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The ~~Nation~~-State

The Separation of Nation and State as Strategy Against
Post-, Trans- and Minority-Nationalism

Research Proposal by

Dubi Kanengisser

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Prof. Anna Korteweg

Introduction

The debate around the possible decline of the nation-state has been raging for several decades. What many still see as a self-evident universal truth – that the world is divided into nations that have the right to be sovereign over their own state in a territory that they can rightly call their own country – is increasingly being called into question. The concept of the nation-state is attacked both morally, as an inherent (or, at best, a once necessary) evil, and empirically, as a structure that's being eroded by various forces and processes on our contemporary world. Already in the 1960s Carl Friedrich has identified this paradox: “in this very period, when the idea of a nation-state has become questionable in the West and its accompanying set of ideas, known as nationalism, has started to erode, [...] the same idea has become a world-wide goal of peoples freeing themselves of colonial rule, and nationalism has been transformed into an “ideology” almost total in scope” (Friedrich 1963: 30).

Indeed, twice in the second half of the 20th century we have witnessed a veritable boom of nation-states emerging where once empires stood: once after decolonialization in Africa and Asia, when the number of states – all self-described as nation-states – rose by some 50% over a single decade; and again with the fall of the USSR and the creation of some fifteen new nation-states in its wake. Today's world leaves little land that is not under the rule of a sovereign nation-state (if sometimes *de jure* only).

But at the same time scholars have identified trends that cast a doubt on the longevity of the nation-state model. Forces such as immigration, globalization (both in its economic and cultural aspects) and the human rights discourse, have all eroded the nation-state's capacity to retain its independent sovereignty over its own territory, citizenry and

economy (Benhabib 2007; Sassen 2006). These processes have variously been dubbed regionalism, minority-nationalism, trans-nationalism and post-nationalism. Proponents of these models identify and describe the ways in which the nation-state is being eroded, supplanted, circumvented or simply ignored by actors in the global field.

But in many of these descriptions, the state is merely a passive victim of these processes, at most flailing helplessly as its authority and capacity are stripped away from it by greater forces. The state, this most powerful institution that has taken over the world in a storm, is now depicted as unable to protect itself from the ravages of multinational corporations, international governmental and non-governmental organizations, transnational immigrant groups and subnational secessionists. It is high time, then, to once again Bring the State Back In: this study will seek to examine the role of “the state as an actor or an institution” (Skocpol 1985: 3) in this seemingly core issue of a state’s existence – the politics of the nation. In other words, this study will ask *what can and do states do to counter the deleterious effects of multi-nationalism and immigration on their strength and stability?*

I will, at this stage, call on the reader to note that the question deals with *the state* in general, not with *the nation-state*. This is no mere coincidence. Through this study I will attempt to show that a severe impediment to the study of state role in the politics of the nation has been the tendency of scholars to conflate these two concepts, and treat the state as if it can be nothing *but* a nation-state. I will then show that freeing oneself from these conceptual shackles opens up a new world of possibilities for the state to mitigate its predicament in a globalizing world. By separating the state from the nation, many of the difficulties afforded by trans- and post-nationalism can be averted.

Separation of nation from state is, much like the separation of church from state (Kymlicka 1995: 3), the transference of the functions of nation-building and nation-defining from the state to the civil society. The state then becomes what we may call “a civic state”, where the linkage between each individual and the state is made directly, through the bundle of rights and duties of the citizen, rather than mediated through the legitimizing power of the nation. It is, in a sense, replacing nationalism, loyalty to the nation, with patriotism, which is loyalty to the state (Snyder 1968).¹ The notion that nation and state should or will separate is hardly new – J. P. Nettl has suggested this in his seminal text, “The State as a Dependent Variable,” back in 1968. However, he attributed this development to the then new postcolonial states, which were unlikely candidates in his view to become nation-states (cf. Foltz 1963). This study, on the other hand, suggests that western countries that normally would easily fit the description of the nation-state have chosen to shift away from this model.

Consequently, I will examine four cases: two major ones that I believe have already started down this path, and an additional two cases that will serve as a basis for comparison. The two main states I will examine each suggest a different model of separating nation and state, with different goals and different levels of success: Canada and Israel. These two cases, I will claim, are the conceptual descendents of the two perennial cases of the study of nationalism – France and Germany, respectively (Brubaker 1992). Canada, as a liberal, civic nation, has chosen separation of nation and state to protect the state from threats to its unity leveled by both Québécois nationalism as

¹ The two concepts, of course, are hardly ever as clearly distinct, in no small part because of the conflation of the concepts of nation and state themselves. In some cases the two were posed as a “lighter” and “darker” form of the same type of emotion (Kimmelmeier and Winter 2008). At times they are simply treated as synonymous. But these definitions seem the most reasonable, if only etymologically.

well as growing numbers of immigrants that do not make a part of the original founding nations, and increasingly refuse to assimilate into them and forego their original national identity. Israel, as a state based on an ethnic conception of nation, has chosen this path to protect the nation itself from the implications of allowing the state to truly belong to its entire citizenry – including an Arab population making up nearly 20% thereof – while maintaining its purpose as a “national home” to Jews the world-over.

These two cases will be contrasted with two other multinational states. The first, and arguably the least successful one, is Belgium. This state has given up all pretence of representing a single nation when it became a federation of two different communities in a series of state reforms in the 1970’s and 80’s (and continuing onwards with additional constitutional reforms in the 90’s and 2000’s). Unfortunately, Belgian “national” (i.e., state-wide) politics has proven more and more intractable with a party system fragmented on both ideological and national lines, and little willingness to cooperate across these lines.

Switzerland, on the other hand, has successfully maintained a federation of ethnocultural groups for more than half a millennium, weathering the storm of nationalism as it swept all around it, and forming something akin to a Swiss identity, while still not amounting to an actual national identity.

This study will examine the four cases and the strategies they have employed to mollify trans-, post- and minority-national forces, as well as the efficacy of these strategies and their ramifications on the institution of the states employing them. Finally, I will attempt to draw conclusions from these cases for other attempts at separating nation from state, most notably in Europe with the advent of the EU.

First, however, many ambiguous concepts that will be used throughout this study must be defined. There is a great deal of such concepts in this field of study, but for now I will contend with the considerable task of defining the State, Nation, Nation-State, and Citizen, and try and disentangle the conceptual tangled line that these terms invariably end up as.

Literature Review

I do not wish to be insulting, but I firmly believe that if you took an average tow-line, and stretched it out straight across the middle of a field, and then turned your back on it for thirty seconds, that, when you looked round again, you would find that it had got itself altogether in a heap in the middle of the field, and had twisted itself up, and tied itself into knots, and lost its two ends, and become all loops; and it would take you a good half-hour, sitting down there on the grass and swearing all the while, to disentangle it again.

- Jerome K. Jerome, *Three Men in a Boat*

In English, the word nation is equal to the citizenry of a nation-state. To become a citizen of a state (through the process of “naturalization”) is to become a national of that state. When a Lybian refugee who lived since childhood in the UK was arrested in Pakistan and later transferred to Guantanamo Bay, his parents turned to the British government for assistance. But since he never naturalized as a British citizen, the Foreign Office responded that “we cannot make representations on behalf of people, however long they’ve been in the UK, who are not our *nationals*” (Dodd 2005, italics added).² The same is true in the French language. As Rogers Brubaker notes, “[t]he semantic overlap in French and English reflects the political definition of nationhood and the fusion of the concepts of state, nation, and sovereign deriving from their founding revolutions.” However, “in German, formal state-membership, participatory citizenship, and ethnocultural nation-membership are designated by distinct terms: *Staatsangehörigkeit*, *Staatsbürgerschaft*, and *Nationalität* or *Volkszugehörigkeit* respectively... The semantic differentiation in German reflects the independent and sometimes antagonistic course of state-building, nationalism, and democracy in Germany.” (Brubaker, 1992: 50).

² I am indebted to Randall Hansen who has drawn my attention to this report.

Interestingly, Hebrew shares the clear German distinction of state-membership (*ezrakhut*) and nation-membership (*le'umiyut*), but has no distinct word for participatory citizenship. To continue Brubaker's logic, this reflects the independent development of state-building and nationalism in Jewish (or rather Zionist³) thought, but the concurrent development of the Israeli state and Israeli democracy.

It is not surprising, in light of this, that the English-language literature often fails to make the distinction clear. In fact, the language is replete with concepts that treat “nation” as equal to “state” or a state's citizenry – international, Gross National Product, national news (as opposed to local or international). Even the United Nations is actually an organization of states and not of nations as such.⁴ America's hegemony in the West in general and in political thought in particular over the past half-century has made things even more difficult, because of the likely confusion that phrases such as “state level” or “interstate” could cause in the American context. Nonetheless, this fusion must be undone for us to have a clear view of the processes taking place in the evolution of the state.

What is the Nation-State?

Ernest Gellner begins his important text *Nations and Nationalism* with a pithy definition of nationalism: it is “a political principle, which holds that the political and the national unit should be congruent” (Gellner 1983: 1). In other words, that states should be nation-

³ The very existence of the word “Zionism” indicates the complex condition of Jewish nationalism. *Zionism* in its most minimal meaning, is the nationalist sentiment that the *Jews* deserve to have a nation-state in the Land of *Israel* (*Eretz Yisrael*) (Agassi 1999).

⁴ Thus, for example, the Scottish and Welsh nationalities within the UK are not members, but the multinational UK itself is. Similarly, the Palestinian Authority, a non-state entity that represents the Palestinian nation, participates merely as an observer in the work of the UN.

states. But accepting this definition at face value (which Gellner, of course, does not) is to assume that the nation has some autonomous existence as an entity rather than being an association of humans created, in part at least, by the state itself.

The nation is constituted, in part, by the political unit, if only because it is the viability of this political unit that determines what level of identity will be selected as the one most fitting to be congruent with it. For example, while the concept of the German nation long predated a united Germany, the exact contours of the German nation as it is defined today (*Kleindeutscheland*) were chosen over both localized identities based on the preceding states of the German Confederation, and a more inclusive *Großdeutscheland* based on an ethno-cultural identity. This choice was effected by the power balance between German nationalists, the Prussian leadership and the Austro-Hungarian empire, rather than by any reference to pre-existing conception of the German nation. In order to be successful, nationalism must prove beneficial. Nationalism that does not hold the promise of prosperity will not last long. According to Benedict Anderson's (2006 [1983]) thesis, the very basis for the spread of nationalism was that it was congruent with capitalism, but less decisive accounts attribute nationalism's success as an ideology to its ability to best meet "the economic and military requirements of a changing world economy and international order" (Beetham 1984: 210; Tambini 2001).

The nation, then, is constituted by the state, but at the same time the state's status as a nation-state is constituted by an act of declaration of the nation. "A state is a nation-state ... insofar as it claims (and is understood) to be a nation's state: the state "of" and "for" a particular, distinctive, bounded nation" (Brubaker 1992: 28). There is, no doubt, a sense of circular causality at work: the nation is defined (at least in part) by the state it itself

forms.⁵ This conception of the nation-state could lead us to see the nation-state plainly as a state that belongs to its members (whichever way we define “belong”). But it is obvious this definition is influenced by the civic conception of the nation. An ethnic conception of the nation would demand that the nation-state somehow distinguish between members of the *ethnie* (Smith 1986) and those who merely reside within the state’s territory (even if they enjoy the status of citizens), and work for the benefit of the ethnic nation (whether it resides inside the state or not) – not for the benefit of the citizenry as a whole. Again, it is important to remember that both ethnicity and nationhood are hardly fixed and rigid groups. Rather, they respond to both external and internal pressures and fashion themselves in a way that is most beneficial to those individuals who are in a position to influence the concept of the nation, be they elites (Gellner 1983: 57-58) or simply each individual in a position to make a choice on his or her identity (Deutsch 1963; Rogowski 1985).

What constitutes a nation-state, then, depends on a nation’s definition of itself. Furthermore, since the self-definition of a nation may change through time, so can its definition of “its” state and citizenship in it. These processes of change have been occurring throughout nationalism’s history, and they continue to happen today (Sassen 2006). The global state-system easily accepts the coexistence of more than one form of nation-state, without any resulting difficulties, and so the independent development of each nation-state’s definition of itself has proceeded unhindered (though by no means without dialogue with other nation-states and the international community at large). Problems, however, do arise when the ideal of nationalism – the complete congruence

⁵ Similarly, Brubaker (1996) writes of Central and Eastern Europe that “[n]ationalism has been both cause and effect of the great reorganizations of political space that framed the ‘short twentieth century’” (p. 4).

between the national and the political units – does not manifest in reality, which is the case in practically all nation-states.

Citizenship in the Nation State

Citizenship is the legal status of belonging to a political unit.⁶ This status confers certain rights as well as obligations on the citizen, which are not conferred on the non-citizen residing in or visiting the country. But citizenship itself is not a right, but a privilege that the state may or may not choose to give to any particular individual at its own discretion. The most basic tenet of sovereignty is the sovereign body's ability to determine who may enter it and who may not. Before nationalism, and back to the very birth of the concept of citizenship in the Greek *polis*, the citizenry were a privileged minority within the state. Moreover, citizenship wasn't always necessarily an equalizing force: under the Roman Empire, citizenships were gradated (Pocock 1995). National citizenship, on the other hand, is universal (within the nation, and originally for men only) and equal (Young 1998). The French revolutionaries insisted that no titles be used when one person addressed another – none but *citoyen*, thus symbolizing both the universality of French citizenship and its equalizing power (Wallerstein 2003).

Being part of the nation, then, became the simplest legitimate reason for having the *right* (some formal requirements notwithstanding) to citizenship – and all the rights this status entails. Nationalism became both a link and a buffer between the state and the

⁶ As noted above, the word citizenship as used in English has attained additional meanings, such as political activity and influence, and even a form of identity (Bosniak 2001). I am deliberately ignoring these meanings, which are not necessarily shared in other languages, for the purposes of this text.

individual: it legitimized the individual's demand for full citizenship,⁷ on the one hand, and it legitimized the state's coercive power over the individual, on the other. As Wallerstein (2003) notes, however, it was this universality of citizenship that posed a threat to states ever since the French Revolution:

“Too many persons were citizens... The story of the nineteenth century (and indeed of the twentieth) has been that some (those with privilege and advantage) have been attempting to define citizenship narrowly and that all the others have been seeking to validate a broader definition. It is around this struggle that the intellectual theorizing of the next 200 years centered.” (p. 651)

So it was that nationalism was transformed from an ideology of liberation and inclusion to an ideology to exclusion. Even excluded groups campaigning for inclusion by invoking nationalism often did it by stressing the foreignness – and therefore the rightful inferior status – of other groups vying for citizenship as well (Wallerstein 2003: 670-671).

But nationalism has never operated alone in the ideological field. Alongside nationalism, the idea of liberalism was also developing, until they were linked through the notion of a right of self-determination. What started in the French Revolution as a right of the individual – the right “to give expression to the universal desire for liberty and thus – how could it be otherwise? – for incorporation into France” (Brubaker 1992: 7) has become by the inter-war period a right of ethnocultural nations that formed the “basis of the postwar settlement” (Brubaker 1996: 120). But liberal ideals necessitated providing individuals with rudimentary rights, even when they could not become full members of the nation-state through citizenship. The French divided the people in France

⁷ This can most clearly be seen in the suffragettes' struggle for equal citizenship (e.g., Dalziel 2000), although the cooperation between national women's suffrage campaigns across the British Empire at the turn of the 20th century had a considerable transnational character (Fletcher 2000).

into “active” and “passive” citizens. The former held full citizenship rights including what T. H. Marshall (1965 [1950]) would later label “political rights”: “the right to play an active role in the formation of public authorities”, while the former held only “civic rights”: “the right to the protection of their person, of their property, of their liberty, etc.” (Abbé Siéyès, quoted in Wallerstein 2003: 651).

For the French, at least in theory, the status of the passive citizen was temporary, until he or she is fit to become a full active member of the French nation. This is reflected in the strong *jus soli* element in French citizenship law (Brubaker 1992: 81). But most other European states have a much weaker element of *jus soli*, up to the German case that until recently had no such element whatsoever. In these countries, a foreigner is much less likely to achieve the status of citizen. While most countries allow some form of naturalization, it is often a difficult process, that until quite recently was aimed at complete assimilation of the foreigner into her new nation, normally requiring waiving her previous citizenship (Faist 2007).

Nonetheless, practically all nation-states have found themselves with minority nationals within them that refused assimilation. At times these minorities were engulfed by a nation-state that “belonged” to another nation; at other times, such minority groups were formed through migration, either within an empire or between states as in the case of guest workers. States in the past had several strategies to try and sort out this incongruence, from forced assimilation by repressing subnational cultures to ethnic cleansing and “unmixing” through migration (sometimes hastened by wars, see Brubaker 1996: 148-178).

But such solutions became problematic, particularly in the West, in the post-WWII period, following the development of universalistic liberal thought into a discourse of human rights which has sought a “right to rights” based on personhood, rather than nationality (Somers 2006; Soysal 1994). While the basic principles of nationalism were maintained in nation-states across the West, many of the strategies previously used to achieve these ideals were removed from the arsenal of states. The subsequent period was characterized by a proliferation of deviations from the basic nationalist principle of political/national unit congruence, including an emboldened bid by minority nationalities for some form of autonomy. All the while, states were frantically seeking out solutions to this perennial problem of the nation-state, and many have limited immigration altogether in an attempt to prevent further exacerbation. Still, the tendency of the literature describing this period to characterize the state as completely helpless is most certainly an exaggeration. States have not been sitting idly for the past sixty-odd years and watching their power decline. Facing down trends of minority-nationalism, multi-nationalism, trans-nationalism, and post-nationalism, states have devised several strategies: a modern form of nation-building, multiculturalism, and what, for the time being, I shall call simply non-nationalism.

The Clash of Nationalities

The fault-lines of national citizenship in the age of universal human rights appear when either groups within the original citizenry of a state or more recent migrants into it break away from or refuse to assimilate into the established nation of the state. “Identity politics ... serves as a means by which to partake in politics and to negotiate belonging. It is a

new way of relating to membership in host countries, without a necessary reference to shared nationhood” (Soysal 1994: 111). This incongruence may manifest itself in four forms: holding a citizenship in one nation-state while identifying solely with a nation other than that nation-state’s, be it a minority national group within the citizenry or the nation of another nation-state altogether (the former I shall refer to here as minority-nationalism, the latter corresponds to the common use of trans-nationalism); the flip-side of this: holding both the citizenship and national identity of a nation-state, but also holding additional citizenships in other states, without identifying with them (trans-nationalism); holding a citizenship in a nation-state and identifying with both its nation and another nation at the same time⁸ (multi-nationalism⁹); and finally, holding a citizenship in a nation-state while not identifying with any national group, but only with non-national communities, be they local or supra-national (or, in the case of True Cosmopolitans – universal [Tomlinson 1999; Vertovec and Cohen 2002]) (post-nationalism).

The first form, that of minority-nationalism, has been around for as long as nation-states have (Kymlicka and Straehle 1999). Invariably, states claiming a “national” territory also encompassed groups that viewed themselves as distinct from the majority national group. Such groups may not have seen themselves as nations initially, but have acquired such terminology over the years (e.g., the “first nations” of Canada). Minority nationalities could either be assimilated into the majority nationality through nation-building projects, successfully break away from the state and form their own nation-

⁸ Whether or not the person holds a citizenship in the other nation’s nation-state is immaterial.

⁹ Multi-nationalism is usually used to describe the condition of “several polities within an independent state” (Bauboeck 2003: 705). In this instance, however, I refer to the condition of the individual rather than of the state. A somewhat clearer phrase would be “multinational citizenship”. I use multi-nationalism throughout this paper as shorthand for this term, as opposed to “state mulit-nationalism”.

states, or remain in a prolonged state of national incongruence. Some, rather than attempting to completely break away from their current state, have sought some level of cultural/national autonomy within the state. This has usually been characterized by forms of federalism (or quasi-federalism), as in Quebec's notion of "sovereignty-association", forms of aboriginal self-rule proposed during Canada's Charlottetown Accord round of constitutional reform, or devolution of powers to national Scottish and Welsh parliaments in the UK.

Minority nationalism is unique in that membership in the host state is not sought by the minority nationals – in fact, it is forced on them. They maintain their citizenship for want of a better alternative, not necessarily because they have an interest in this membership. Therefore, of the groups discussed here, they alone share the nationalist ideal with the majority nation-state they struggle against. Therefore, although empowered by the same discourse of human rights that has enabled the erosion of nationalism in the West, because it protects them from coercive retaliation by the majority nation, they are far from sharing the cosmopolitan ideals that lie at the heart of this discourse (Moore 2001).

Trans-nationalism is a more recent development. It is primarily the result of the increasing acceptance among nation-states of dual citizenship – ranging from mere tolerance through to active promotion of this practice (Faist 2007). Trans-nationalism can broadly be defined as a continued interest and at least some rudimentary involvement in the life of the nation by emigrants (Bauboeck 2003; but see Guarnizo, Portes and Haller [2003] for a more restricting definition).

Trans-nationalism does not require full citizenship rights in the host country. Expatriates who have gained residency rights¹⁰ in their host countries may continue to involve themselves in the national business of their original nation-state without fear of retribution by the host state.¹¹ Even the reverse, that trans-national practices take place when one is no longer the citizen of one's original nation-state, is possible. The well-known case of Cuban exiles in the US is one example of such a dynamic. However, an even more extreme story is to be found in the Ghanaian immigrant community in Canada. After Ghana's government has decided, in 1994, to ban dual-citizenships in a bid to bolster nation-building efforts, the National Congress of Ghanaian-Canadians has sent an envoy to Ghana to petition against the ban, claiming it would force them to become foreigners in their own home. The Ghanaian government finally gave in in 1997 and repealed the ban (Osuwu 2000). This case of "meta-involvement" in the state's right to decide who may be involved in its politics is indicative both of the power of diaspora groups in their states of origin and of their interest in maintaining such ties.

What makes trans-nationalism problematic for the nation-state is the suspicion of disloyalty that necessarily attaches itself to citizens (or permanent residents) who do not merely retain their culture in their host society, but continue to identify with the interests of their origin nation. If the nation-state draws its efficacy from the "imagined community" wherein all members can be counted on to bear the burden of any sacrifice needed to protect the nation-state – that is, from loyalty to the nation (Kymlicka and

¹⁰ Or, alternatively, those who have achieved "a citizenship of residency" (Benhabib 2007: 22).

¹¹ The situation of persons with less clear residency status – immigrants of "liminal legality" – is far more complicated, and their ability to participate in the national life of their original nation-state is limited (Menjívar 2006).

Straehle 1999) – then loyalty of part of the citizenry to a different nation undermines the entire structure legitimizing the nation-state.

In this sense, multi-nationalism, which is the identification with both the origin and host nation (or, to take another example, when a child is born to parents of different nationalities, his or her identification with both nations), is somewhat less threatening to the nation-state. Nonetheless, the ambiguity inherent in such a position, especially with regards to the order of priority in a time of conflict between the two identities, still leaves it a problematic situation for the nation-state. Multi-nationalism is tolerated as a transitional condition leading to a more complete assimilation into the nation (Faist 2007). However, even this ambiguity does not exist in the case of strict trans-nationalism: there, the interests of the nation can be assumed to take precedence over those of the host society, with which the person has mere the legal relationship of citizenship.¹²

In recent years multi-nationalism has been reinvigorated by a counter-intuitive move by several source countries. While previously emigrants were stripped of many of their rights and often also of their very citizenship once they naturalized in another state (Triadafilopoulou 2007), recent decades have seen greater efforts by nation-states to reestablish informal and even formal links with diasporas, and promote a sense of national identity among their members (Bauboek 2003; Sheffer 2003).

Finally, and farthest away from the ideology of nationalism, is the emergent post-national ideology. According to Yasemin Soysal (1994), who heralded this model, while the state remains charged with the actual dispensing of rights to its members, it has been stripped of the legitimated ability to both determine who those members are, and what

¹² "Whether or not immigrants are citizens, their loyalty to the host country comes from *sharing in its social and political institutions*. The home country ... provides emotional support and *identity resources*" (Kastoryano 2004: 1253, emphasis added).

those rights will be (pp. 141-143). Membership in the political unit becomes akin to residency – rather than a special privileged status it become required of the state, by a so-called “human rights regime”, to provide rights to the individual. The right to rights in this model is based on one’s personhood, not on one’s recognized national identity. The identity of the individual thus freed from the shackles of the nation-state system, it can then attach to other levels of identity and loyalty – be they local, regional or cosmopolitan.

State Responses

States were hardly sitting idly while this commotion was going on around them. With the more violent means of “correcting” incongruence between nation and citizenry becoming unacceptable in Western countries, and as cessation and state break-up have become less likely in advanced industrial countries,¹³ Western states have mainly taken two routes identified in the literature: assimilation and multiculturalism. Assimilation is the forced acculturation of immigrants into the host nation. By “forced” it is meant that attempts at preserving the old cultures were prevented, mandatory state-schooling did not allow for the learning of mother tongues, and displays of alternative national identities, beyond the most benign and palatable expressions thereof (such as cuisine), were repressed. This is the classic method of “nation-building” (Strayer 1963), focusing on the school (and the army) as the primary arena for “turning peasants into Frenchmen” (Brubaker 1992), and, by extension, for turning foreigners into nationals. This method has also been employed against minority nationalisms within nation-states, but has rarely, if ever, truly succeeded

¹³ Although areas like the Balkans continue to fragment into smaller and smaller national units, as in the case of the recent declaration of independence of Kosovo.

(Kymlicka 1995: 182-185). As late as 1989, political theorist David Miller has called on states to appreciate the “malleability” of cultural identity, and to promote among subcultures “a common identity as citizens that is stronger than their separate identities as members of ethnic or other sectional groups” (cited in Kymlicka 1995: 184).

However, assimilation as a policy began its fall out of favour in Western Europe in the 1970s, as liberal criticism of this practice posited the rights of individuals to their own culture, within the boundaries of liberalism itself. Through the ‘80s and ‘90s, this “differentialist turn” (Brubaker 2001: 532) has developed into a model of “multicultural citizenship” (Kymlicka 1995), which posits not merely the rights of individuals, but the rights of groups as such to protect their culture in the face of the majority nation. Not all groups, however, are created equal. Kymlicka identifies two different types of groups vying for group rights: immigrants and minority nationalities. The first type essentially seeks group rights as a way to buttress *integration* into the national framework (pp. 176-181). Rather than challenging the nation, they seek to expand it to include their own experiences as well. One reading of Kymlicka’s postulations (although not one made explicitly) can be that by allowing immigrants pride in their heritage within the national identity of the host state, this cultural identity can be decoupled from loyalty to their nation of origin, thus turning trans- or multi-nationalism into mere cultural diversity.

The second type, that of minority nationalities, is more difficult to placate. These groups seek not integration but, ultimately, separation from the majority nationality. Usually, however, they will strive for the compromise of self-government within a federal framework. This, Kymlicka concedes, is unlikely to be a stable arrangement in the long run: “there seems to be no natural stopping point to the demands for increasing self-

government” (p. 182). Alas, apart for seriously considering cessation, Kymlicka offers little in the way of a solution for this problem. Ultimately, Kymlicka advocates that states promote some sense of “shared identity” (p. 188) and solidarity, but offers no means of achieving this. In light of this reading of Kymlicka, then, what Brubaker (2001) has termed “the return to assimilation” (and Hansen [2003] refers to as integration) isn’t really all that far from Kymlicka’s (and other multiculturalists’) model.

This study suggests a third response has developed in some Western states. This response acknowledges what Anthony Smith has asserted of nations, that “once [a national identity is] established, it becomes immensely difficult, if not impossible (short of total genocide) to eradicate” (Smith 1993: 131; Kymlicka 1995). The reawakening in the US of diasporas previously assumed completely assimilated into their host nations, and the renewed interest of third-generation immigrants in their homelands is an example of this durability (Sheffer 2003: 163-164). In lieu of attempting to change the national identity of immigrants and minority nationals, the state may simply withdraw completely from the national project, focusing instead on “delivering the goods” (Tambini 2001) – the maintenance of what the Canadian constitution stipulates as the federation’s prime objectives: Peace, Order and Good Government (where Good Government may also include providing a beneficial framework for economic prosperity, and a whole slew of civic and social rights).

In a sense, this response is the state embracing and modifying post-nationalism, but rather than hoping that individuals will shed their national identity, the state sheds its own, leaving nation to the private sphere, or to civil society, to negotiate. This sort of “non-nationalism” is different than the multinational response of self-government, an

example of which can be found in the British devolution of authorities to national Scottish and Welsh parliaments. This act is conspicuous in that no such devolution to a national *English* parliament took place, thus only strengthening the perception that the UK is the English nation-state, which tolerates and accommodates the minority nationalities living within it. No such form of self government is needed in the non-national state, as the denationalization of the state leads to the depoliticization of the nation.

Cases and Methodology

This study will focus on two primary cases – Canada and Israel – where processes of separation of nation and state have taken place to some degree, and an additional two cases of multinational states: Switzerland, which has successfully weathered the storm of nationalism as a multiethnic federation, and Belgium, which has been failing at keeping its two constituting nations together through a federal self-government scheme.

Canada has known two important revolutions in the 1960s: the emergence of the Québécois nationalism in the Quiet Revolution, and the immigration law reforms which culminated in the “points system”, enacted in 1967, leading to an open and diversity-promoting immigration regime. These were followed in the ‘70s and ‘80s by the development and institutionalization of multiculturalism as a state policy. Prime Minister Trudeau’s project of creating a bilingual, multicultural state based on the Charter of Rights and Freedoms and equality of the provinces was a clear case of the separation of nation and state, for the purpose of securing “national” unity (McRoberts 1997). Canada reconceived itself as a state based on shared values, not on shared identity. At the same time, Quebec’s demands for various forms of self-government were never granted, and the principle of equality of the provinces (rather than of the nations) was kept at all times. At the same time, Québécois society itself has gone through substantial transformations – from a linguistic community to an ethnic nationality, and from there to a more French-like self-determination as a civic nation (Latouche 2001). This study will follow the development of these policies through legislation and practice. In addition, I will examine the state’s relations with various civil society agents, to examine how the nation-building

projects were picked up by civil society in the English, French and immigrant communities of Canada.

Israel's status as a nation-state has, since independence, been put into doubt by two factors. Firstly, Israel was created as the state of the Jewish people. However, the majority of this people has not immigrated to Israel, nor does it seem intent on doing so. Nonetheless, an Israeli nationality has never developed separately from the Jewish people as a whole (Agassi 1999). This has found expression in no state policy more than it did in Israel's unique immigration law: immigration, apart for rare cases, is available only to those who can prove that either one of their parents or one of their grandparents was a Jew according to the Jewish Halacha (religious law). This *gestalt* of Jewish law and Nazi definitions of Jewishness was created specifically to protect Jews from persecution in the future. More importantly, however, this law leaves the process of naturalization almost completely out of the hands of the state: a non-Jew who wishes to immigrate to Israel may go through a process of conversion to Judaism.¹⁴ He will then turn *not* to the Israeli embassy in his country of residence, but rather to the Jewish Agency (the *Sokhnut*), an independent civil society agency that predates the State of Israel and purports to represent the Jewish people throughout the world. The entire process of *Aliyah* (immigration of Jews to Israel) is carried out by the Jewish Agency, including determining eligibility and arranging for the required documentation. Only upon arriving in Israel is the immigrant handed over to the care of the Ministry of Absorption. This pattern of devolving nation-building and sovereign functions of the state to external agencies is not unique to the Jewish Agency and can be found in other areas as well.

¹⁴ Within Israel only orthodox conversion may be recognized, but reform and conservative conversions carried out outside of Israel are also recognized by the state for the purpose of naturalization.

The second factor that problematizes Israel's status as a nation-state is the large Arab minority (comprising some one fifth of the citizenry), coupled with Israel's declared commitment to liberal values. The Arabs residing within Israel at independence were given citizenship by the State of Israel, and should in principle receive equal treatment by the state. However, Israel has discriminated against its Arab population since independence, leading sociologist Sammy Smooha (2002) to describe it as an "ethnic democracy". But the state attempts to limit its direct involvement in acts of discrimination, again turning to the pattern of employing Jewish organizations who have formal connections to the state but do not form a part of it. The Jewish National Fund's involvement in preventing Arab citizens from acquiring land outside of Arab settlements is one example of how this pattern is used to exclude Arab citizens in Israel.

In studying Israel I will disentangle the connections between the state and various Jewish organizations to explain how devolving nation-building roles to these organizations allows the state to maintain the façade of liberalism while protecting the Jewish nationality in Israel. I will also investigate associations among Israel's Arab population poised to take advantage of this absence of nation-building by the state, to promote national Palestinian identity among Arab citizens of Israel. I will attempt to show that Israel is not a nation-state, but rather, to borrow another term from the history of Zionism, a "national home" for the Jews. At the same time, while accepting Smooha's characterization of Israel as geared to the benefit of the majority ethnic group, I will show that it is better defined as a non-national state than as an ethnic democracy.

Finally, Switzerland and Belgium bookend the spectrum of state strategies for handling multiple nationalities. Switzerland has successfully maintained a multiethnic,

multilingual citizenry for more than half a millennium. I will attempt to characterize the pillars of this success as suggested in the literature and compare them to the two main cases to seek similarities and differences that could help in predicting the viability of the two models. Conversely, Belgium's struggles with its own binationalism, as well as a growing population of legal and undocumented immigrants (Suárez-Orozco 1994), have only led to a progressive unraveling of the state as a single unit. Politics in the "national" level suffer from fragmentation and instability. Many observers see a bleak future for the Kingdom of Belgium. As in the case of Switzerland, this case will serve as a contrasting case to the two main cases of the study, in search of lessons that may be learned from its experience and applied to understand Canada and Israel's experiences.

This study will focus on two main sources: archival sources pertaining to state policies, legislation and formal contact between state agencies and civil society in the cases studies between approximately 1960 and current day; and interviews with leaders of nationalist civil society associations in regards to both their connections with the state and their own perception of their roles in building national identities within their particular communities. Through this data I will construct a model of each case's strategy of non-nationalism, the goals it serves and the problems it raises for state stability in the future.

Ultimately, I aim to make these models applicable as analytic tools for the consideration of new supranational projects such as the EU, as well as considering policy options available to the "classic" nation-states of Europe.

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