Nation-building and minority rights: comparing West and East

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Abstract Until quite recently, the area of ethnocultural relations has been surprisingly neglected by Western political theorists. For most of this century, ethnicity was viewed by political theorists as a marginal phenomenon that would gradually disappear with modernisation, and hence was not an important topic for forward-looking political theorists. As a result, even into the mid-1980s, there were very few political philosophers working in the area. The question of the rights of ethnocultural groups, however, has moved to the forefront of Western political theory in the last few years. The aim in this article is to describe this emerging literature on the normative principles for managing ethnocultural diversity in a liberal democracy, and to consider whether it has any applicability to ethnic conflict in Eastern and Central Europe. The goal is not to propose the unrealistic transplanting of institutions and policies from the West to the East, but rather to outline some of the interesting recent work done by Western political theorists, and to see whether any of it is relevant to selected cases of ethnic politics in ECE, including those analysed in the Ethnobarometer annual report.

KEYWORDS: NATIONALISM; ETHNIC RELATIONS; MIGRATION; EAST-WEST, POLITICAL THEORY

The Western sociological literature on nationalism, ethnic relations and migration has often presupposed a deep gulf between East and West. The two contexts are seen not only as different, but as radically incommensurable, as if the peculiarities of Eastern and Central Europe (hereafter ECE) preclude any meaningful comparison with analogous situations in Western Europe or North America. This attitude has so far inhibited genuine comparative empirical work.

The situation with respect to normative political theory is somewhat different. Ethnocultural relations have been neglected by Western political theorists for decades, and there is not yet a body of established concepts and principles that could be used for an East-West comparison. In the area of basic individual civil and political rights it is easy to identify the basic principles of Western democracy: these principles are well-articulated both in the actual functioning of Western liberal democracies and in the tradition of Western political theory. When we turn to issues of ethnic relations, however, it is far more difficult to identify the principles guiding Western democracies. We can find a wide range of policies in the various Western democracies, and it is not clear what, if anything, they have in common. It is therefore difficult to define the basic features of a liberal-democratic approach to managing ethnocultural diversity that could be used as a comparative reference for the study of the same issue in the newly democratising and/or newly independent states of ECE.

The problem is not just that various Western democracies have responded differently to these issues, but also that the whole area of ethnocultural relations
has been surprisingly neglected by Western political theorists. For most of this century, ethnicity was viewed by political theorists as a marginal phenomenon that would gradually disappear with modernisation, and hence was not an important topic for forward-looking political theorists. As a result, even into the mid-1980s, there were very few political philosophers or political theorists working in the area.¹

A number of factors that came to a head at the beginning of the 1990s made clear that tensions arising from ethnocultural diversity were not resolved automatically as a result of socioeconomic and political modernisation even within liberal democracies. These included the nativist backlash against immigrants and refugees in many Western countries; the resurgence and political mobilisation of indigenous peoples; and the ongoing threat of secession within some of the most flourishing Western democracies, from Quebec to Scotland, Flanders and Catalonia. Not surprisingly, therefore, the question of the rights of ethnocultural groups has moved to the forefront of Western political theory and the 1990s have witnessed the first philosophical books in English in decades (perhaps ever) on the normative issues involved in secession, nationalism, immigration, multiculturalism, and indigenous rights.²

This emerging body of literature does not, however, imply that Western political theory has already developed a set of established and coherent principles for the management of ethnocultural diversity in a liberal democracy. In this respect, political theorists of ethnic relations in the West are not much farther advanced than those in ECE. To be sure, most Western countries have a long (and sometimes bloody) history of dealing with ethnic diversity within a liberal-democratic constitutional framework. Until very recently, however, the lessons from this history have not been articulated into a well-defined theory, and so the actual principles and ideals that guide Western democracies remain obscure, often even to those who are involved in managing ethnic relations on a day-to-day basis. Moreover, ethnic relations within many Western democracies are themselves in a state of flux, as old assumptions and policies are being tested and found wanting.

This state of affairs may actually assist genuine East–West comparisons in the field of normative theory as it reduces the possibility and temptation for the common, and often ethnocentric, use of the West as a benchmark for judging the ECE, and opens the way for more symmetric bi-directional comparisons.

For all these reasons my aim in this article is not to measure how well the current policies of ECE countries regarding ethnic relations conform to well-defined and long-standing Western principles, for there are no such principles. Neither do I intend to propose the unrealistic transplanting of institutions and policies from the West to the East. My aim, rather, is to outline some of the interesting recent work done by Western political theorists, and to see whether any of it is relevant to current and selected cases of contentious ethnic politics in ECE, including those analysed in the Ethnobarometer Annual Report (1999). I think that these Western theories can help shed some light on the policy options in ECE, but I also think that the debates in Eastern and Central Europe can shed some light on the limitations of these newly-emerging Western theories.

One reason why Western theorists have failed to grapple satisfactorily with issues of ethnic diversity is that they have been blinded by what I will call the myth of ‘ethnocultural neutrality’. This myth is also partly responsible
for the assumption by many Western scholars that ethnic relations in ECE are something so peculiar that they cannot be compared to the West.

So I will start this article by exploring this myth, and then outline some of the principles that several recent liberal-democratic theorists have developed concerning ethnocultural rights/claims, covering the full range of possibilities from entry, equity and exit. I will conclude by examining some of the possible applications of this theory to ECE countries.

The myth of ethnocultural neutrality

As I noted above, Western political theorists have had little explicitly to say about how to deal with ethnocultural diversity. Insofar as they had an answer at all, it was that the state should be ‘neutral’ with respect to ethnocultural differences and treat culture in the same way as religion – that is, as something that people should be free to pursue in their private life, but which is not the concern of the state (so long as they respect the rights of others).

The more or less implicit assumption was that liberal-democratic states have been and are, to a large extent, ‘ethnoculturally neutral’. For example, Michael Walzer argues that liberalism involves a ‘sharp divorce of state and ethnicity’, and that a state should be ‘neutral with reference to language, history, literature, calendar’ of the ethnic and national groups present in the country. He says the clearest example of such a neutral liberal state is the USA, whose ethnocultural neutrality is reflected in the fact that it has no constitutionally recognised official language (1992a: 100–1; 1992b: 9). Indeed, some theorists argue that this is precisely what distinguishes liberal ‘civic nations’ from illiberal ‘ethnic nations’ (Ignatieff 1993; Pfaff 1993: 162).

As a historical claim about the actions of Western democracies, this is patently false. Virtually all liberal democracies have, at one point or another, attempted to diffuse a single societal culture, namely that of the dominant majority. By a ‘societal culture’, I mean a territorially-concentrated culture, centred on a shared language that is used in a wide range of societal institutions, in both public and private life (schools, media, law, economy, government, and so on). I call it a societal culture to emphasise that it involves a common language and social institutions, rather than common religious beliefs, family customs or personal lifestyles. Western states have tried to integrate all citizens into such a societal culture – that is, each state has encouraged citizens to view their life-chances as tied up with participation in common societal institutions that operate in the majority language. All Western states have engaged in the process of promoting a common language, and a sense of common membership in, and equal access to, the social institutions based on that language.3

To pursue this aim, liberal democracies have been selectively repressive of ethnocultural diversity, particularly of minority nationalisms, rather than neutral. At various points in the eighteenth and nineteenth centuries, for example, France banned the use of the Basque and Breton languages in schools or publications, and banned any political associations which aimed to promote minority nationalism; Canada stripped the Québécois of their French-language rights and institutions, and redrew political boundaries so that the Québécois did not form a majority in any province; Canada also made it illegal for Aboriginals to form political associations to promote their national claims; and when the USA conquered the Southwest in the war with Mexico in 1848, it
stripped the long-settled Hispanics of their Spanish-language rights and institutions, imposed literacy tests to make it difficult for them to vote, and encouraged massive immigration into the area so that the Hispanics would become outnumbered. By ignoring these realities, political theorists and social scientists ignore the central tenet of anthropology that ‘majorities and dominant peoples are no less ‘ethnic’ than minorities’ (Eriksen 1993: 4).

These are not just historical aberrations. If we examine the current functioning of liberal democracies it is equally easy to demonstrate the flaws of the ‘ethnocultural neutrality’ perspective. Consider, for instance, the actual policies of the USA, which is the allegedly prototypically ‘neutral’ state. First, it is a legal requirement for children to learn the English language in schools. Second, it is a legal requirement for immigrants (under the age of 50) to learn the English language to acquire American citizenship. Third, it is a de facto requirement for employment in or for government that the applicant speaks English. All of these policies reflect an ongoing determination to integrate American citizens into an English-language societal culture. Similar policies can be found in most Western European democracies, whether they are seen as ‘ethnic’ nations such as Germany, or as ‘civic’ and universalistic nations such as France.

In sum, the idea of the ethnocultural neutrality of the Western ‘civic’ nation-state is misguided, and has for a long time blinded Western political theorists to issues of ethnocultural diversity in liberal democracy. It should be replaced by a new model of the liberal-democratic state – I will call it the ‘nation-building’ model – which says that liberal democracies attempt to diffuse a single societal culture throughout all of their territory. As I will discuss below, this process of nation-building has sometimes been resisted by minorities, and in some countries the minorities have been powerful enough to deflect or defeat these nation-building policies. But the idea that all citizens should be integrated into common societal institutions operating in a common language remains a powerful one in most Western democracies (for the ubiquity of this process see Anderson 1983; Gellner 1983).

The ethnocultural neutrality model is blind to this reality of nation-building. As a result, it has contributed to the common Western view that ethnic politics in ECE is something radically different from, and alien to, the Western historical and current experience. Since 1989, the states of ECE, to different degrees, have enacted laws and policies that Brubaker has called ‘nationalising state policies’ (1996, Chapter 3) and which Hayden had earlier termed ‘constitutional nationalism’ (1992). These policies and laws (discussed in more detail below) have been made in the name of ethnically-defined majorities in states that are, however, multinational and/or polyethnic. Some Western commentators take these policies and laws as evidence that so-called ‘ethnicism’ is still dominant in ECE, and that these states are fundamentally different from Western ‘civic’ nations. This misleading view, resting on the dubious historical distinction made by Kohn between Western ‘territorialism’ and Eastern ‘ethnicism’ (see the introduction to this special issue), has been reinforced by the myth of the ‘ethnocultural neutrality’ of liberal-democratic Western states. As we have seen, Western liberal democracies have also engaged in extensive campaigns of cultural homogenisation and in the repression of minority nationalisms. The nature and intensity of such policies may be different in Western liberal democracies than in ECE today, as I discuss below. This, however, is a matter of empirical research, not a priori pronouncements. In any event, these processes of nation-building are sufficiently
similar that there are no good reasons for treating current ethnic politics and conflicts in ECE as inherently incommensurable with similar (current or earlier) processes in the West. The realities of nation-building in the West should put into question stereotypes of historically-rooted Eastern ‘ethnicism’ and the consequent simplistic primordialist explanations of such phenomena.

Western political theorists are still at an early stage in working out the details of the ‘nation-building’ model of the democratic state. Much more work needs to be done to explain the nature of nation-building, and also to explain how and why liberal democracies have taken such a markedly ‘national’ form. This endeavour can benefit from an open and bi-directional East–West comparison of nation-building processes. As I will argue in more detail below, such a comparative analysis should not try to distinguish states that engage in nation-building from those that do not, since all states engage in nation-building. The crucial issue is what kind of nation-building, and in particular, the extent to which nation-building is liberal or illiberal.

**Ethnocultural justice**

While the role of nation-building in the operation of liberal democracies should be further studied empirically, it is already clear, I think, that this nation-building model requires us to radically rethink the issue of minority rights. The question is no longer how to justify departing from a norm of neutrality, but rather whether majority efforts at nation-building create injustices for minorities? And do minority rights help protect against these injustices? Put another way, the standard for evaluating minority rights claims is no longer ethnocultural neutrality but ethnocultural justice.

Western political theorists are just beginning to rethink minority rights in this new way. This process of rethinking is complicated, since majority nation-building programmes impact differently on different types of groups. The sorts of minority rights being claimed, therefore, and the issues of justice they raise, vary from country to country, and from group to group. Western political theorists are just now starting to engage in this sort of fine-grained analysis of particular cases. However, enough work has been done in the last few years to see the outlines of a new liberal theory of minority rights, which I will now try to sketch.

Any typology trying to match precisely types of minorities and types of rights (claimed and/or granted) would inevitably fail to reflect all the complexities of the concrete cases one can find across different countries, particularly when comparing Western democracies with ECE countries. For this reason I will not propose an exhaustive typology but rather focus on three types of ethnocultural groups that are found within Western democracies: national minorities, immigrants, and metics. I will then discuss how these Western models might apply to the ECE, and what adaptations would be required.

(a) **National minorities:** By national minorities, I mean groups that formed complete and functioning societies in their historic homeland prior to being incorporated into a larger state. The incorporation of such national minorities has typically been involuntary, due to colonisation, conquest, or the ceding of territory from one imperial power to another, but may also arise voluntarily, as a result of federation.

However they were incorporated, national minorities in the West have
typically responded to majority nation-building by engaging in their own competing nation-building, falling around the cluster of exit claims. Indeed, they often seek to use the same tools that the majority uses to promote this nation-building – for example, they seek control over the language and curriculum of schooling in their region of the country, the language of government employment, the requirements of immigration and naturalisation, and the drawing of internal boundaries. We can see this clearly in the case of Flemish or Québécois nationalism, which have been concerned precisely with gaining and exercising these nation-building powers. In short, national minorities have typically sought to maintain or enhance their political autonomy. At the extreme, this may involve claims to outright secession, but more usually it involves some form of regional autonomy.

How should liberal democracies respond to such minority nationalisms? As noted in the previous section, historically they have often responded ruthlessly to minority nationalism. The repressive measures adopted against groups like the Basques, Bretons, Quebecois or indigenous peoples were intended to disempower these national minorities, and to eliminate any sense of possessing a distinct national identity. This was justified on the ground that minorities that view themselves as distinct ‘nations’ would be disloyal, and potentially secessionist. National minorities, therefore, were often the first target of majority nation-building campaigns.

But the attitude of liberal democracies towards minority nationalism has changed dramatically in this century. It is increasingly recognised that the suppression of minority nationalism was mistaken, for both empirical and normative reasons. Empirically, the evidence shows that pressuring national minorities to integrate into the dominant national group simply will not work. Despite centuries of legal discrimination, social prejudice, and indifference, national minorities have maintained their sense of forming a distinct nation, and their desire for national autonomy.

As a result, when the state attacks the minority’s sense of distinct nationhood, the result is often to promote rather than reduce the threat of disloyalty and secessionist movements. Indeed, recent surveys of ethnonationalist conflict around the world show that self-government arrangements diminish the likelihood of violent conflict, while refusing or rescinding self-government rights is likely to escalate the level of conflict (Gurr 1993; Hannum 1990; Lapidoth 1996). In the experience of Western democracies, the best way to ensure the loyalty of national minorities has been to accept, not attack, their sense of distinct nationality.

This is a striking trend that is visible in most Western democracies that contain national minorities. For example, Canada adopted a federal system that gives the Québécois significant language rights and regional autonomy; the USA granted language rights and a special form of regional autonomy to Puerto Rico; both Canada and the USA, and the Scandinavian countries, accord self-government rights to indigenous peoples; and Belgium, Spain and Britain have also moved recently in the direction of giving regional autonomy to their national minorities. In all of these countries, the goal of eliminating these minority national identities has been abandoned, and it is now accepted that these groups will continue to see themselves as separate and self-governing nations within the larger state into the indefinite future.  

So earlier attempts to suppress minority nationalism have been abandoned as
unworkable and indeed counter-productive. But they have also been rejected as morally indefensible. After all, on what basis can liberal-democratic theory justify the suppression of minority nationalisms while allowing majority nation-building? The two seem on a par, morally speaking. If the majority can legitimately engage in nation-building, why not national minorities, particularly those that have been involuntarily incorporated into a larger state?

To be sure, liberal principles set limits on how national groups go about nation-building. Liberal principles will preclude any attempts at ethnic cleansing, or stripping people of their citizenship, or the violation of human rights. As I noted earlier, liberal democracy is founded upon the principle of respect for individual civil and political rights. Moreover, liberal principles will also insist that any national group engaged in a project of nation-building must respect the right of other nations within its jurisdiction to protect and build their own national institutions. For example, the Québécois are entitled to assert national rights vis-à-vis the rest of Canada, but only if they respect the rights of Aboriginals within Quebec to assert national rights vis-à-vis the rest of Quebec.

There is no guarantee that minority nationalisms will respect these boundaries of liberalism. In Flanders and the Basque country, for example, there are radical wings of the nationalist movement that are illiberal. More generally, we can see an ongoing struggle within all minority nationalist movements between the liberal and illiberal elements. The extent to which a particular form of minority nationalism is liberal or illiberal can only be determined by examining the facts, not by conceptual fiat or armchair speculation, and the clear trend throughout most Western democracies is towards a more open, liberal and democratic conception of minority nationalism (Kymlicka 1998a). And I see no moral basis for majorities to reject the legitimacy of such liberal forms of minority nationalism.

For both prudential and moral reasons, therefore, an increasing number of Western democracies that contain national minorities accept that they are ‘multination’ states, rather than ‘nation-states’. They accept that they contain two or more nations within their borders, and recognise that each constituent nation has an equally valid claim to the language rights and self-government powers necessary to maintain itself as a distinct societal culture. And this multinational character is often explicitly affirmed in the country’s constitution.

An increasing number of multinational states are also recognising that these national rights are best protected through some form of federalism, since federalism allows the creation of regional political units, controlled by the national minority, with substantial (and constitutionally protected) powers of self-government. What we see emerging within several Western democracies, therefore, is a new form of ‘multinational federalism’ – that is, a model of the state as a federation of regionally-concentrated peoples or nations, in which boundaries have been drawn, and powers distributed, in such a way as to ensure that each national group is able to maintain itself as a distinct and self-governing societal culture.10

This trend is, I believe, one of the most important developments in Western democracies in this century. We talk a lot (and rightly so) about the role of the extension of the franchise to black people, women, and the working class in democratising Western societies. In its own way, though, this shift from suppressing to accommodating minority nationalisms has also played a vital role in consolidating and deepening democracy. Indeed, it is important to stress that
these multination federations are, by any reasonable criteria, successful. They have not only managed the conflicts arising from their competing national identities in a peaceful and democratic way, but have also secured a high degree of economic prosperity and individual freedom for their citizens. This is truly remarkable when one considers the immense power of nationalism in this century. Nationalism has torn apart colonial empires and communist dictatorships, and redefined boundaries all over the world. Yet democratic multination federations have succeeded in taming the force of nationalism. Democratic federalism has domesticated and pacified nationalism, while respecting individual rights and freedoms. It is difficult to imagine any other political system that can make the same claim.

There is no guarantee that all of these Western multination federations will stay together in perpetuity. We can safely say, however, that these states would have either fallen apart or degenerated into authoritarian rule a long time ago had they not learned to accommodate minority nationalisms. We actually know very little about the sources of stability in multination states: this is a surprisingly neglected topic in both sociology and political theory. The evidence in the West strongly suggests, however, that democratic stability can only be achieved by recognising, not suppressing, minority national identities.\textsuperscript{11}

(b) Immigrants: By immigrants, I mean groups formed by the decision of individuals and families to leave their original homeland and emigrate to another society, often leaving their friends and relatives behind. This decision is typically made for economic reasons, although sometimes also for political reasons, to move to a freer or more democratic country. Over time, with the second and subsequent generations born in the new country of residence, they give rise to ethnic communities with various degrees of internal cohesion and organisation.

But it is essential to immediately distinguish two categories of immigrants – those who have the right to become citizens, and those who do not. Much confusion in the academic literature, and the wider public debate, has arisen from conflating these two cases. I will use the term ‘immigrant group’ only for the former case, and will discuss the latter case, which I will call ‘metics’, below.

Immigrants, then, are people who arrive under an immigration policy that gives them the right to become citizens after a relatively short period of time – say, three to five years – subject only to minimal conditions (for example, learning the official language, and knowing something about the country’s history and political institutions). This has been the traditional policy governing immigration in the three major ‘countries of immigration’ – namely, USA, Canada, Australia.

Of course, ECE countries have not seen themselves as countries of immigration, and so there are few such immigrant groups (in my sense) in the region. However, as we will see later, the experience of Western immigrant groups can provide an interesting point of comparison for certain other types of groups in ECE.

Historically, immigrant groups in the West have responded very differently from national minorities to majority nation-building. Unlike national minorities, immigrant groups in Western democracies have not found the option of engaging in competing nation-building either desirable or feasible. They are typically too small and territorially dispersed to hope to recreate their original societal culture from scratch in a new country. Instead, they have traditionally accepted
the expectation that they will integrate into the larger societal culture. Indeed, few immigrant groups have objected to the requirement that they must learn an official language as a condition of citizenship, or that their children must learn the official language in school. They have accepted the assumption that their life-chances, and even more so the life-chances of their children, will be bound up with participation in mainstream institutions operating in the majority language.

Western democracies now have over 200 years of experience concerning how such groups integrate, and there is little evidence that legal immigrants with the right to become citizens pose any sort of threat to the unity or stability of a liberal democracy. Instead, they integrate into the existing political system, just as they integrate economically and socially.

So immigrants have not resisted majority nation-building campaigns to integrate them into the mainstream society. However, what immigrants have tried to do is to renegotiate the terms of integration, to make them more equitable. Indeed, recent debates over ‘multiculturalism’ in immigrant countries are precisely debates over renegotiating the terms of integration. Immigrants are demanding a more tolerant or ‘multicultural’ approach to integration that would allow and indeed encourage immigrants to maintain various aspects of their ethnic heritage even as they integrate into common institutions operating in the majority language. Immigrants insist that they should be free to maintain some of their old customs regarding food, dress, recreation, religion, and to associate with each other to maintain these practices. Moreover, the institutions of the larger society should be adapted to provide greater recognition and accommodation of these ethnic identities – for example, schools and other public institutions should accommodate their religious holidays, dress, dietary restrictions, and so on.

How should liberal democracies respond to such demands for immigrant multiculturalism? Here again, liberal democracies have historically resisted these demands and adopted various forms of assimilationist policies. Immigrants were expected to assimilate to existing cultural norms, and, over time, become indistinguishable from native-born citizens in their speech, dress, leisure activities, cuisine, family size, identities, and so on. This strongly assimilationist policy was seen as necessary to ensure that immigrants become loyal and productive members of society.

From the 1970s, however, it was increasingly recognised that this assimilationist model is unrealistic, unnecessary and unjust. It is unrealistic because no matter how much pressure to assimilate is applied, immigrants never fully lose their distinctive identities and practices. Pressuring immigrants to assimilate is also unnecessary, since the evidence shows that immigrants who maintain a strong sense of ethnic identity and pride can nonetheless be loyal and productive citizens. And, finally, pressuring assimilation is unfair, since it denies equal respect for immigrants, and turns integration into an oppressive process.

Immigrant demands for a more ‘multicultural’ model of integration are, I think, a fair response to majority nation-building. If liberal democracies are going to pressure immigrants to integrate into common institutions operating in the majority language, then we need to ensure that the terms of integration are fair. To my mind, this demand has two basic elements:

(a) We need to recognise that integration does not occur overnight, but is a
difficult and long-term process that operates inter-generationally. This means that special accommodations are often required for immigrants on a transitional basis. For example, certain services should be available in the immigrants’ mother tongue, and support should be provided for those organisations and groups within immigrant communities that assist in the settlement and integration process;

(b) We need to ensure that the common institutions into which immigrants are pressured to integrate provide the same degree of respect, recognition and accommodation of the identities and practices of ethnocultural minorities as they traditionally provided for the dominant group. This requires a systematic exploration of our social institutions to see whether their rules, structures and symbols disadvantage immigrants. For example, we need to examine dress-codes, public holidays, or even height and weight restrictions to see whether they are biased against certain immigrant groups. We also need to examine the portrayal of minorities in school curricula or the media to see if they are stereotypical, or fail to recognise the contributions of ethnocultural groups to national history or world culture.

These measures are needed to ensure that the state is offering immigrants fair terms of integration. The government policy of ‘multiculturalism’ which has been adopted by Australia and Canada is, I think, precisely an attempt to define such fair terms of integration.

Critics of multiculturalism argue that immigrants’ claims for more equitable integration are actually attempts to avoid integrating into the mainstream. If we look at the actual demands pressed by immigrant citizens, however, we can see that they are best understood as revising the terms of integration, not abandoning the goal of integration (Kymlicka 1998b). Immigrants seek changes within mainstream institutions – schools, workplaces, courts, police forces, and welfare agencies – so as to make it easier to participate within these mainstream institutions. They want to reform these institutions so as to provide greater recognition of their ethnocultural identities, and greater accommodation of their ethnocultural practices, so that they will feel more at home in these institutions.

This suggests that concerns about the impact of multiculturalism on integration are overstated. Having said that, there is no reason to leave this to chance. It is appropriate, I think, for liberal states to continue to expect immigrants to learn the dominant language as a condition of gaining citizenship, as well as something about the history and political institutions of their new society. Similarly, it is appropriate for liberal democracies to continue to insist that the children of immigrants learn these things in school.

In this sense, multiculturalism is not seen as competing with, or a substitute for, citizenship. Multiculturalism is rather the reverse side of citizenship. It is a recognition of the fact that the integration of new citizens is a two-way process. Just as immigrant citizens are expected to make a commitment to their new society, and to learn about its language, history and institutions, so too the larger society must express a commitment to its immigrant citizens, and adapt its institutions to accommodate their identities and practices. Just as immigrant citizens are expected to make a new home in the receiving country, so the receiving country must make them feel at home.

(c) Metics: Metics are those migrants who are not given the opportunity to become citizens, either because they entered the country illegally (for example,
North Africans in Italy), or because they entered as students or ‘guest-workers’ but have overstayed their initial visa (for example, Turks in Germany). However, despite the official rules, they have settled more or less permanently. In principle, and to some extent in practice, many face the threat of deportation if they are detected by the authorities, or if they are convicted of a crime. They nonetheless form sizeable communities in certain countries, engage in some form of employment, legal or illegal, and may marry and form a family. This is true, for example, of Mexicans in California, Turks in Germany, or North Africans in Italy or Spain. Borrowing a term from ancient Greece, Michael Walzer calls these groups ‘metics’ – that is, long-term residents who are nonetheless excluded from the polis (Walzer 1983).

The basic claims of metics are for entry into the polity, gradually ascending the hierarchy of legal statuses typically offered in most liberal democracy: from limited and revocable residence rights (by way of regularisation), to more extended and secure rights (but still subject to revocation), to unlimited and irrevocable residence rights (denizenship), and finally in some cases to citizenship. They want, in effect, to be able to follow the immigrant path to integration into the mainstream society, even though they were not initially admitted as immigrants.

How should liberal democracies respond to this demand for access to citizenship? Historically, Western democracies have responded in different ways to these demands. Some countries – particularly the traditional immigrant countries – have grudgingly accepted these demands. Others – particularly those which do not think of themselves as immigrant countries – have resisted these demands, and often encouraged the metics to return to their country of origin. The hope was that if metics were denied citizenship, so that they only had a precarious legal status within the country, and if they were told repeatedly that their real home was in their country of origin, and that they were not wanted as members of the society, then they would eventually go home.

But it is increasingly recognised that this approach to metics is neither empirically viable nor morally defensible. Empirically, it has become clear that metics who have lived in a Western country for several years are highly unlikely to go home, even if they have only a precarious legal status. This is particularly true if the metics have married and had children in the country. At this point, it is their new country, not their country of origin, which has become their home. Indeed, it may be the only home that the metics’ children and grandchildren know. Once they have settled, founded a family, and started raising their children, nothing short of expulsion is likely to get metics to return to their country of origin.

So a policy based on the hope of voluntary return is simply unrealistic. Moreover, it endangers the larger society. For the likely result of such a policy is to create a permanently disenfranchised, alienated, and racially-defined underclass. Metics may develop an oppositional subculture in which the very idea of pursuing success in mainstream institutions is viewed with suspicion. The predictable consequences can involve some mixture of political alienation, criminality, and religious fundamentalism amongst the metics, particularly the second-generation, which in turn leads to increased racial tensions, even violence, throughout the society.

To avoid this, there is an increasing trend in Western democracies, even in non-immigrant countries, towards adopting amnesty programmes for illegal
immigrants, and granting citizenship to gastarbeiter and their children. In effect, long-settled metics are increasingly viewed as if they were legal immigrants, and are allowed and encouraged to follow the immigrant path to integration.

This is not only prudent but morally required: to have groups of long-term residents who have no right to become citizens violates the very idea of a liberal democracy. A liberal-democratic system is a system in which those people who are subject to political authority have a right to participate in determining that authority. To have permanent residents who are subject to the state, but unable to vote, is to create a kind of caste-system that undermines the democratic credentials of the state (Bauböck 1994; Carens 1989; Walzer 1983).

Some pessimists think that poor migrants from North Africa would form an underclass in Western European countries even if they were encouraged to integrate and allowed to naturalise. The cultural differences are too great, some people think, for such immigrants to integrate, no matter what the official immigration or integration policy.

Various studies have shown that the key factor in determining the integration of immigrant groups in Western countries is not the differences in culture between the country of origin and the receiving country, but rather the policy of the receiving country. Whether immigrants are integrated or excluded is not determined by cultural difference or education levels, but by state policies regarding settlement and citizenship (Castles and Miller 1993). A legal immigrant with a right to naturalise is seen as a future citizen. Indeed, the process of selecting such immigrants is seen precisely as a process of selecting future citizens. As a result, the host society has a large stake in the integration of these immigrants – they are expected to settle permanently, to naturalise and vote, and to have children who will themselves be undisputed citizens. Subsidising the integration of immigrants is, therefore, a prudential investment on the part of the host society, reflected in such things as the language classes, citizenship classes and job-training programmes that are typically offered to immigrants on a free or heavily subsidised basis; in the funding of ethnic organisations that assist in immigrant settlement (for example, housing, jobs, dealing with the government); as well in the insistence that the children of immigrants go to school, and in the careful attention paid to their progress in school. And having invested in these immigrants, the government then wishes to recoup its investment, by encouraging immigrants to in fact settle permanently and naturalise. This is reflected not only in explicit campaigns to encourage naturalisation, but also in various other government policies, such as anti-discrimination legislation and affirmative action programmes.

Access to citizenship also affects the incentive of immigrants to invest in the host society. Legal immigrants who have a right to work, settle permanently and naturalise have a much greater incentive to make the effort involved in integrating than do illegal immigrants who face the continuous threat of deportation. In short, legal immigrants with a right to naturalise have the opportunity and incentive to integrate, and are encouraged in this expectation by the government, which actively defends immigration as part of the national interest. Illegal immigrants have fewer opportunities or incentives to integrate, and are stigmatised by the government, which actively identifies them as threats to the nation.

Whether or not immigrants have the right to become citizens, therefore, is not a trivial issue. It has enormous consequences, both for the immigrant and the larger society. And a liberal democracy, both for reasons of justice and
for reasons of self-interest, must give all immigrants the right to become citizens.

So far, I have discussed three types of ethnocultural groups, and tried to show how their demands are best understood in relation to, and as a response to, majority nation-building. Each group’s claims can be seen as specifying the injustices that majority nation-building has imposed on them, and as identifying the conditions under which majority nation-building would cease to be unjust.

If we try to combine the different demands of national minorities, immigrants, and metics into a larger conception of ethnocultural justice, we can say that majority nation-building in a liberal democracy is legitimate under the following conditions:

(a) there are no groups of long-term residents that are permanently excluded from membership in the nation. Everyone living on the territory must be able to gain citizenship, and become an equal member of the nation if they wish to do so;
(b) the sort of sociocultural integration that is required for membership in the nation should be understood in a ‘thin’ sense, primarily involving institutional and linguistic integration, not the adoption of any particular set of customs, religious beliefs, or lifestyles. Integration into common institutions operating in a shared language should still leave maximal room for the expression of individual and collective differences, both in public and private, and public institutions should be adapted to accommodate the identity and practices of ethnocultural minorities. Put another way, the conception of national identity, and national integration, should be a pluralist and tolerant one;
(c) national minorities are allowed to engage in their own nation-building, to enable them to maintain themselves as distinct societal cultures.

These three conditions have rarely been met historically within Western democracies, but we can see a clear trend within most democracies towards greater acceptance of them. And we can see a clear trend within Western political theory to better understand and articulate these conditions of ethnocultural justice.

Relevance to ECE

So far, I have provided a thumb-nail sketch of recent attempts to theorise about minority rights within Western democracies. To what extent, if any, is this relevant to current contentious ethnic politics and conflicts in Eastern and Central Europe?12

It is obvious, I think, that the newly-democratising countries of ECE are following the model of the ‘nation-building’ state. These countries are not, and do not pretend to be, ethnoculturally neutral, but are actively engaged in projects of nation-building, and of diffusing a common societal culture throughout the territory of the state (Pettai 1998). In doing so these countries are using many of the same nation-building tools Western democracies use. These include:

- official language policies;13
- attempts to create a uniform system of national education;14
- migration and naturalisation policies (i.e., favouring co-ethnics in admissions
decisions; requiring migrants to adopt a common national identity as a condition of naturalisation);\textsuperscript{15}
– the redrawing of administrative districts to dilute the weight of minorities in each of them.\textsuperscript{16}

Some Western commentators take these policies as evidence that ECE countries are fundamentally different from ‘civic’ Western states. However, as we saw above, the use of nation-building is not, by itself, incompatible with Western liberal democracy. Liberal democracies, as much as illiberal ones, attempt to give a distinctly ‘national’ character to public space. The crucial issue is not whether states engage in nation-building or not, but rather whether such nation-building is of a liberal or illiberal character.

What then distinguishes liberal nation-building from illiberal nationalism? This is an interesting – and inadequately studied – question. I would highlight the following nine differences, all of which have implications for minority rights. If we examine nationalist movements along these nine dimensions, we should be able to get a good sense of how liberal they are. I should emphasise that these nine differences are all a matter of degree: nationalist movements are more or less liberal in their nation-building projects, rather than ‘purely liberal’ or ‘purely illiberal’. Moreover, nationalist movements can be more liberal on some of these criteria and less liberal on others. Indeed, this is true of Western democracies as well as ECE countries, and many of my examples of illiberal nation-building are taken from the history of Western democracies. All real-world nationalisms are a complex mixture of liberal and illiberal elements, although the forms and depth of illiberalism vary enormously.

(a) One difference between liberal and illiberal forms of nation-building is in the degree of coercion used to promote a common national identity. It would not be true to say that liberal states only use voluntary means to promote nation-building. Historically, liberal states have been quite willing to use coercion in the service of nation-building. And even today, there are coercive aspects to the way immigrants are pressured to integrate (for example, language tests for naturalisation). It is generally true, though, that liberal states impose fewer penalties or disadvantages on those who remain outside the dominant national group. For example, while a liberal state may not provide public funds to minority-language schools, they are unlikely to prohibit privately-funded schools.

(b) This is related to a second difference – namely, that liberal states have a more restricted conception of the relevant ‘public space’ within which the dominant national identity should be expressed, and a more expansive conception of the ‘private’ sphere where differences are tolerated. For example, parliametary debates in a liberal state may be conducted exclusively in one language, but liberal states are unlikely to insist, as some ECE states do, that election posters and brochures be printed only in the dominant language, or that weddings be conducted in the dominant language. Liberal states may insist that the official language be used when filling in government-mandated health and safety reports in the workplace, but they are unlikely to insist that union meetings be conducted in the majority language.

(c) Third, liberal states are unlikely to prohibit forms of speech or political mobilisation that challenge the privileging of a national identity. People who wish to give public space a different national character – perhaps by adopting a different official language, or even by seceding to form a separate state – are
not forbidden from holding public office. Advocating such changes is not seen as disloyalty, or even if it is seen as disloyal, this is not viewed as sufficient grounds for restricting democratic rights.

(d) Fourth, liberal states typically have a more open definition of the national community. Membership in the nation is not restricted to those of a particular race, ethnicity or religion. Generally speaking, anyone can join the nation if they want to do so. When liberal states prohibited the public expression of a minority’s national identity – as the French did with the Basques – they at least ensured that the minority could become full and equal members of the dominant nation. However coercive the French were towards the Basques, there was never any question that Basques could become Frenchmen. By contrast, in some countries, non-nationals are prevented from integrating into the dominant national group even as they are prohibited from expressing their own national identity. Bulgarian nationalism is currently undergoing major transformations, but until recently it used to be the case that to be a ‘true’ Bulgarian, one must have a Bulgarian surname, be descended from ethnic Bulgarians, belong to the Orthodox church, speak Bulgarian without an accent, and dress like a Bulgarian. Needless to say, it was very difficult for Turks living in Bulgaria to ever be accepted as members of the ‘Bulgarian’ nation, even if they wished to integrate.\(^17\)

(e) Fifth, partly as a result of this inclusiveness, liberal states exhibit a much thinner conception of national identity. In order to make it possible for people from different ethnocultural backgrounds to become full and equal members of the nation, and to allow for the maximum room for individual dissent, the terms of admission are relatively thin – for example, learning the language, participating in common public institutions, and perhaps expressing a commitment to the long-term survival of the nation. Joining the nation does not require one to abandon one’s surname, or religion, or customs, or recreational practices, and so on.

Insofar as liberal nation-building involves diffusing a common national culture throughout the territory of the state, it is a very thin form of culture – what I have called a ‘societal culture’, centred on a shared language that is used in a wide range of societal institutions (schools, media, law, economy, government, and so on), rather than on common religious beliefs, family customs or personal lifestyles. Societal cultures within a modern liberal democracy are inevitably pluralistic, containing Christians as well as Muslims, Jews and atheists; homosexuals as well as gays; professional women as well as traditional housewives; conservatives as well as socialists. In non-liberal states, by contrast, acquiring a national identity typically requires a much thicker form of cultural integration, involving not only a common language and public institutions, but also elements of religion, ritual and lifestyle.

(f) Sixth, partly as a result of this cultural thinning, a liberal nation is less likely to be viewed as the supreme value. Illiberal nationalisms often see the nation as sacred, and as the ultimate value to which all else is subordinate and instrumental (for example, defining women’s role as the ‘bearers of the nation’). Liberal nationalism, by contrast, seeks to thin the content of the national identity and culture so that other areas of social life have room to flourish on their own terms – for example, religion, family life, personal lifestyles, hobbies, and careers. These are not seen as subordinate and instrumental to the goal of national greatness or the achieving of a national destiny. Rather, they are accepted as having independent and intrinsic value. If anything, it is the nation
that is seen as having instrumental value. The nation is primarily valuable, not in and of itself, but rather because it provides the context within which we pursue the things that truly matter to us as individuals – our family, faith, vocation, pastimes and projects. As Jonathan Glover puts it, a useful maxim for liberal nationalists is: ‘Always treat nations merely as means, and never as ends in themselves’ (1997: 29).\(^\text{18}\)

(g) Seventh, and also a result of this cultural thinning and ethnic inclusiveness, liberal national cultures become more ‘cosmopolitan’. I do not mean that citizens in a liberal nation adopt the ideology of cosmopolitanism. As an ideology, cosmopolitanism rejects all forms of nationalism, and opposes efforts by the state to protect national identities and cultures. It is clear that citizens of Western democracies are not ‘cosmopolitan’ in this sense: instead, they overwhelmingly accept that it is a legitimate function of the state to protect and express a particular national identity. While liberal citizens remain committed to the principles and practice of nation-building, the actual substance of their day-to-day life is increasingly influenced by the beliefs, practices and products of other parts of the world. This cultural interchange is the inevitable result of liberal freedoms, ethnic inclusiveness and the thinning of the official national culture.

Put another way, in a liberal nation, the societal culture is an open and pluralistic one, that borrows whatever it finds worthwhile in other cultures, integrates it into its own practices, and passes it on to subsequent generations. Moreover, this sort of cultural interchange is seen as a good thing. Liberal nationalists reject a notion of culture that sees the process of interacting with and learning from other cultures as a threat to ‘purity’ or ‘integrity’, rather than as an opportunity for enrichment. In short, liberal nationalisms wish to become cosmopolitan in practice, in the sense of embracing cultural interchange, without accepting the cosmopolitan ideology that denies that people have any deep bond to their own language and cultural community.

Illiberal nationalisms, by contrast, often aim to protect the ‘purity’ or ‘authenticity’ of their culture from ‘corruption’ by external influences. The claim of illiberal nationalists to be protecting their ‘authentic’ national culture is often a sham, since all forms of nationalism involve reshaping and modernising traditional cultures. Even if just a pretence, this rhetoric of protecting cultural purity or authenticity can lead to xenophobic consequences, both in formal policies (for example, prohibiting ‘foreign’ religions from proselytising; prohibiting foreign ownership of land) and in public discourse (for example, criticising local NGOs for co-operating with international agencies).

(h) Eighth, liberal nations are less likely to insist that national identity must be exclusive. One can be a true ‘Canadian’ and also think of oneself as a member of the Irish or Vietnamese nation. Moreover, one can publicly express both of these national identities. Canadians of Irish descent can celebrate Irish national symbols and holidays as well as Canadian ones – there is no formal or informal prohibition on flying an Irish flag on one’s property, or marching in a St Patrick’s Day parade. By contrast, illiberal nationalisms tend to be more exclusive in their conception of national identity, and to insist that to be a true member of the nation one must renounce all other national identities. Here again, this difference is reflected both in formal rules (for example, whether dual citizenship is legally permitted), but also in informal interactions (for example, whether singing the anthem or flying the flag of another nation is seen as disloyal or provocative).
This tolerance for dual nationality is most relevant for immigrants, or for the children of mixed marriages. However, since increasing numbers of people fall into these categories, it is important that a nationalist movement can accommodate such people.

(i) Finally, liberal states have, at least recently, been willing to accord public recognition to, and share public space with, those national minorities that consistently and democratically insist upon their national distinctiveness. Unlike France after the Revolution, or the USA in 1848, liberal states today recognise that territorially-concentrated groups that were involuntarily incorporated into the state cannot and should not be forced to adopt the majority’s national identity. If groups like the Québécois, Catalans, Flemish or Scots see themselves as distinct nations within the larger state, then their national distinctiveness should be recognised in public life and public symbols, through such things as official language status, self-government rights, and recognition of their distinct legal traditions. In accepting the legitimacy of these minority nationalisms, states accept that they are the sort of ‘multination’ state discussed above.

These nine differences are interconnected, and often mutually reinforcing. It is, however, possible for nationalist movements to be more liberal in some respects, and less liberal in others, and we should be aware of these nuances. It is also important to examine these nine issues both at the formal level of laws and constitutions and at the informal level of public discourse and attitudes. Removing illiberal, exclusionary or discriminatory laws is obviously the first step, but nationalism can only become truly liberal if a wider public culture of tolerance develops. Liberal nationalism is not just about legal formalities, but also about the level of respect for dissent and diversity shown in everyday discourse and interaction amongst citizens.19

There are undoubtedly many other ways in which liberal nation-building differs from illiberal nationalisms. However, enough has been said already, I hope, to show that the issue is not whether states engage in nation-building, but rather what kind of nation-building. While liberal states see themselves as having the right to promote a particular national identity, and to try to diffuse it through the territory of the state, this nation-building project is a qualified and self-limiting one. Minorities are not seen as ‘unnatural’ blots on the nation’s territory, but as full citizens whose interests must be given due concern, and not just weighed on the basis of how they affect the dominant national group. This means that any nation-building programmes must involve limited coercion; must leave ample room for the expression of differences in the private sphere; must allow non-members to become full and equal members of the nation if they choose; and must agree to share public space in cases where national minorities insist on maintaining their distinctiveness. In all of these ways, liberal democracies reject the view that the state belongs exclusively to the dominant national group.

Some commentators have attempted to summarise the differences between liberal and illiberal nationalism under the labels of ‘civic’ versus ‘ethnic’ nationalism. Civic nationalism, on this standard view, defines national membership purely in terms of adherence to democratic principles; whereas ethnic nationalism defines national membership in terms of a common language, culture, and ethnic descent. This is misleading, however. Even in the most liberal of democracies, nation-building goes beyond the diffusion of political principles. It also involves the diffusion of a common language and national culture. What
distinguishes liberal nation-building from illiberal nationalism is not the absence of any concern with language, culture and national identity, but rather the content, scope and inclusiveness of this national culture, and the modes of incorporation into it. Moreover, there is not one distinction between liberal and illiberal nationalisms, but several. And each of these distinctions is a matter of degree. We cannot, therefore, divide real-world nationalist movements into two categories: ‘liberal’ and ‘illiberal’. Rather, nationalist movements will turn out to be more liberal on some scales, and less liberal on others.

Where nation-building in ECE is more thick, coercive or exclusionary than in Western democracies, it imposes greater burdens on minorities, and creates greater potential injustices. This makes it all the more important that the demands of minority groups be understood in relation to, and as a response to, this sort of majority nation-building.

In Moldova, for instance, both the demands of the Gagauz and of the Slavic community of Transdniestr reflected, at least initially, a ‘reactive nationalism’, responding to the assertive nation-building policies of the Moldovan majority, and more specifically to the perceived threat of reunification with Romania (Chin and Roper 1995; Ethnobarometer 1999: 62–7; Kaiser 1994: 364–7; Thompson 1998). Most of the cases of minority separatism that emerged between the end of the 1980s and the beginning of the 1990s in the former Soviet Union (in Azerbaijan, Georgia, Moldova and Ukraine) were initially a response to majority nation-building projects initiated in the republics (Ethnobarometer 1999, Chapter 2). Similarly, the demands of the Turks in Bulgaria were a response to the pressure they faced to assimilate to the Bulgarian majority (Tomova 1998). Hungarians in Romania and Slovakia also reacted to in the early 1990s to radical nationalising policies (Ethnobarometer 1999, Chapter 3). More generally, whenever a majority attempts to define the state as uni-national, national minorities are likely to respond by demanding recognition as a ‘distinct society’ or ‘constituent nation’.

In all of these cases, claims for minority rights are not necessarily evidence that minorities have become aggressive and assertive, but rather can be seen as defensive responses to the threats posed by assertions of majority nation-building. In this sense, the basic framework that Western political theorists are now using to understand minority rights seems broadly applicable to ECE. That is, we should view minority rights as a response to potential injustices that arise in the course of majority nation-building.

I also think that some of the more specific principles of ethnocultural justice identified by Western theorists are relevant. For example, the claims of territorially concentrated national minorities in ECE are similar to those of national minorities in the West, and it seems plausible that the same principles should apply in evaluating them. According to these principles, democratic countries should accept the claims of national minorities to national recognition and national autonomy, so that they can maintain themselves as viable and functioning societal cultures, with public institutions operating in their own language.

Most multination Western countries now see the attempt to suppress minority nationalism as counter-productive, and see federalism as a way of stabilising multination states. Can we not draw the same lesson from the experience of the new independent states born out of the collapse of the Soviet Union? Compare the way Ukraine dealt with the Russian nationalists in the Crimea, on the one hand, with the way Azerbaijan dealt with Nagorno-Karabakh, or Georgia
dealt with Abkhazia and Ossetia, or Moldova dealt with Gagauz and Trans-Dniestr, or Serbia dealt with Kosovo, on the other hand. The latter four countries initially tried and failed to suppress minority nationalism while causing armed conflicts of various intensity. They were later forced to offer concessions, and have not yet resolved these conflicts (Ethnobarometer 1999, Chapter 2). By contrast, Ukraine continued to bargain with Crimea’s separatists, granted the peninsula the status of an autonomous republic, never undertook any repressive action, and thus avoided violence and maintained the dispute within the boundaries of peaceful politics. They have now reached, at the end of 1998, what may be an enduring settlement (Ethnobarometer 1999: 67–71).

In light of such considerations some of the same mechanisms used to accommodate minority nationalism in the West, such as federalism, could be used in ECE. Since federalism has worked to ensure peace, democracy, freedom and prosperity for multination states like Spain, Canada, Belgium, Britain and Switzerland, why not for Russia, Macedonia or Ukraine?

In most ECE countries, however, there is great resistance to the general principle of recognising minority nationalism in the form of territorial autonomy and multinational federalism. These ideas are resisted for the same reasons they used to be rejected in West – for example, fear of disloyalty and separatism.

As a matter of fact, the adoption of multinational federalism in ECE countries is complicated by a factor not present in the West. Many national minorities in ECE are potentially irredentist. This is quite different from national minorities in Western Europe, most of whom do not have a neighbouring kin state that they might hope to join or rejoin. By contrast, many of the most difficult ethnic conflicts in ECE involve national minorities that have a neighbouring kin state (and that may have historically been a part of this kin state, before borders were redrawn). The problem in such cases is not just that the minority may have a longing to join (or rejoin) their kin state, but also the potential for political and even military intervention by the kin state in order to ‘protect’ the interests of ‘their’ people. One important example of this contentious ‘triadic’ relationship is the link between Hungary, ethnic Hungarian minorities in Romania and Slovakia, and those countries themselves (Ethnobarometer 1999: 93–101). The same fear of kin-state interference has arisen with respect to the ethnic Serbs in Bosnia or Croatia; the ethnic Albanians in Macedonia and Kosovo; the ethnic Russians in Crimea, the Baltics or Kazakhstan; or even the ethnic Romanians in Ukraine.

Finding a stable *modus vivendi* with a local national minority is difficult when a kin state, with its own agenda, claims to speak for the minority. Many of the most difficult ethnic conflicts in ECE revolve around this triadic relationship between an ethnocultural minority, its host state, and its kin state. This is a problem that does not arise in North America or in Western Europe, except perhaps (in a very different way) in Northern Ireland. This danger of irredentism will almost certainly continue to create resistance to multinational federalism in ECE.

Yet it is not clear to me what the alternative mechanisms are for accommodating minority nationalism, at least with respect to large territorially-concentrated national minorities. To be sure, territorial autonomy is neither feasible or desirable for many smaller and more dispersed national minorities. For such groups, some more creative alternatives are needed. For example, Russia
adopted in 1996 a system of ‘National Cultural Autonomy’ for national minorities (see Codagnone 1999; Codagnone and Filippov in this special issue). At least in principle this system provides collective cultural rights to those groups that cannot benefit from the Russian system of multinational federalism (that is, groups that are too small or dispersed to form a local majority in a territorial subunit of the Russian federation, or for members of larger national minorities who live outside their self-governing homeland). The National Cultural Autonomy Act allows national groups, wherever they reside, to organise and administer their own publicly-funded schools in their mother-tongue, to establish newspapers and media, and to address the organs of government. Similar systems of non-territorial cultural autonomy have been adopted in Hungary (see Krizsán in this special issue), and in parts of Ukraine (see Ethnobarometer 1999).

This conception of cultural autonomy – which echoes Otto Bauer’s theory of non-territorial autonomy in the old Hapsburg empire (Bauer 2000) – provides an interesting alternative to familiar Western models of minority rights. Unlike Western models of multination federalism, it does not involve territorial autonomy; but unlike Western models of immigrant multiculturalism, it involves a considerable degree of institutional separateness, self-administration, and extensive mother-tongue language rights.

This is an area where the ECE may have important lessons for Western democracies. These emerging models of cultural autonomy may be relevant for those groups in the West that do not fit neatly into the categories of either territorially-concentrated nations or voluntary immigrants. Indeed, a recent Canadian government commission recommended what amounted in effect to a system of cultural autonomy for those Aboriginals who have moved off their self-governing reserves. This non-territorial system of cultural autonomy for off-reserve Indians would supplement the territorial autonomy exercised within Indian reservations (RCAP 1996).

So it would be a mistake to suppose that territorial autonomy can work for all national minorities, no matter how small or dispersed. However, I believe it would equally be a mistake to suppose that non-territorial forms of cultural autonomy can work for all national minorities, no matter how large or territorially concentrated. What works best for small and dispersed minorities does not work best for large, concentrated minorities, and vice versa. Where national minorities form clear majorities in their historic homeland, and particularly where they have some prior history of self-government, it is not clear that there is any realistic alternative to territorial autonomy or multinational federalism.

To be sure, as in the West, this sort of multinational federalism is not a panacea. There is no guarantee that federalism will not lead eventually to secession. And granting self-government to national minorities raises the danger that they will embark on their own illiberal forms of nation-building, restricting the rights of their own members or of other groups on the territory. There are all too many examples of this in the ethno-republics of the Russian federation.

It is an essential feature of a liberal-democratic conception of multination federalism that all governments – whether the central government or regional governments dominated by national minorities – be subject to constitutional restrictions that protect individual civil and political rights. As noted above, justice requires that national minorities should have the same right to engage in nation-building as the majority, subject to the same restrictions of respect for the rights of others.
It may be difficult to achieve this sort of democratic multinational federalism in ECE: majority nationalists too often resist granting self-government to national minorities; and minority nationalists too often exercise their self-government in illiberal and intolerant ways (Dimitras 1998). To say it is difficult is not to say it is impossible, however. In any event, what is the alternative?

Let me now turn to the claims of immigrants and metics. At first glance, these categories do not seem applicable to ECE, at least not in the same way. ECE countries have not actively recruited immigrants, unlike the USA, Canada or Australia; nor have they recruited gastarbeiter, unlike Germany, Switzerland or Austria; and nor (until very recently) have they been faced with large-scale illegal immigration, unlike many countries in Western Europe. It is only recently that significant numbers of migrants have entered the ECE. These migrants often have the European Union as their final destination, but if they are kept out of ‘Fortress Europe’, some decide to settle in the ECE.

Despite these limits of applicability, it is worth briefly asking whether the Western model of immigrant integration is relevant to ECE. Should newcomers into ECE countries be seen as future citizens, and should the conception of national identity be ‘thinned’ so as to allow immigrants to maintain and express their ethnic identity while still integrating into the nation?

There is one familiar objection to adopting this model in ECE. It says that the very idea of immigrant integration is only viable for New World countries in which immigration is part of the founding myth of the nation, and cannot work in the more long-standing nations of the Old World. Indeed, the idea that immigrant integration can only occur in the traditional immigrant countries of the New World is often heard not only in ECE, but also in Western Europe. According to this view, the fundamental divide is not between Western democracies and the ECE, but between New World democracies and Old World democracies. Immigrants, within this perspective, can enter the national territory, but they can never really join the nation.

I am not persuaded of this view. There is considerable evidence that the sort of integration-based policies that characterise immigrant countries can work in Europe. After all, some West European countries have conceived of immigrants as future citizens (for example, Britain and France), and these are precisely the countries where immigrants have historically integrated successfully. Moreover, the integration of immigrants in the New World was largely the result of deliberate government policy and not due exclusively to the founding myth. Indeed, only the USA was founded on the idea of immigration, while countries like Canada and Australia aimed to be as British as possible, which meant (inter alia) as white and Protestant as possible. Large-scale immigration from non-British countries was therefore prohibited for a very long time, and is a relatively recent phenomenon compared to the USA. Indeed, until the 1960s, Australia defined itself as ‘White Australia’, and sought to be ‘more British than the British’. Yet the fact that Australia was not founded on the myth of openness to immigration has not prevented it from integrating its newcomers. On the contrary, in a relatively short period of time, it has completely redefined itself from a monocultural British country to a multicultural ‘Asian’ country.

The fact is that this pattern of immigrant integration has worked in many different countries, for many different immigrant groups, despite long histories of prior exclusion. Sweden is the best example in this respect, since it has recently adopted naturalisation and multiculturalism policies that are remark-
ably like those of older immigrant countries, encouraging newcomers to think of themselves as future citizens. If Sweden, one of the most ethnically homogenous and tightly-knit societies, can adopt this policy and make it work, why not Germany, Italy, Ukraine or Hungary? I see no reason to rule out the applicability of the Western model of immigrant integration in ECE.

Finally, it is worth stressing that there are cases typical of ECE for whom the West provides no useful models or principles. I will mention three.

(a) The Roma: the Roma are unlike immigrants or national minorities, since their ‘homeland’ is both everywhere and nowhere. Some people in ECE think that the situation of African-Americans is the closest parallel in the West, since they too lack territorial concentration, and are at the bottom of the social ladder wherever they go. Moreover, as Mihalikova notes (1998), the Roma, like African-Americans, are divided over whether to seek integration as rapidly as possible, or whether to seek recognition as a distinct and separate culture. So there has been some interest in seeing whether any of the American policies towards blacks might be appropriate for the Roma (for example, affirmative action). Given that these policies have not been very successful so far in improving the situation of blacks, it is not clear how much we should expect from them in the case of the Roma.

Moreover, the situation of blacks is really quite different from that of the Roma. They do not have a distinct language, and have always lived in settled communities in America. Moreover, despite the history of discrimination (and indeed partly because of the history of segregation), blacks managed to build a wide-ranging set of social institutions, up to and including their own colleges and universities. This legacy of separate institutions is an ambivalent one for most blacks, since segregated black institutions only arose as a result of the exclusion of blacks from white institutions. Yet the fact remains that, since the end of slavery, blacks have had a high level of institutional completeness, and have many of the sort of modern institutions that the Roma have historically lacked. The issue for blacks, therefore, is what to do with their inherited separate institutions, whereas for the Roma the question is whether to build such institutions in the first place.

(b) Russians in the Near Abroad: many ethnic Russians left Russia in the postwar period to move to other parts of the Soviet Union where they formed a minority of the population (Gavrilo 1998). Yet these postwar Russians settlers in the Near Abroad did not think of themselves as a ‘minority’ or as ‘immigrants’ to another country (Jaworsky 1998; Pettai 1998). Instead, they saw themselves as moving around within a single country – a country in which Russians formed a majority throughout the country as a whole. Hence they expected to find – and did find – a full set of Russian-language institutions and services wherever they moved in the Soviet Union.

However, they now find themselves a minority within newly-independent states. And while they are gradually accepting the fact that they are a ‘minority’, they still do not think of themselves as an immigrant minority. Rather, they expect and demand to maintain the full set of Russian-language institutions to which they are accustomed. Hence they are demanding the sorts of rights that are typically demanded by national minorities – not just to citizenship, but also to the continued existence and funding of separate schools, institutions and perhaps even local autonomy.

For some members of the larger society, however, these settlers are more like
illegal immigrants, who had no right to enter in the first place, since they came as a result of military occupation by the Red Army. As illegal immigrants, they have, at best, the right to gain citizenship only after proving their loyalty and willingness to integrate (for example, by learning the local language). At worst, they can be permanently denied legal residence and citizenship, like illegal immigrants in other countries, in the hope that they will eventually return home. This indeed was a hope expressed by some nationalists in Latvia and Estonia, the two countries that denied citizenship to postwar Russian settlers after gaining independence.

It is difficult to imagine a more striking contrast in perceptions. Ethnic Russians emphatically reject the illegal immigrant label, since their migration was legal not only under the laws of the Soviet Union, but also under international law, which affirms a basic human right to move freely throughout one's country. (It is important to remember that most countries recognised the boundaries of the Soviet Union, and so the UN Charter arguably did imply that ethnic Russians had a basic right to settle freely in any of the Soviet republics). Nor do they see themselves as immigrants at all, since they had the expectation and assurance that they would have a full set of Russian-language institutions wherever they moved inside the Soviet Union, and would not have settled in the Near Abroad without this assurance. Despite this major gap in perceptions, there is some evidence that the two sides are converging on something like the immigrant model of integration, supplemented by some form of national cultural (non-territorial) autonomy.28

(c) Crimean Tatars: The Crimean Tatars have adopted the label of 'indigenous peoples', and appealed in international forums to be recognised as such. This is, I think, an idiosyncratic use of the term 'indigenous peoples'.29 In general usage, what distinguishes national minorities from indigenous peoples is that the former were contenders but losers in the process of European state-formation, whereas the latter were entirely isolated from this process until very recently, and so retained a pre-modern way of life until well into this century. National minorities would have liked to form their own states, but lost in the struggle for political power, whereas indigenous peoples existed outside the system of European states. The Catalans and Québécois, then, are national minorities, whereas the Lapps and Inuit are indigenous peoples.

According to this definition, the Tatars are closer to national minorities than to indigenous peoples. The Tatar Khanate was an active contender in modern European politics, and had the balance of power differed slightly, it could easily have consolidated itself as an independent European state. In the event, the Tatars lost, and now face many of the same issues as national minorities – for example, fighting to regain language rights and some powers of self-government against the pressure of majority nation-building.

This is not to deny that, at least on some definitions, the Tatars qualify as 'indigenous peoples'. There is no universally agreed definition of 'indigenous peoples', and some of the extant definitions would indeed cover the Tatars. Whatever terminology we use, though, it seems to me that the Tatars differ dramatically from most indigenous peoples in the West. What makes the case of the Tatars special is not that they are 'indigenous' (they are no more or less indigenous than the Hungarians in Trans-Carpathia), but rather that they suffered the horrendous wholesale communal deportation from the Crimea in World War Two. This distinguishes the Tatars not only from national minorities
in the West, but also from most indigenous peoples. To be sure, some indigenous peoples were subject to forced resettlement, often for similar reasons of national security. However, this resettlement either happened so long ago that there is now no serious thought of returning (for example, the Cherokee in the USA), or the people have been able to return to their old lands because no one else had occupied it in their absence (for example, the Inuit in Northern Canada). By contrast, the deportation of the Tatars was recent enough to make return a viable option, yet in the meantime all of their land and property has passed into the hands of settlers, for whom Crimea is now the only home they know.

The distinctive issue facing the Tatars, therefore, is how to deal with these issues of return from deportation, and compensation for historical injustice. To my knowledge, there is nothing in the West, in theory or practice, to answer these questions.\(^\text{30}\)

**Conclusion**

In this article, I have tried to outline some recent work by Western political theorists on minority rights, and to identify some of the ways in which this might be relevant to ECE countries. Western countries have learned some hard lessons over the years about the management of ethnic relations in a democracy, and hopefully ECE countries can learn something from these mistakes, and so avoid some of the problems that have plagued Western democracies in the past. Yet there are many ways in which the problems in former Communist countries are unique, and for which the West offers no models or solutions. And indeed Western countries can learn something from the way some ECE countries are learning to deal with these unique problems.

There is one more lesson that Western democracies have learned that I have not yet discussed, although it is perhaps the most important of all – namely, that controversies and conflicts over the management of ethnocultural diversity will not go away, or spontaneously resolve themselves. They are a permanent and enduring feature of liberal democracies that must be tackled head-on.

This is an important point, so I would like to conclude by clarifying it. Until very recently, many Western liberals hoped and expected that ethnocultural cleavages would disappear, and they blamed the persistence of ethnocultural conflicts on temporary factors that they had assumed would fade over time. Western liberals used to argue that ethnocultural conflict was really a by-product of some other, deeper problem, and would fade once this deeper problem was resolved.

For example, some liberals argued that the real problem was incomplete democratisation and the rule of law, and that conflicts over these issues were displaced onto ethnocultural conflicts. According to this view, once democratic rights and institutions were effectively established and accessible to all citizens, people would stop mobilising on the basis of ethnocultural affiliation.

Other liberals argued that ethnocultural conflict was a substitute for modernisation and economic wellbeing. In line with this view, the real problem was held to be that some people felt left behind in the process of modernisation, and once a certain level of economic development was achieved and accessible to all citizens, people would stop mobilising on the basis of ethnocultural affiliation.

Yet other liberals argued that ethnocultural conflict was due to the persistence
of irrational personal stereotypes and prejudices, based on ignorance of 'the other'. According to this perspective, once people acquired and internalised democratic habits of tolerance and mutual respect, there would be no need to mobilise on the basis of ethnocultural affiliation.

Or, finally, some liberals argued that ethnocultural conflict was the result of foreign meddling in domestic politics, and the use of foreign agent provocateurs who spread lies and distortions to encourage otherwise satisfied minorities to complain about their treatment. According to this view, once accurate information was available, and foreign interference was exposed, then ethnocultural mobilisation would fade away.

All of these various explanations for ethnocultural conflict implied that once a prosperous democracy was firmly established, both institutionally and in terms of the larger public culture, then the strength and political mobilisation of ethnocultural identities would disappear or at least substantially decrease.

We now know that these predictions were wrong. There is not a shred of evidence from Western democracies that the achievement of democracy, economic prosperity and personal tolerance will lead to an abatement of ethnocultural mobilisation. On the contrary, ethnocultural demands have increased, not decreased, throughout the West even as these goals were being achieved. The achievement of democratisation, prosperity and tolerance has gone hand in hand with increased ethnocultural mobilisation.

Consider relations between the French and English in Canada. Forty years ago, the Québécois were poor and politically quiescent, governed by autocratic political elites in collusion with the Catholic Church, and were subjected to great discrimination and prejudice from English-Canadians. Today, they have the same standard of living as English-Canadians, have a vibrant democracy within Quebec, and are more than proportionately represented in the federal government and bureaucracy. Public opinion polls show that English prejudice against the French has virtually disappeared (as has French prejudice against the English). On a personal level, there is virtually no animosity, dislike or discomfort between members of the two groups. For example, the overwhelming majority of both groups would be happy if someone from the other group moved next door, or married into the family.

One might expect, then, that Québécois nationalism would have abated over the last 40 years. In fact, just the opposite has occurred. Support for Quebec nationalism has grown steadily. This is not unique to Canada. We see the same phenomenon in Belgium, where democratisation and economic development in Flanders have gone hand-in-hand with increased Flemish nationalism, and in Spain, where democratisation and economic prosperity in Catalonia have been accompanied by increased Catalan nationalism. And we can see the same trend amongst many immigrant groups, that fight tenaciously for recognition of their ethnic identity even as they gain the same level of economic wellbeing and political representation as the majority group.

Democracy, economic prosperity and personal tolerance are all great goods, of course – valuable in and of themselves. However, they are not by themselves, or even when taken together, an answer to the issues of ethnocultural diversity. The accommodation of ethnocultural diversity will remain a powerful source of conflict – and may indeed increase in strength – even when all of these other goods are in place. This is the most important lesson that the West has had to learn. It was only when Western governments accepted this fact that they were...
able to begin learning about how to manage ethnocultural relations in a peaceful and democratic way, and to make the sort of progress that I discussed above. I see no reason to think that the ECE will differ in this respect. There are many people in ECE countries today who argue that ethnic conflicts are really just a substitute for, or displacement of, conflicts over incomplete democratisation and inadequate economic development, and that we should therefore ignore the demands of ethnocultural groups and focus all our energies on the ‘real’ problem. They say that we can set aside the demands of the Russian-speakers in Ukraine, for example, or of Hungarians in Slovakia, since these demands will fade once real democracy, economic development and the rule of law are established. These demands are simply a by-product, not the ‘real’ issue.

This denial or denigration of the seriousness of ethnocultural identities is precisely the mistake that Western democracies have made again and again, often with terrible consequences. It is a mistake that I hope ECE countries will not repeat.

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Notes

1 The most important of whom was Vernon Van Dyke, who published a handful of essays on this topic in the 1970s and early 1980s (for example, Van Dyke 1977; 1982; 1985). There were also a few legal theorists who discussed the role of minority rights in international law, and their connection to human rights principles of non-discrimination.

2 Bauböck (1994); Buchanan (1991); Canovan (1996); Kymlicka (1995); Miller (1995); Phillips (1995); Spinner (1994); Tamir (1993); Taylor (1992); Tully (1995); Walzer (1997); Young (1990). I am not aware of full-length books written by philosophers in English on any of these topics predating 1990. There have also been many edited collections of philosophical articles on these issues. For a comprehensive bibliography, see Kymlicka and Norman (2000).

3 To my knowledge, Switzerland is the only Western democracy that has never had this as its aim. The German majority never made any serious attempt to pressure the French and Italians to integrate into German-language institutions.

4 Moreover, decisions about the boundaries of state governments, and the timing of their admission into the federation, were deliberately made to ensure that anglophones would be a majority within each of the 50 states of the American federation. For a detailed discussion of these points, see Kymlicka (1996).

5 The idea of ethnocultural neutrality is so deeply rooted that even some defenders of minority rights accept that these rights involve a major deviation from the normal operation of the liberal state. Charles Taylor, for example, seems to accept that ethnocultural neutrality is possible, but argues that people in the modern world have a basic need for ‘recognition’, and without minority rights many groups feel misrecognised or simply invisible (1992). He accepts that the burden of proof falls on those who wish to deviate from the norm of ethnocultural neutrality, and tries to meet this burden of proof by identifying important needs that would otherwise go unmet in a state that clung rigidly to ethnocultural neutrality.

6 While the idea of a culturally neutral state is a myth, this is not to say that governments can only promote one societal culture. It is possible for government policies to encourage the sustaining of two or more societal cultures within a single country – indeed, as I discuss below, this is precisely what characterises multination states like Canada, Spain, Belgium or Switzerland.

7 One might think that this nation-building is purely a matter of cultural imperialism or ethnocen-
tric prejudice. However, many recent liberal theorists — known as ‘liberal nationalists’ — argue that this sort of nation-building serves a number of important and legitimate democratic goals (see Canovan 1996; Margalit and Raz 1990; Miller 1995; Tamir 1993; Taylor 1997). For example, a modern economy requires a mobile, educated and literate workforce. Standardised public education in a common language has often been seen as essential if all citizens are to have equal opportunity to work in this modern economy. Indeed, equal opportunity is defined precisely in terms of equal access to mainstream institutions operating in the dominant language. Participation in a common societal culture has also been seen as essential for solidarity, trust, and shared democratic deliberation.

8 There was a time when eliminating this sense of nationhood amongst national minorities was a realistic possibility. After all, France was more or less successful in integrating the Basques and Bretons (but not the Corsicans) into the majority French national group in the nineteenth century. This is no longer a realistic possibility for Western democracies. France was only successful in the nineteenth century because it employed a level of coercion against the Basques and Bretons that would be inconceivable now.

9 Few if any examples exist of recognised national groups in this century accepting integration into another culture, even though many have had significant economic incentives and political pressures to do so. As Anthony Smith notes, ‘whenever and however a national identity is forged, once established, it becomes immensely difficult, if not impossible (short of total genocide) to eradicate’ (Smith 1993: 131; cf. Connor 1972: 350–1, 1973: 20).

10 For a more detailed description of the theory and practice of multinational federalism, see Kymlicka (1996).

11 And even if Quebec does secede from Canada at some point in the future, or Scotland from Britain, the fact that both majority and minority have learned to manage their conflicting national projects in a peaceful and democratic manner means that the secession is likely itself to take place in a peaceful and democratic manner.

12 For an overview of such contentious issues and conflicts, see Ethnobarometer (1999) and Opalski (1998).


16 See Ethnobarometer (1999: 87–8) for such a policy in Slovakia.

17 The arbitrary barriers raised to ethnic Russians becoming citizens in Latvia and Estonia similarly suggest that even those Russians who want to integrate are not fully accepted.

18 These attitudes towards the nation are sometimes reflected in the constitution: see the quasi-religious glorification of the nation in the Croatian constitution (http://www.dalmatia.net/croatia/history/ustav.htm).

19 I do not mean to diminish the importance of formal laws and symbols, particularly when the foundations of a new regime (or even a new country) are being laid down, as in ECE today. These formal laws may not be fully put in practice (not always for lack of will, but sometimes also for lack of resources and expertise). It is the case, though, that the formal commitment to liberal principles is important as an indication of a country’s general approach, and because institutions and symbols have enduring performative effects. That some ECE countries have more liberal constitutional provisions on minorities than others is important, even if these are not always respected in practice.

20 Except perhaps for Gagauzia, where an enduring settlement may have been reached.

21 Russia is the most obvious exception, in that it adopted an explicitly ‘multinational’ federal system as an integral part of its democratisation process. More recently, Ukraine has granted territorial autonomy to Crimea, Moldova to Gagauzia and Trans-Dniestr, and Georgia to Abkhazia and Ossetia. These were, though, reluctant recognitions of autonomy, adopted only after initial attempts at centralisation failed. In these cases, federalism is seen by most citizens as a regrettable necessity (at best), not as a desirable form of political organization or as a requirement of etnocultural justice. In other countries of the ECE (for example, Romania, Macedonia, Slovakia), to talk about regional autonomy for minorities remains a virtual taboo, and immediately brings charges of disloyalty and treason.

22 For examples of all these fears (real or imagined), see the articles by Pettai, Mitrofanov, Mihailokova, Strazzari, Jaworsky, Opalski and Crnobrnja, all in Opalski (1998). For the classic analysis of this ‘triadic’ relationship, see Brubaker (1996, Chapter 3).
As Codagnone notes, this system may also be appropriate for what he calls ‘old settlers’: groups whose migration dates back a century or two, and who were often invited to settle a particular region with the promise that they would have some form of cultural autonomy (for example, Germans in Russia and Ukraine).

Over 50 per cent of Aboriginals in Canada no longer live on reservations.

This arguably is the main shortcoming of the recent Framework Convention on the Rights of National Minorities. It provides helpful guidelines for small and dispersed national minorities, but does not address the issues of territorial autonomy raised by larger minorities.

It’s important to emphasise that I am speaking of postwar Russian settlers. There are ethnic Russian communities in Ukraine, the Baltics and Kazakhstan that date back two or more centuries. These are not immigrant groups by any plausible definition.

Calls for comprehensive territorial autonomy, however, have generally only been demanded by those Russian communities that are compact and long-settled, not by those that are composed primarily of postwar settlers.

For the convergence in perceptions, see Pettai (1998) and Antane and Tsilevich (1998).

This choice might be influenced by Crimean Tatars’ long exposure to the official Soviet doctrine and terminology concerning ‘nationalities’. The nationalities that were accorded territorial autonomy in the 1920s and 1930s were defined by Soviet administrators both as ‘titular’ (titul’nye) and ‘indigenous’ (korennye). Crimean Tatars were therefore officially designated and recognised as the ‘titular’ and ‘indigenous’ nationality of the autonomous republic of Crimea that was created in 1924 (and abolished in 1944, when the Tatars were deported en masse).

On any account of liberal-democratic principles, the Crimean Tatars who have returned should have their citizenship restored immediately. They should not bemetics in the homeland from which they have been expelled. There are no obvious Western models for addressing the other major issues facing the Tatars: for example, property restitution; cultural autonomy; political representation in either the Crimean regional parliament or Ukrainian national parliament, and so on. It is important to note that the obstacle to the successful resolution of these issues is not necessarily or primarily the central Ukrainian government, but rather the regional Crimean government, dominated by ethnic Russians. Russians have demanded and received territorial autonomy in the Crimea, but are exercising this autonomy in a way that violates the rights of the Tatar minority in Crimea. This case illustrates the need to ensure that self-governing minorities respect the rights of other groups within the territory.

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