

Uprising of the Nation:
Examining the Right of National Self-Determination

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Following the end of the Cold War, and the tenuous stability that power struggle between superpowers brought to the world, national self-determination has become an increasingly prevalent and pressing concern in the political realm. The established international norms no longer seem effective or appropriate in handling the concerns and demands of peoples who declare nationhood and demand self-determination. Those who continue to call for, and attempt to, reform international laws to further develop the rights of nations to self-determination are plagued with problems given the illusive, and non-universally accepted understandings available of 'the nation.' The concept of a nation and the idea of self-determination seem perfectly suited for each other, if only because both do not have a generally accepted and realistically-relevant definition. It is perhaps this inconclusivity at the conceptual level that has led to so much uncertainty in an age when the majority of international political structures are at their most rigid state after decades of relative stability of most of the world's territorial boundaries. To what extent is the international sphere responsible for providing the means to national self-determination, particularly if it threatens the stability of an established and recognized state? Are there forms of self-determination that do not require outright political autonomy and sovereignty? What is required for this to be effective? By answering these questions, and exploring the challenges associated with understanding fundamentally the idea of the nation and of national self-determination, we can discover that nations do have the right to national self-determination, and that right does not necessarily take traumatic directions, threatening the stability of the international system, and that the challenges facing the system are not strong enough grounds to prevent nations from achieving the international recognition they desire.

Perhaps the most difficult challenge to respecting and granting national self-determination is understanding what constitutes a nation 'worthy' of self-determination. This question has some significance at least in the practical sense because of the vast difference in number between identifiable nations and existing states. How has history judged who deserves statehood back then, and how do we choose who does not deserve it now? The challenge resides, perhaps in the fact that the idea of the nation has had two dominant meanings and purposes throughout history. From a general historical standpoint, Yael Tamir notes the different meanings of nation originating from the American and French Revolutions,

the American revolution created a new nation including all individuals who had been entitled to political participation before the Declaration of

Independence...[creating] a complete overlap between the citizens of the state and the members of the nation...So strong was this identification between state and nation that it still holds today, and in the United States, the term *nation* refers to the federal state. A different process, though with similar results, unfolded in France. While in America the new state had created a new nation, in France the nation had established a state and identified it as the fatherland (569-570).

Given the significance of both the American and French Revolutions in the political development of the world, it is arguable that these two mirror definitions of the nation (state equals nation in the US case, nation equals state in the French case) have led to the difficulty in developing a common understanding of the nation. In essence, there is a 'chicken versus the egg' dilemma, with history saying both definitions are significant as they both were a reaction against imperial authority (British imperialism and the French monarchy and aristocracy). Despite the difficulties this historical analysis presents in the analysis of the nation, it is nonetheless significant, if not vital to the two fundamental aspects of self-determination, that of rights, and national identity. These must be discussed later before going further in the argument of whether nations have the right to self-determination.

If history has said anything about the concept of the nation, it has shown that it is not something that can simply be defined in clear-cut, objective terms. For each social or political event in the name of the nation, there are both noticeable similarities and distinct differences which creates the element of uncertainty, unpredictability and limited analysis simply because "the source of nationhood...is not found in the objective differentiae of language and religious practice...but in the intersubjective awareness that the salient intergroup differences, whatever they may be, are sufficient to demarcate two nations" (Hechter 14). Miller rightly notes that for "every criterion that has been proposed there are clear empirical counter-examples" (22). Thus, while one can say that nations have a common language, history, territorial homeland, and so on, those elements do not necessitate the development of a nation, "whatever else it may consist of, the term *nation* refers to a relatively large group of genetically unrelated people with high solidarity...[most] agree that, among other things, a nation is a large solidary group. Evidently, not all solidary groups are nations, however (Hechter 11-12). Thus, in order to establish some definition, it is necessary to provide one based more on sociological understanding.

What is perhaps most accepted in defining the nation is the impression that it fundamentally involves a significant element of communal belief in its existence. Max Weber states that members of nations are comprised of "all those who think of themselves as being the specific 'partners' of a specific 'culture' diffused among the members of the polity...[and] that one may exact from certain groups of men a specific sentiment of solidarity in the face of other groups. Thus, the concept belongs in the sphere of values" (21-22). Tahir notes that "nations are not created by language, geography, race, religion; they are creations of the human will" (575). David Miller expands on this, noting the importance of belief in his analysis,

These five elements together--a community (1) constituted by shared belief and mutual commitment, (2) extended in history, (3) active in character, (4) connected to a particular territory, and (5) marked off from other communities by its distinct public culture--serve to distinguish nationality from other collective sources of personal identity (27).

Miller's assessment of the nation is significant if only because it provides a clearer understanding of the nation, not in terms of concrete attributes which can evolve (or disappear) over time, but in terms of an implicit understanding by those who consider themselves part of a nationality. Their allegiance is based on aspects that are necessary to develop a strong collective identity, "those whom I include as my co-nationals share my beliefs and reciprocate my commitments...[My community] depends upon mutual recognition...[and] is a community of obligation...that the present generation cannot renounce...[and is] what it is by the decisions that it takes" (Miller 23-24). And while he considers the existence of a homeland important for a nation, he notes that the territory itself is not a determinant in the creation of a nation, "It is incompatible with nationality to think of the members of the nation as people who merely happen to have been thrown together in one place and forced to share a common fate...There must be a sense that the people belong together by virtue of the characteristics that they share" (Miller 25). And given the different characteristics that each nation emphasizes on, it is enough to say that the communal belief is the key element, with others providing supplementary justification.

Perhaps the most relevant and perplexing aspect about a nation is the fact that, in Benedict Anderson's terms, it is an 'imagined community.' What makes a nation difficult to grasp on a quantitative level is the fact "it is *imagined* because the members of even the smallest nation will never know most of their fellow-members, meet them, or even hear of them, yet in the minds of each lives the image of their communion" (Anderson 6). In a sense, it is a concept on par with 'humanity' or 'the world'--concepts that are too vast for an individual to fully appreciate and comprehend. Thus, the nation, like humanity, is something we take for granted, accept as it is, and only when our nationality is threatened, like our humanity, are we willing to rise up in defence of it.

In mentioning the threatening of one's nationality, it is important to note that nationalism does not belong to the sole purview of extremists bent on political power in the name of the national interest, or of peoples fighting to protect their distinctive societies. Michael Billig makes an important point in saying, that "the ideological habits which enable the established nations of the West to be reproduced...are not removed from everyday life, as some observers have supposed. Daily, the nation is indicated, or 'flagged,' in the lives of its citizenry. Nationalism, far from being an intermittent mood in established nations, is the endemic condition" (6). This statement presupposes that Western nations, such as the United States, are not just patriotic, invoking the "love of the political institutions and the way of life that sustain[s] the common liberty of the people" (Viroli 1). But rather, in the American case, nationalism is defined by its beliefs as outlined in its political institutions, such as the Constitution (supposing that the state equals the nation in the American case). This may be seen as splitting of hairs in making the distinction between patriotism and nationalism, (the former emphasizing political institutions, the latter emphasizing national identity), but the case for Western nationalism is relatively clear, put against the general consensus that nationhood is based on a fundamental belief by the people, that "the image of banal nationalism is not a flag which is being consciously waved with fervent passion; it is the flag hanging unnoticed on the public building" (Billig 8). Thus, the nation and the national identity is not necessarily something entirely conscious in the minds of the members, just as the humanness of an individual is not necessarily consciously and constantly realized despite its omnipresence. The nation is something that we as members take for granted, with an almost implicit understanding of, and belief in, because we are constantly reminded of it on an almost subconscious level. This thus makes for difficult analysis because

the objective, quantifiable characteristics don't necessarily have a bearing on the definition of national consciousness.

So, if the nation is imagined, consisting of members who have a strong enough belief in the existence of the nation, what are the qualities that make it 'worthy' of self-determination? While the answer depends in part on the meaning of national self-determination, it is relevant to base the question solely in national terms. In this respect, Margaret Moore argues that "the claim of a nation to political self-expression should amount to a defensible right, equally possessed by all nations and that this claim derives from the mere existence of a nation (and does not rest on past injustice or present discrimination)" (900). Given the established understanding of the nation as described above, this makes moral and ethical sense. Moore addresses three main criticisms of her argument, that of the indeterminacy of the nation, the instability caused by granting self-determination to all nations, and the problem of overlapping nationalities within a given territory, all of which deal with proving the 'worthiness' of nations in terms of their ability to gain self-determination.

Moore's dissertation simply is that all nations are 'worthy' of self-determination, but it is the practical aspects represented by international norms that have prevented the nation its right. As she argues,

this principle [of national self-determination] was understood in the nineteenth century and in the period following World War I as national in form, and so new states of Eastern Europe were created in 1918...in accordance with the idea of *national* self-determination. But, because this principle endangered the unity of many multi-national states, the 'people' in question have been conceived, since 1945, not as 'national' peoples, but as the inhabitants of pre-existing political states, or colonies; and it was also interpreted as not entailing a right to secession (901).

Indeed, it is this practical consideration of the territorial integrity of current states that has muted the discussion on national self-determination in general. Given the historical realities, it has been assumed that in the interests of stability of the international system, national self-determination should be limited to those who have a significant justification for it, such as those suffering historical injustice, or current discrimination. But this desire for the status quo by current nation-states, being, in part against the flow of historical trends, also can precipitate the nationalisms it is trying to prevent, "this unprecedented attempt to bring history to an end, at least as far as the territorial division of the world is concerned, seems unlikely to succeed, at least so far as in other respects, the world continues to be dominated by historical thinking and historical consciousness" (Mayall 148). For Moore, it is clear that the desire of the international community for territorial integrity is in violation of the rights of nationalities, as it, for example, "is difficult to justify why the right to self-determination of peoples living under colonial rule can only be exercised once...but can never be used again. This [only] makes sense in terms of the political interests of sovereign states who are concerned about their territorial integrity" (902). Given our current definition of the nation, it is apparent that "conceptions of state neutrality and formal equality of citizens, embedded in a territorial understanding of citizenship, are inadequate in dealing with issues of national and cultural identity" (Moore 904).

The answers to the objections Moore addresses in her argument are congruent to the analysis of the nation as described above. Speaking on the problem of identifying the characteristics of a particular nation to establish the basic claims for self-determination, Moore

states that this method of determination is "a misguided attempt to specify objective criteria for delimiting national identity...There are good reasons to understand 'the nation' as *subjectively* defined...It is not necessary to specify which traits define a group seeking self-determination" (905). What is of greater importance is resolving the "cases where communities are intermingled and it seems that self-determination of one group must be compromised to take into account the equally good claims of another group" (Moore 905). Assuming that all nations have the right to self-determination then, the issue becomes how the international system is able to respond to those rights without impeding the rights of others.

It is from this understanding of the nation that one may begin discussing the nature and significance of national self-determination. The term national self-determination too suffers from ambiguity, but with a clearer understanding of what constitutes the nation, the specific interpretations of self-determination can be established. Here, the different national foundations from the American and French Revolutions are relevant. In general, national self-determination is understood to be "the right of a nation to preserve its existence as a unique social group" (Tamir 566). This would be in keeping with the definition of the nation as described above. Arguably, the case of the French Revolution, that created a 'state from the nation,' is an example of where a nation achieved its right to self-determination in order to preserve its existence against, in the French case, the tyranny of the monarchy and aristocracy. And thus, "self-determination is understood as the right of a nation to preserve its national and cultural uniqueness. It is meant to secure the ability of individuals to create political institutions and manage communal life in accordance with the customs and traditions of the people" (Tamir 580-581). It is this basis and understanding of national self-determination that seems to lay at the heart of many nationalist movements. In other words, ethnic nationalists aim to achieve this kind of recognition, seeking "to express their national identity within the public sphere. Hence, [national self-determination] is often described as the right of people to have a public space...[and is] a necessary condition for ensuring the preservation of a nation as a vital and active community" (Tamir 582, 586).

Arguably, however, the conception of self-determination as a call for public space to protect one's nationality, does not simply mean political autonomy and sovereignty. This understanding is perhaps hidden under the idea of 'nation from the state' as established from the American Revolution. In understanding national self-determination, it is vital to make the distinction between nation and state, even if they are inter-related because of historical circumstance. As Tamir argues, that "though nations may attempt to establish states, and each state may prefer to present itself as representing a nation, these two concepts are mutually independent" (572). The American case (and similar cases where a state was formed prior to any established understanding of a nation encompassing the territorial boundaries of the state), emphasizes the importance of self-rule, as opposed to self-determination, where "the nation is defined as 'the governed'--the group of individuals living under the same rule...[emphasizing] the process by which [the people] set their ends and strive towards them" (Tamir 581, 582). A significant result of self-rule that differs greatly from self-determination is that "claiming that one enjoys self-rule does not necessarily imply that one's preferences are accepted. At the conclusion of a fair process, individuals might find themselves in a minority position and unable to influence, let alone imprint the political process with their culture, beliefs, or norms of behavior" (Tamir, 583). Thus, sovereignty--and the ability of self-rule by a nation, while giving the whole the opportunity to protect their nationality the way they see fit, participating in the international realm where they can more fully express their identity--can easily lead to further

division among members of that nation, arguably, as Miller points out in his outline of the elements of a nation, noting the room for diversity. And so, as Tamir notes, "national self-determination has little to do with civil rights and political participation--it is the search, as Berlin defines it, not for Millian freedom and civil liberties but for status" (584). Thus, nation-building, as an aspect of self-rule within a state (whether heterogeneous or not), is distinctly different from nation-protection, an aspect of self-determination. This isn't to say that self-rule cannot necessarily be a part of self-determination, but that the goals of the two are not necessarily the same. In addition, while both self-determination and self-rule can provide varying levels of political recognition, the actualization of either can take on a variety of forms.

So, if national self-determination is a call for recognition, a call for status, based on an implicit belief by the people that they deserve such status, and since, morally and ethically speaking, there is a need to grant this request, the question turns to the ability of the nation to achieve its self-determination. In many circles, this simply means political autonomy from a nation's existing state, and entrance into the international community as an equal state. And with the rhetoric of 'one nation, one state' that prevails in the fundamental makeup of the international system, this would seem to be the ultimate goal, "the basic idea [being] that of humanity belonging to a family of nations, and each nation having its own right to self-determination, and being recognized (institutionally) as a nation *by* other nations and operating *among* nations" (Moore 908). But national self-determination as a form of recognition can take on different, less traumatic forms, "nationalism does not need to take an aggrandizing form: indeed, the only stable, coherent legitimate nationalism is one which recognizes, not only the rights of one's own nation to self-determination (whatever form that takes) but also the equal rights of other nations" (Moore 908). Indeed, this assessment is congruent with Billig's argument that nationalism is not necessarily based on extremism but prevalent in the everyday living of society.

It is within this non-aggressive, non-traumatic form of nationalism that perhaps the ability of a nation to achieve self-determination becomes apparent. Given that self-rule is not a necessity, but simply one out of many ends--and not necessarily the best one given the divisive nature of turning a minority into a majority (subsequently resulting in the creation of new, smaller--although not necessarily less passionate--minorities)--nations are required to explore different avenues of self-determination. Here, clearly federalism--the division of powers and responsibilities between the provincial/state and the over-arching federal government--is one means of achieving self-determination. Of course, federalism by itself is no guarantee; there needs to be a conscious and concerted effort by both the central government and the provincial/state government to understand their respective roles in providing for an orderly and peaceful arrangement that not only respects the rights of the people within the state, but grants them the level of recognition they demand; "negotiations with all national groups [is necessary] to arrive at a solution which recognizes the *equal* right of all nationalities" (Moore 912). Arguably it is the inability through unwillingness to grant the recognition that has resulted in serious disputes within federal states.

A, perhaps, more radical approach would be to de-emphasize the significance of territory in recognizing national groups. After all, the system in place today is called an 'international' system, and thus given the strong desire by many nations--be they aboriginals, or ethnic groups within multinational, multi-ethnic states--for recognition, there is reason for the norms and laws that govern the international system to be reformed to facilitate this recognition. This 'radical' idea has an element of irony in that in enacting reform, the international state system based predominantly on territory, could have the stability the international community has aimed to

achieve, as "equal participation of distinct nations might *facilitate* international cooperation and obedience to international norms...it would seem prudent to include peoples in international organizations not through denying their national identity, but through *recognizing* it" (Moore 908). If nations no longer see their distinct identities threatened, either by underlying assimilation, cultural imperialism, or by fact of economic sustainability, then it seems plausible that they would "be prepared to give up some sovereignty, prepared to abide by international norms, if their own identity is secure and recognized" (Moore 909). And thus, self-determination would not necessitate complete self-rule; there would be some element of international interdependence.

It is perhaps this growing fact of international interdependence that shows the possibilities the future holds for nations and national self-determination. James Mayall notes that "the three great waves of modern state creation--in Latin America in the mid-nineteenth century, in Europe after 1919, and in Asia, Africa and the Caribbean after 1945--have all been associated with the collapse of empires. There are no more empires to collapse and therefore possibilities for further state creation by this route are very limited" (153). Of course that assessment is not entirely correct, originating in 1985, and thus prior to the breakup of the USSR, but his comment brings up the fact that given the relatively firm establishment of territorial claims by the vast majority of nation-states, and the relative unwillingness by the international community to reassess territorial claims, there is a growing need to find different ways to grant national recognition through different means of national self-determination. Interdependence plays a key role in this regard, because as the international community progresses through time, and the claims to national self-determination grow stronger, there will be a time when they established nation-states will, by necessity, deal with nationalistic claims to protect their own national interests. With the fluid nature of interdependence co-existing with the static nature of the international state system, at some point, either the gains achieved through interdependence will stop, or the nature of the state system will be changed. That is to say, despite the needs and interests narrowly defined through national eyes, at some point, if the direction of human existence remains as a predominantly positive and relatively stable one, national interests, both those who already have it, and those who want it addressed, will again come to the fore and challenge the legitimacy of the current international system.

Therefore, in establishing a conceptually significant definition of the nation, and thus being able to further define national self-determination, it is established that there are grounds within which a nation has the right to self-determination. Despite the nature of the nation being based on a coherent, yet abstract sensibility, 'imagined' in part due to the scope it attempts to contain, there remains the right of nations to protect their distinctiveness against external forces, and allow the nourishment its culture from forces within. Clearly the ability of the international system as it has evolved over time provides challenges to a nation's right to self-determination, based on a desire to protect the territorial stability and sovereignty of existing states. Like the oldest son being given first rights to a cherished gift, he is not likely to give it up easily to successive members of the family who want it just the same. Yet, just as the child grows up, so too will the international system, whereby the rights of nations can be equally protected and promoted for all who desire it, leading to the potential for peaceful co-existence of peoples comprising all of humanity.

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