdmann, Tübingen and Basel: 1978), pp. 41-56.

Each context of action has as its origin a self-comprehension that has not yet been critically developed or examined. (This is best expressed by the German term, *Vorverständnis*, as introduced into philosophical-hermeneutic discourse by Martin Heidegger and Hans-Georg Gadamer.¹³) We allude here to the ideological and normative principles that would form the individual as well as the collective life in a typical manner. It is this un-reflected (implicit) self-comprehension that we have to bring to critical attention. Only in this way can we succeed in the aim of a constructive dialogue between various cultures and lifestyles as the basis for peaceful co-existence in a global system of interdependence.

The level of truly critical consciousness, however, can only be attained if we are willing to compare our own system to one that is different from our own: it is the 'other' (the object) that constitutes the precondition for such a quality of consciousness on the part of the subject. Consciousness may thus be said to be essentially the process of distinguishing from the subject what is not the subject. It is in this fundamentally dialectical process between subject and object that we find the essence of reflection.¹⁴ What we think to be true in the case of attaining self-consciousness may positively be said also in the case of realization of our own national, social, and cultural value systems. Awareness and consciousness of one's own value system presupposes necessarily the existence of other systems. In the dialectical interdependence of cultural and value systems we find the *conditio sine qua non* for any critical perception of these systems.

As we have argued, consciousness is attained from the dialectical interdependence between subject and object: the more I am able to perceive myself as being distinct from as wide a range of objects as possible, the more will succeed in defining my own point of view, i.e. develop my own identity. In other words, the wider the subjective horizon of experience, the easier it is to attain critical self-reflection. By applying this to one's own value systems we arrive at the following point: we find in the variety of possible systems of values and cultures the unique opportunity to gain a clearer and more critical consciousness of our own systems. This could be the basis of a philosophy of the multi-cultural society and of the 'political correctness' necessarily related to it.

¹³ See esp. Hans-Georg Gadamer, *Wahrheit und Methode: Grundzüge einer philosophischen Hermeneutik* (Mohr, Tübingen: 1960).

¹⁴ The reference here is to dialectical epistemology as elaborated by Georg Wilhelm Friedrich Hegel in his *Phänomenologie des Geistes* (1807).

Here we find the principle of the subject-object dialectic in the concrete realm of application.¹⁵ If we are to understand this hermeneutic principle correctly in the cultural-philosophical sense, we may postulate that transcending the horizon of one's own tradition is the very precondition for a better understanding of that very tradition. This means, in turn, that one's own tradition and culture, if understood as an isolated and 'elevated' phenomenon, has less impact and significance. For critical perception, the awareness of cultures different from our own is of paramount importance. Self-comprehension, self-awareness, cannot be drawn simply from one's own history.

It would be right to consider this process indispensable and essential: for only in limitation, i.e. in the awareness of other systems independent of our own, may we experience shape and structure at all. A socio-cultural system may be said to last only in such a creative and critical limitation, i.e. awareness of its own limits. A cultural system, therefore, must be experienced as being different from some other system in order to be perceived at all. A political society, understood in this dialectical-hermeneutic sense, consists itself only in such a reciprocal acceptance.

Responsible, mature self-comprehension, therefore, is only possible when we are able and willing to go beyond the realm and the sphere of influence that have been shaped by our own history and cultural and national traditions. We must even be confronted with traditions and cultural systems that have not been influenced by our own value systems. This dialectical process works effectively towards a more humanistic, that is humane and tolerant, attitude, because it creates the preconditions for a reduction of aggressiveness towards traditions and cultures that are not our own, which are originally perceived as 'alien.' These cultures, in turn, will then be experienced as being a necessary point of orientation in order to define one's own identity.

We must reach a level of self-comprehension where we do not consider our state of being preconditioned as a possible taboo. Any cult of exceptionalism—or nationalism for that matter—will impede a full understanding of these preconditions and will make a tolerant attitude towards other cultures impossible. From this it follows that the true and genuine progress of humanity must be based on tolerance and respect for each other's culture and value system. In the age of mass communication, mankind is developing towards a global multicultural society. Major conflicts may only be avoided if we abandon traditional

¹⁵ I have provided a general philosophical and epistemological analysis in *Die Subjekt-Objekt-Dialektik in der transzendentalen Phänomenologie: das Seinsproblem zwischen Idealismus und Realismus*, Monographien zur philosophischen Forschung no. 112 (Hain, Meisenheim am Glan: 1974).

ethnocentric attitudes and learn to accept the existence of other cultures different than our own.¹⁶

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If we take this concept of cultural self-comprehension seriously—as the basis of the democratic system of any given state and of the relations between sovereign states (i.e. under international law), then we would have to adapt our vision of a unified Europe to this philosophy of multiculturalism.¹⁷ ‘Europe’ would then have to be perceived as a community of peoples (i.e. citizens belonging to various socio-cultural groups) and not as a collection of nation-states. The normative quality of ‘sovereignty’ would then not be attributed to the abstract state but to the concrete citizen as an individual and as a member of a particular community (through, for example, the person’s nationality or religious identity).¹⁸

For some decades now, we have seen visions of a federalist ‘Europe of the regions’ along the lines of a truly multicultural conception of a *Europe des ethnies*.¹⁹ Such a model could also be applied, of course, in other continents, where artificial borders have been drawn by the former colonial powers and artificial nations (‘state-nations’) have been created irrespective of the historical facts and the will of the respective ethnic communities. This conception would imply that ‘national’ rights are not merely seen as ‘minority rights’, but as general rights of each citizen in any given state. This necessarily implies that the state should not be defined on the basis of (say) a particular nationality or religion—whatever the size of the respective community may be. Nor should it be equated with the concept of the ‘nation’, because this would inevitably eliminate the genuine legal rights of each national minority group.

The infamous policy of ‘ethnic cleansing’ witnessed in Bosnia-Herzegovina is a result of this totalitarian equation of state and nation. Any identification of the state with a particular nationality, culture, or religion is a kind of totalitarianism, whether we find it in the form of a racist system (as in South African apartheid), in the doctrine of a state religion, or in the

¹⁶ Gudrun Grabher (ed.), *International Progress Organization, 1972-1992* (International Progress Organization, Vienna: 1992), esp. p. 4.

¹⁷ For the application of this philosophy in a concrete political situation, see Daniel Cohn-Bendit and Thomas Schmid, *Heimat Babylon: das Wagnis der multikulturellen Demokratie* (Hoffmann & Campe, Hamburg: 1992), esp. Chap. 8.

¹⁸ It is my judgement that the sovereignty of the *individual citizen* is the justification of the claim to sovereignty of the collective subject (or state) in international law: cf. Köchler, *Foreign Policy and Democracy: Reconsidering the Universality of the Democratic Principles* (International Progress Organization, Vienna: 1988).

¹⁹ Guy Héraud, *L’Europe des ethnies*, Réalités du présent no. 3 (Presses d’Europe, Paris: 1963).

exclusively national character of a state as the political entity of a specific national community. Racism and discrimination against all the other communities that do not belong to the 'state-shaping' group is always the underlying ideology.

Since the West has passed through the Age of Enlightenment and since international human rights' instruments have been adopted, there should be a common awareness (which internationally so far does not exist) of the normative requirements of a democratic polity: namely the ethnic and religious neutrality of the state. Only such neutrality will make a multicultural society viable.²⁰ But such neutrality, of course, must not be confused with ethical neutrality in regard to the value system which is common to all communities: namely the universal principles of human rights.

This neutrality and the related attitudes of tolerance and mutual respect for each other's culture is still lacking in many legal (constitutional) systems, even in Europe.²¹ The totalitarian trend of shaping all citizens, including the members of minority groups, to conform to a single national, ethnic, religious or cultural identity is still very much alive in Europe. The present ethnic strife in the Balkans and in the Caucasus is only one of the many signs that the foregoing philosophical-idealistic vision is not shared by the populations or population groups (including the politically active elites) in many states. And further proof is given by the racist attitudes found in several European Union countries.

Ethnic hostilities and aggressive attitudes may only be overcome or avoided if the socio-cultural self-comprehension of nations develops towards what may be called an 'inter-cultural dialogue' and an awareness of the common characteristics of all human beings. Only if we are able to develop a state doctrine that clearly separates state and nation shall we leave behind the traces of racism, totalitarianism, and discrimination against minorities that we find even in the developed societies of the West. We have to realize and accept that one nationality may exist in several states and that the basic criterion of state-citizenship is not race, nationality, or religion but each individual's basic human rights as a citizen; as a member of a political community that defines itself on the basis of shared values as expressed in a certain constitution; but not in the glory of a 'nation' and its 'unique' history. Such a concept of 'diversity in unity' is perfectly compatible with a unified state, as Carl Degler explains in his analysis of the US political system.²² In Degler's analysis, the

²⁰ James Kurth argues that the United States 'no longer resembles a nation-state, but rather a multicultural regime'; and that this multicultural America is the 'model for much of the world in the postmodern future': Kurth, 'Toward the Postmodern World', p. 12.

²¹ Carl Degler, 'A Challenge for Multiculturalism', *Dialogue* 98 (No. 4, 1992), pp. 36-40.

²² *Ibid.*, esp. pp. 39-40.

interdependence of ethnic and cultural communities within the United States has created a community, a ‘holistic history’, wherein ‘each racial and ethnic group has in turn been shaped by its interaction with others and with the past that all citizens have played a part in shaping.’ (But Degler is conscious that the ‘long-overdue recognition of diversity’ in the United States may ‘leave [...] out the larger story of the United States as a whole’.) There is no rule that a given nation (nationality) should be unified solely under the sovereignty of one single state.

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We may conclude that a multicultural society as envisaged in this analysis would imply the redefinition of the status of the citizen as a true cosmopolitan. Priority would be given to the individual’s status as a member of the universal community of mankind rather as a member of a particular race, nation, or state. In the final analysis, this would imply a restructuring of international law by abolishing the traditional concept of ‘national’ (i.e. state) sovereignty as the cornerstone of the system of international norms—in favour of the citizen as the primary subject of international law. The understanding of international relations in terms of traditional power-politics—related to *state* power and *state* sovereignty—must be replaced by a concept of *partnership* which is based on the principles of mutuality and solidarity among the citizens and the respective national, cultural and religious communities.

Such a goal is still very far away from reality so long as hostility towards the ‘alien’ (in terms of culture, way of life, or value system) is one of the driving forces behind the re-shaping of the European map—and of the maps of several other regions—after the end of the controls and restrictions imposed by the Cold War. For we should note that a similar situation exists in the Caucasus, in the Middle East and in many other parts of the Third World, where the colonial policies of European nation-states created almost insurmountable problems in the definition of the respective ‘national’ identities alongside the ethnic and religious composition of the indigenous peoples. The term ‘United Nations’, however, may serve as an *indicator* of the direction that the development towards a new international system, a new ‘world order’, should take.²³ The world community should be based not on states and state sovereignty, but on the different peoples and the specific community structures created by them with regard to their national, cultural and religious identities.²⁴ What this means is that a truly new world

²³ Frank Barnaby (ed.), *Building a More Democratic United Nations*, Proceedings of the First International Conference on a More Democratic UN (Frank Cass, London: 1991).

²⁴ Erskine Childers, ‘Empowering “We the Peoples” in the United Nations’, in Hans Köchler (ed.), *The United Nations and the New World Order* (International Progress Organization, Vienna: 1992), pp. 23-36.

order has to be more than a new pattern of power relations among states. Such an order must create the normative framework of the involvement of the citizens, not only within the respective state communities but also within global political bodies. This would create an alternative to traditional state representation as practised in classical diplomacy, which too often ignores the rights of cultural, religious and ethnic minorities.

In the final analysis, a multicultural society within the state is based on principles that transcend the traditional philosophy of the state and state sovereignty. And a political community structured along these lines would not face the threats of fragmentation, re-segregation and tribalization, which some pessimists fear threaten today's multicultural America.²⁵ Such a multicultural society must be based on the idea of a truly inter-national community of sovereign citizens. (The traditional term, 'international', should be replaced by the term 'inter-state', in order to distinguish clearly the conceptual levels of state and nation.) This implies an inter-cultural dialogue based on the application of democratic rules in international relations. Only this will guarantee a 'new world order' of peace and justice among all nations.

²⁵ See esp. Arthur M. Schlesinger, Jr., *The Disuniting of America: Reflections on a Multicultural Society* (W.W. Norton, New York: 1992).