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**“The State, Territorial Minorities and
International Regimes”**

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THE STATE, TERRITORIAL MINORITIES AND INTERNATIONAL REGIMES

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Introduction

This paper is concerned with the possibilities for enhanced autonomy for territorial minorities within states. The term "territorial minority" is chosen to avoid begging questions about whether these are nations, regions or some other entity. More precisely, we are talking about minorities who, *ex hypothesi* do not control the state itself. The territorial definition excludes non-territorial minorities and, as explained later, avoids exclusive reliance on the notion of "ethnic" mobilisation.

Territorial autonomy has traditionally been seen either in terms of a region or stateless nation gaining a measure of devolution within an existing state; or of secession in order to establish a new state. Yet there is ample evidence that neither option meets the aspirations of many territorial minorities (Keating, 1988). Both are framed within the assumptions and limits of the 'nation state', whether federal or unitary, as it has been known for the last two hundred years or so. In the late twentieth century, however, the nation state itself is undergoing major transformations which may weaken its capacity for territorial management. While these by no means point to the disappearance of the nation state, they do present possibilities for territorial autonomy and capacities not previously available for territorially constituted communities to achieve policy goals. The complex and differentiated international order emerging in Europe and, to some extent, North America, and specifically, international and supranational regimes may provide external support systems for new forms of autonomy. Yet only certain territorial minorities are in a position to exploit these. This depends on the institutional structure of the territory; economic capacity; patterns of social relations in civil society; capacities for territorial political mobilisation; and access to the international regime.

The paper examines the conditions under which this might be so, involving the state, the international order, the nature of the autonomist demands and the institutional, economic and social capacity of the territory concerned. The analysis draws on the situation of western Europe and North America and the state and international economic/political regimes being created there and at this stage claims no wider applicability.

The Nation State and Nationalism

The nation state has over the last two hundred years become the basic component of political order. Originating in western Europe, it has been imitated across the globe, in successive waves of state formation and nation building. Its fundamental feature is the claim to sovereignty, internally and externally, first asserted in the sixteenth century and receiving its fullest expression in the doctrine of national self-determination of the nineteenth century. The French Revolution, gave sovereignty a democratic element, being vested in 'the people' rather than the person of the monarch or an unchanging social order. At the same time, since 'the people' possessing the right of sovereignty needed to be defined, the doctrine of sovereignty aligned itself with that of nationalism, that every national group possesses the right of self-determination. This produced a powerful historical force yet containing internal contradictions. In practice, it is impossible adequately to define nations independently of the state system, as the widely differing maps of Europe's natural nations produced over the last two centuries show. Nor does the doctrine of nationalism indicate how and under what conditions minorities within the recognised nations can constitute themselves as nations. The problem was largely solved in western Europe by the prior establishment of states which then socialised their populations,

with a greater or lesser degree of success, into a sense of national identity. Elsewhere, the problem has proved more difficult.

Nationalism as a doctrine is replete with ambiguities and contradictions. In some forms, it can be a doctrine of liberation, allied with democracy and civil rights. Anyone can join the nation by subscribing to its doctrines. Yet nationalism can be the antithesis of liberalism, where it is based on ascriptive rather than voluntarist norms. The insistence on humanity's division into natural nations undermines the voluntarist nature of the project while the insistence on a singular identity undermines the pluralist basis of liberalism. As a mobilising doctrine, nationalism is equally ambivalent. It may be allied to liberalism and democracy (as in much of nineteenth century Europe or north-eastern Europe at present). Yet it may be destructive of democracy where it denies the rights of minorities or equates membership of the nation with subscription to a narrow set of doctrines. The ambivalence of nationalist doctrine has been a source of strength, allowing it to be used in a variety of contexts and allied with a variety of social and economic doctrines. In the late twentieth century, the contradictions have undermined the doctrine, while the excesses committed in its name have to some extent delegitimised it. Anti-nationalist, disintegrative and supranationalist doctrines have begun to compete. Yet nationalism remains a powerful tool for political mobilisation.

The nation state has been of immense importance as the framework within which liberal democracy has developed. Governments are seen as accountable to a national community, while civic rights are attached to citizenship of a national state.

The nation state has also functioned as an expression of cultural identity. Whether this cultural identity is primordial (as in nationalist mythology) or

manufactured (as recent interpretations tend to insist) is not or primary relevance to the argument here. The point is that common cultural identity helps to sustain support for the nation state. Further, in so far as a population subscribes to common cultural norms and practices, political exchange can take place on the basis of trust and compromise. Cultural traits may include language, religion, views on personal morality and family structures as well as literature, arts, film and television, sports, patriotic events and other public manifestations. States have managed cultural development and identity to various degrees through regulation and the education system.

Since the late nineteenth century, the nation state has also been the primary expression of social solidarity. The welfare state has often been developed specifically as an instrument of nation-building. More generally, provision for the indigent and redistribution of wealth and income have widely been seen as the unique prerogative of the national state, as opposed to larger or smaller units. Partly this is to do with the questions of fiscal capacity, externalities and efficiencies of provision cited by welfare economists. More fundamentally, it stems from the belief in the national community as an appropriate object, along with the family, for sympathetic (or emphathetic) concern, a social obligation rather than mere charitable endeavour. States have also developed welfare policies as a mechanism for conciliating the labour movement, attaching it to the national project and securing consent for, often disruptive, policies of national economic development. The extent to which states have established a notion of national social solidarity varies greatly yet the commitment to it and the success in establishing welfare states certainly explains much of the attachment of labour movements to nations.

Another aspect of the nation-state is its role in managing the economy. In the mercantilist era, early European states saw economic management as an integral part of the business of governance, despite their lack of technical knowledge or instruments for intervention. Later they became crucial in fostering specific modes of capitalist development (though capitalism itself was born outside the nation state system). In the nineteenth century, nation building was intimately connected (except in Britain) with tariff and protectionist policies aimed at enhancing the external trading position of the nation and managing internal conflict. After the second world war, national governments assumed still wider responsibilities for macro-economic management, spatial and sectoral planning and industrial policy. The maintenance of full employment, stable prices, regional balance and rising living standards was seen as the duty of the nation state, in return for the loyalty of its citizens.

Lastly, but by no means least, the state is the prime agent for internal and external security. As, by and large, monopolists of the legitimate use of violence, states have the ultimate responsibility for ensuring law and order, though they may devolve the operational responsibility in various ways. Externally, states as the major actors in international affairs have the prime role in defence and war.

None of these roles has ever been unproblematic. Survival of the state in a hostile world, national integration, management of cultural diversity and economic prosperity have been taxing issues. Maintaining territorial cohesion has required constant efforts of management and adjustment by state governing elites. Yet by the mid twentieth century in western Europe and North America, there was a general understanding at least of what states should be doing and why they were necessary to do it. Movements for

territorial autonomy would constantly run afoul of these state imperatives. Separatists had difficulty explaining how they would manage tariffs and trade, money or security. The alternative national identity was rarely strong enough to efface the effects of state socialisation instruments. Welfare systems were often identified with the national state which promoted them. In the absence of an external support system for independence, territorial minorities had to settle for much lesser degrees of devolution or special accommodation within centralised states. In the 1990s, changes are afoot which may profoundly alter this.

The Changing State

These changes concern the erosion of the nation state, from above through developments in the international system, from below through changes in territorial politics, and sectorally and functionally, through economic and social change. All aspects of the state are affected.

The state's role as the basic framework for liberal democracy has been challenged in the last three decades by the resurgence of territorial identity, widely considered in the literature of the 1950s and 1960s to be an archaic feature fated to disappear in the course of modernisation. In some cases, this has taken the form of a competing national identity, the basis for secessionist movements. This soon runs into the very contradictions of the nationalist doctrine which stimulated the secessionist movements in the first place - the impossibility of dividing humanity into exclusive nations, and the contradiction between the liberating and subordinating roles of nationalism. More frequent than the countervailing, exclusive nationalism, however, has been the emergence of a dual or multiple identity, challenging the state's monopoly as the expression of democratic legitimacy. In many

cases, legitimacy conceded to the state only in so far as it recognises the specific rights of the territorial minority. Democratic participation is seen not simply in jacobin terms, as the affair of individuals in direct relation to the state, but in more complex terms, through institutions of self-government within the state. In some cases, territorial minorities have asserted their own sovereign rights as the basic democratic unit, but associated with the wider state through a compact, explicit or understood. The erosion of national identity from above is more difficult to detect, though there is some evidence of a decline in exclusive national self-image in Europe and a willingness to embrace a broader European identity in addition. These emerging multiple identities may provide a framework for the liberal democratic politics of the future, though posing problems of their own in this regard (see conclusion).

Culture has, in some respects, become globalised through American dominance in mass entertainment and advances in communications technology. At one time it was believed that improvements in communication and the extension of cultural markets would lead to the extinction of minority and peripheral cultures within nation states, and it is undoubtedly true that these were in retreat for a large part of the twentieth century. Globalisation, however, affects the language and cultural expression of the nation-states themselves, as the protectionist and subsidy policies of many states show. Such policies may be increasingly difficult to sustain as the technology of cultural dissemination advances. At the same time, there has been a revival of interest in minority languages and cultures. It is possible that in future the technology of cultural distribution will make them economically more viable as a secondary system of discourse below the global cultures.

The role of the nation-state in economic management and protection has undergone a threefold transformation. Internationalisation of the economy, free movement of capital, the rise of the multinational corporation and negotiated global and regional free trade regimes have reduced the ability of states to pursue autonomous macro-economic policies. Expansion at a time of global contraction leads to major balance of payments problems, currency instability and capital flight, undermining the Keynesian strategy of using the national state for stabilisation. With the exception of some of the smaller European democracies, the state has been forced to abandon its commitment to maintain full employment. Diversionsary regional policies, widely used in the 1960s and 1970s to promote balanced spatial development and enhance the legitimacy of the national state and the fortunes of the state-wide parties, have become increasingly difficult to manage as the needs of international competition have forced governments to give priority to the most competitive sectors and locations. At the micro-economic level, restructuring, adaptation, innovation and competitiveness are increasingly recognised as local and regional phenomena, dependent on combinations of factors and circumstances in individual places. While national governments have a major role to play in bringing these circumstances about, the role can in many cases be as well played by regional institutions. They do certainly face problems in trapping the external benefits in human development policies but then so do nation states. On the third dimension, the 1980s have seen a revival of faith in markets for allocating resources and a disillusionment with the capacity of national governments to manage economies. Whether the faith in markets is always well placed or not, it has led to a retreat from bold visions of sectoral and spatial planning or detailed intervention. Even the minimal responsibility of government, the

maintenance of currency stability, is increasingly seen a better entrusted to independent central banks.

Responsibility for welfare, on the other hand, has largely remained in the hands of national states, though there are strains here. Fears are expressed that the needs of international competition, especially in free trade areas, will lead to a reduction in welfare standards, or to 'social dumping' as countries with low costs undermine the rest. Decentralisation of welfare responsibility within states may overload the fiscal capacity of local and regional governments while encouraging them to compete for economic development through low social charges. While there are signs of this in North America, European states have largely maintained their national welfare systems. Nor can it always be assumed that social provision undermines national or regional competitiveness. By socialising labour costs and increasing health and education standards, a welfare state may improve the economic attractions of a location. Political pressures have further ensured the defence of national welfare standards despite the erosion of the state in other respects.

Internal security remains the prerogative of the nation state. External security, on the other hand, was transferred after the second world war to collective organisations dominated by the United States. This was seen overwhelmingly in terms of confronting the Soviet Union, though a secondary theme in collective security was the perceived need to contain Germany by preventing it having an independent security policy. Of course, collective security arrangements do not entail the demise of the nation state since it is precisely states which compose them. On the other hand, the need for a specific state form may diminish, as do the prospects for any state (pace Gaullist France) really going alone in major international confrontations. In

the post Cold War era, the commitment still exists to collective security arrangements in western Europe and North America and purely national systems of defence (except in the USA) are likely to continue to diminish in importance.

International Regimes

The transformation of the nation state does not necessarily produce international anarchy. On the contrary, the present era has witnessed the rise of blocs and international regimes. This is a very different matter from mere internationalism and has important implications. Whereas international anarchy has in the past (for example the interwar years) led states to reinforce central control and mobilise on the basis of national unity, international regimes have more complex effects. In international relations theory, regimes are stable patterns of interaction and cooperation within known rules. The concept is a very broad one and has been used to describe situations from mere patterned modes of behaviour, through sets of norms and expectations created by convention and agreement, to formal rules and organisations (Keohane, 1989; Haggard and Simmons, 1987). Its broad scope and rather woolly definition have come in for some criticism (Strange, 1982) and the concept does seem to have undergone the familiar experience of being stretched for far as to cover just about everything (and therefore explain nothing). The more restricted definition, of formally agreed rules and organisation is both easier to operationalise and more useful for the purposes of this paper. More specifically, I am interested in a particular sub-set of regimes, regional inter-state organizations. Such regional regimes exist in Europe and North America in the economic sphere - the European Community, the US-Canada Free Trade Agreement, EFTA and the European

Economic Area, the OECD; in the security sphere - NATO, the West European Union; and less strongly in the sphere of civil rights - the Council of Europe with its Human Rights machinery. (Given the problems with international regime theory and the ambiguities in this context of the word 'regional', I am tempted to follow a recent edition of the *Economist* and call them 'acronymia'.)

The international regime literature generally considers regimes in terms of their effect on the international role and behaviour of states, seen as unitary, rational actors. Yet international regimes can have a major impact on the constitution and internal capacity of states themselves, especially when combined with the transformation of the state from below through decentralisation and regionalisation. There are two contradictory hypotheses here: these twin processes will strengthen the state; and that they will weaken it. International regimes may strengthen the state by hiving off some of the more burdensome or less gratifying tasks, or providing an external support system for small states which otherwise might not be viable. This is particularly true of regimes for international economic integration. This analysis will confine itself to just two, the European Community and the US-Canada Free Trade Agreement. The European Community has allowed states to offload the burden of agricultural adjustment and to some extent shed political responsibility for retrenchment in coal and steel. Critics of both North American and European economic integration have charged that it is a method of institutionalising the new right agenda of deregulation, market solutions and privatisation, with local and regional communities left to bear the burden of change. In this way overload is reduced and the problem of 'ungovernability' addressed, so strengthening state autonomy. A similar analysis can be applied to the process of devolution and regionalisation

within states. By offloading burdensome functions, fiscal crisis and managing the social fall-out of change, the state may strengthen its own autonomy and legitimacy.

Yet both these processes may also weaken the authority and capacity of the state by depriving it of control of functions and resources. Which hypothesis proves valid, that is, whether these changes strengthen or weaken the state, will depend on the nature of the international regime, the resilience of the national state and the strength of territorial mobilisation. In some cases, state power may be stabilised. In others, a dynamic process may be set in train which the state is unable to control, with new networks of decision makers coming into being.

Certainly, regional economic integration through the Canada-US Free Trade Agreement - about to be extended to a North American regime - and the European Community is reducing the scope of the state both territorially and functionally. By territorial reduction is meant the loss of power by *national* governments to an overarching regime. By functional reduction is meant the loss of power by government as a whole. The functional reduction stems from the fact that both regimes are market-driven, underpinned by a philosophy of deregulation and competition. Free trade is accompanied by restrictions on the ability of governments to engage in a range of activities which would distort market competition and mechanisms for enforcing these. Proposals for European monetary union similarly involve both a functional and a territorial shift of power - from finance ministries to independent central banks and thence to a *European* central bank. Both functional and territorial loss of power have been the target of (state) nationalist and left-wing opponents to continental integration. These are concerned about the deregulation of economic activity, the enhanced mobility of capital and its ability to dictate

its own terms for investment. Further fears are expressed that the need to compete in a market-driven free trade regime will force states to reduce social costs and labour protection. Labour movements have become among the most stalwart supporters of the nation-state as a protection against the international market. Yet not all power lost by national governments has been transferred to the market. International and supranational institutions have been created and vested with decision-making powers.

The US-Canada Free Trade Agreement institutes a weak international regime, in the form of a dispute mechanism and provision for continued negotiation on matters such as definitions of subsidies. Governments have insisted that the arrangement is confined to the economic sphere and is not a prelude to political integration. Nor has the regime any mechanisms for social compensation of the losers from economic restructuring.

In Europe, the construction of a new overarching regime has been taken a great deal further in the form of the European Community, a supranational body with legislative powers. This new polity is assuming powers from national governments going well beyond trade and the regulation of competition. The intention is quite explicitly to erode national sovereignty and to proceed from economic union to political integration. There are mechanisms for compensating losers from change in the form of the structural funds. There is also a social dimension and, though this does not fundamentally alter the market-driven nature of the enterprise, it has brought the labour movement into the European polity and created an object for political contestation at that level. This takes the Community beyond the category of international regime as usually understood, towards a political system.

Some commentators have seen in the Community the demise of the nation

state in favour of internationalism. Others see it leading to a European super-state, the very culmination of the diffusionist and integrative trends which produced the present state system. Yet those who have described the EC as a state in the making, even a superpower, have made a fundamental error. The Community will not become a new nation state because that category is a product of its time and the political circumstances of the nineteenth century. Europe will have, at best, a weak common citizenship with no programme of socialisation into a single set of cultural norms. A jacobin Europe, with a single source of authority and uniform direct relations between the citizen and the central power is quite inconceivable. Rather the Community will develop into a new type of political order, in which authority is dispersed and sovereignty shared. As the Community develops from the internal market in 1992 to economic and monetary union, to political union and a common security system, it is likely to be more variegated. The Delors vision of a core of Community members united economically, politically and militarily, with strong central institutions, is already giving way to a vision in which there would effectively be different communities for different purposes. Each would have its own institutions, which might overlap, and different memberships. The outcome of the Maastricht summit, with its provision for separate communities linked by a shadowy European Union and its escape clauses for Britain, reinforces this conclusion. Such an arrangement would have more in common with pre-modern Europe, with its variety of political units and overlapping of secular and ecclesiastical jurisdictions, than with the nation-state in either its unitary or its federal variant.

The changing role of the national state and the construction of overarching regimes provides a new context for territorial minorities within

states. With the capacity of the state to perform its traditional functions reduced, many of the objections to territorial autonomy fall away. A debate has begun in certain territories (notably Scotland and Quebec) as to the possibilities of independence within the new international regimes. There are two strands of thought here. One is the romantic, ethno-nationalist view. This holds that the existing states are artificial, held together by force and cultural oppression and that, in their absence, the 'natural', that is ethnically based nations would emerge. These would constitute the units in the emerging international order. The second strand of thought is the more technocratic and economic view that the state is functionally redundant, since all its tasks could better be accomplished by supranational or subnational governments. The Europe of the regions has been the subject of a considerable literature, as, to a lesser extent, has the idea of a regionalised North America, as a means to provide sovereignty or a satisfying half way house to full independence for those territorial minorities with the strongest demands. An external support system would be available to make independence viable. Difficult questions about customs barriers, investment, currency management and security which have bedevilled the independence debate in the past could be by-passed. It may be arguable just what is left of sovereignty without control of tariffs, monetary and much of fiscal policy, currency, migration or defence. Yet the symbolism remains important and here there are formidable barriers, at the level of the territory, the state and the international regime.

It is no more possible in the twentieth than it was in the nineteenth century to identify natural nations and agree on their boundaries. The attempt to apply this formula in central and eastern Europe at the Treaty of Versailles proved a failure whose consequences are now returning to haunt

the region. States themselves are more than mere administrative arrangements to serve functionally defined purposes. They carry a heavy emotional and ideological investment and resistance to separation can be unyielding and violent. Nor is independence-within-the-international-regime the half way house since it is only sovereign independent states which can enter the European Community or the North American Free Trade Area. So independence would have to be established first, before sovereignty could be shared. Further, the international regimes in question are not static bodies of rules which would bind the large nations in the same way as the small. They are matters of continual negotiation with complex balances of power. For small states to be influential, they need to form coalitions to counteract the larger units. Where there is a hegemonic power, the potential for such alliance building is less than where power is dispersed among a large membership. On the other hand, hegemonic powers may so value the regime and its benefits that they permit smaller members to free ride. This is most obvious in defence matters, where secessionist North American and West European (and possibly East European) jurisdictions could rely on their larger neighbours' self interest to keep predators at bay. In economic matters, such free riding would not likely be permitted. Rather, smaller states would have to accept the rules of the regime. Where there is a diverse membership and a potential for shifting alliance formation, where power is more dispersed and supranational institutions more powerful, the prospects for independence within the wider order might be more appealing.

Despite the erosion of sovereignty, it is the states which are the basic units in international regimes, with the obligation to carry out decisions even where these involve matters of local or regional jurisdiction. Yet to leave matters there would be too simple. There may be other ways of looking

at autonomy which would permit an effective policy capacity. There is evidence, both in the apparently confused slogans of territorial politicians and in opinion polls, of a desire for some means of reconciling the state with a measure of independent territorial action within international regimes. The new, differentiated international order provides varied opportunities for territorial minorities to intervene in various ways, depending on the nature of their policy demands, their institutional, economic and social resources and the nature of the overarching regime in which they are located.

Territorial Demands

The capacity for territorial minorities to enhance their political autonomy is partly a function of the aims which they wish to accomplish and how these are changed in the new order. These aims may take a cultural, an economic or a social form. In addition, there may be important symbolic aims in the recovery of 'sovereignty'.

The most important cultural issue is language. Though this does not feature everywhere, in some territories there are traditional languages, in retreat or endangered by the spread of the state language through governmental policy and economic predominance. In addition, there are international, world languages, among which English is predominant. These categories may overlap. In the past, the preservation or revival of regional vernaculars was often seen as a retreat into the self-contained community, the rejection of the wider world and even of modernisation in favour of the preservation of traditional mores and social structures. Now, it is more often seen as a sign of dual identity, reinforcing the social cohesiveness of the community while allowing its members to operate more widely. This, however, requires an ability at least in the local and an international language, not monolingualism. Otherwise, the relations of the territorial community with the continental and global market will be monopolised by those able to speak the international language. In some cases, a regional and international language may be combined (say English and Flemish). In other cases, where the threatening state language is itself an international language, severe tensions arise. These issues may be easier to manage in the framework of an international or supranational regime since multilingualism may be inescapable. In Europe, all languages are minority languages and the cultural protection reservations put into the common market may be used by

sub-national minorities as well as states. In North America, there are three principal languages but as one is the majority tongue and an international language, continental integration itself may do little for minority language rights.

In the economic sphere, internationalisation has in some respects eroded local economic distinctiveness. Capital mobility and lessened dependence on natural locational advantages has made places increasingly substitutable. The integration of firms and industries has made it difficult to model or even speak of distinct local economies. On the other hand, the impact of global change on communities has enhance the sense of spatial solidarity in the face of the market. Major plant closures have spawned broad coalitions of territorial defence, aimed initially at securing the intervention of the national state. For much of the post-war period, regional economic development was seen in terms of extracting resources from national states. This was a powerful disincentive to regional autonomist movements. As noted above, this strategy is now less viable and, with the emphasis on promoting local development capacity, there may be less need for centralisation. Much of what passes for regional development policy in Europe and North America continues to involve subsidising investors to locate in one place rather than another and autonomous territorial communities are under increased pressure to do this. This has been another disincentive to forms of autonomy which would leave communities exposed to investor pressure. Yet the emerging international regimes do contain provisions to regulate competitive subsidies. At the same time, attention has moved to the ways in which distinct localities fit into the global economy and the conditions for indigenous economic development. In this context, it is easier to devolve other economic development powers. These include human capital development,

infrastructure planning and investment and scientific and technology instruments. Subnational governments have been expanding their role in these fields and pressing for more powers. Where regional governments do not exist, economic development is an important item on the autonomist agenda. In the past, regionalist mobilisation often focussed on demands for protection from the nation state on the part of peripheral producers unable to compete internationally, demands which fitted uneasily with the assertion of territorial autonomy (Keating, 1988). In many contemporary cases (notably Catalonia and Quebec), the territorial movement has moved from protectionism to a strong belief in continental free trade (Clavera, 1990; Dostaler, 1990). This transforms the whole argument about the economics of autonomy, shifting attention to the resources and capacity of the territory and the rules of the international trading regime.

In some cases, an element of territorial demands is social, based on a rejection of the unfettered market or social inequality and a desire for more social protection. The Scandinavian system of social protection in a global market offers one model. However, the needs of competition in the wider market do limit the possibility for decentralised social policies since there is pressure to maintain low business costs and taxes. Decentralisation of social programmes may be promoted by anti-collectivist or business-oriented interests precisely as a means to weaken them. This is one reason why small autonomous polities need the protection of larger over-arching jurisdictions. Autonomist movements thus face severe problems in reconciling these conflicting imperatives, allowing the state-wide parties to outflank them, especially among the working class. Again, this can be managed by the overarching regime legislating social minima. Although the social content is very weak in the European single market and non-existent in the Canada-US

Free Trade Agreement, the existence of an overarching regime could potentially permit political movements to mobilise around this theme, taking the issue of social protection out of the national state.

Symbolic demands may focus on the right of 'self-determination' or 'sovereignty', even where it is not proposed to use this to separate. They may be to do with names of institutions or flags and symbols. National states vary in the degree to which they will accept this. In 1991, the French constitutional court, accepting the new Corsican statute of autonomy, struck down a purely declaratory reference to the *peuple Corse*. In Spain, by contrast, the constitution explicitly recognises distinct 'nationalities' within the Spanish 'nation'. Both Quebec and European territorial minorities have set great store on recognition within international and regional forums.

Territorial Capacity

A project for territorial autonomy involves a complex of cultural, social and economic policies, interacting in complex but different ways in specific places. So the discussion of the capacity for autonomy cuts across these. A number of factors appear to be critical in establishing this capacity.

One is clearly the institutional structure of the territory. The existence and powers of sub-national territorial governments vary greatly as does their constitutional entrenchment. Their functional capacity in the fields of concern is an obviously relevant factor. In some cases, their autonomous capacity is large, in other cases restricted. Equally important is the access and weight of territorial governments in the intergovernmental system. Where a territory is well connected to the national government through institutional, personal, bureaucratic or partisan linkages, this may enhance its capacity not only to extract resources from the national government but

to influence the overarching regime, given that national states remain the main actors in this. Yet this may reduce territorial politics to a subfield of national politics, the regional element consisting of no more than lobbying for a share of whatever national or supranational governments are providing. This tendency may be reinforced where national parties dominate regional politics or strong clientelist networks exist across the central-regional divide. On the other hand, a high degree of autonomy may be accompanied by a strict delineation of competences and an isolation of the territorial government from national and supranational decision makers. What is required is a balance between autonomous powers and the capacity to act through the intergovernmental system.

Economic capacity is another key factor in an era of free trade and open markets where tariff protection is ruled out. Economic regionalism has often involved recourse to the central state for protected markets or diversionary policies. An open economy, with a large amount of external trade relative to trade with other parts of the state may lessen dependence within the state since there will be less recourse to it for such neo-protectionist measures as may be available. A regional economy geared to exports and external trade, however, could still be combined with economic dependence on external capital. Also important is a substantial degree of indigenous ownership and a regional business class with a commitment to the area. The fiscal capacity of the territory and the absence of dependence on state transfer payments will also be important. Alternatively, the ability to extract transfer payments from the overarching regime could lessen dependence on the state. Although such a capacity does not exist anywhere as yet, the EC structural funds could develop in this way.

A more difficult but important issue is the existence within the

territory of a cohesive society and sense of common identity. It is common in the literature on nationalism and minority nationalism to see this as a matter of common 'ethnic' identity. Indeed, the 'ethnic' explanation of mobilisation has the status of a dominant paradigm in political science, making it very hard to challenge. Esman (1977, p. 377) claims

Indeed, so compelling are the normative claims of ethnic self-determination that nowhere in contemporary Europe have regional grievances been successfully exploited except where they enjoy an ethnic base. . . There is even evidence of attempts to invent or rediscover an ethnic base for regional claims in (Occitania for example) in order to legitimate them externally and enhance their capacity to promote internal mobilisation.

Yet ethnicity suffers from severe problems of conceptual definition; and even where these are set aside, it proves a poor basis for effective territorial autonomy. The conceptual problems are twofold: its definition; and its origins and transmission. The concept of ethnicity is extremely ill-defined, impossible to specify or operationalise as an independent variable. Many works on nationalism use it without defining it, as though it were entirely unproblematic. Others, without defining it, try to measure it through assumed proxies such as language or religion. Where it is defined, it is seen in one of two ways. One is simply as a form of ascriptive characterisation. So Riggs (1985, p. 4) sees it as involving "an ascriptive,

genetically self-perpetuating mode of social relations treated as an alternative to, or complement of, other forms of social organization, in the context of a larger society." Alternatively, it is seen as a *combination* of linguistic, religious and other historical and social traits. Neilsson (1975, p. 26) writes that:

The characteristics connoted by an *ethnic group* include such social category attributes as common racial identity, culture (including language and religion), kinship, social customs, history, and stable geographic contiguity.

Here ethnicity is seen as a compound of elements, *none of which is either necessary or sufficient*. There is no core component, nor is ethnicity prior to its various manifestations. Rather than being the independent variable explaining mobilisation, it is itself the dependent variable which needs to be explained. This is not to deny that there is such a thing as ethnicity. Ascriptive identities are very important in the modern world but we cannot assume them or call them in as a *deus ex machina* to rescue us from analytical deadlock. It is necessary rather to examine their origins and transmission. There is a conflict between primordialists, who see it as a fixed identity, usually reaching back into pre-history, and situationalists, who see it as created in specific circumstances for the pursuit of specific goals (Riggs, 1985; Conversi, 1987). Some scholars take an intermediate position, that ethnic identities are primordial but that while many exist at the level of potential, only some survive and gain political expression in

nationalist movements (Smith, 1986). Political scientists tend to the primordial view, taking ethnic identity as a given and examining the way in which it impacts on politics. Anthropologists, sociologists and some historians more often adopt the situationalist perspective. Generally, the latter have the best of the argument. While ethnic identities cannot be invented quite at will, they are forged more frequently and easily than most political scientists are prepared to admit. Nor do all of them have deep historic roots and all are *contextual* (Horowitz, 1975), acquiring meaning only within specific historical and spatial settings and losing it when taken out of them. In the contemporary United States, 'Hispanics' are now recognised as an ethnic group whose common interests are forged precisely from their position within contemporary American society, notwithstanding their extremely diverse racial and geographic origins. South Slavs could assert a common identity in opposition to the Austro-Hungarian and Ottoman empires and later insist on their division into Serbs, Croats, Slovenes etc. Scots are now generally referred to in the literature as an ethnic group yet before 1745 the cultural division between Highlanders and Lowlanders was larger than that between either group and their neighbours (in Ireland and England respectively). Ethnicity can certainly not be used as an explanatory variable independent of the components which comprise it. It can at best serve as an intermediate variable, referring to groups which have forged politically salient common identities and which thenceforth perceive other issues through the prism of this common identity.

Ethnicity as a form of ascriptive differentiation, but a constructed rather than a primordial one, does however appear to be on the increase in modern societies. This is precisely because social norms distribute rewards and power to ascriptively defined groups, a tendency on the increase in

North America. Glazer and Moynihan (1975, p. 11) attribute much of the growth of ethnic differentiation to "the strategic efficacy of ethnicity in making claims on the resources of the modern state." This being so, there is a tendency for any ethnic claim to provoke further claims to ethnic distinctiveness from groups within the social or territorial community thus defined. History shows, indeed, that just about every "ethnic" secessionist movement provokes counter-claims from groups within it, leading not to a stable and tidy division of the world into homogeneous units but to an infinite regression (Lebanon and the Balkans being extreme examples). A final objection to ethnicity as a basis for political organisation is its indistinguishability from the concept of race. Dividing the world into ethnically homogeneous communities represents little more than a slightly benign form of apartheid.

To build a territorial identity on this basis would also undermine the very solidarity which is required to compete in the contemporary world. What is required is a broader sense of territorial community. Such a territorially defined community may encompass a variety of cultural, linguistic, religious or other groups. The relationship of these divisions to territorial identity is a contingent one, to be explored in individual cases. De Tocqueville in the last century identified the same phenomenon. After writing instinctive patriotism found in primitive societies, he goes on:

There is another (love of country) more rational than this; less generous, perhaps less ardent but more fecund and more durable; this one is born of enlightenment; it develops with the help of laws, it grows with the exercise of rights and ends by somehow becoming identical with personal interest. A man understands the influence which the wellbeing of the country has on his own; he knows that the law

permits him to contribute to producing this wellbeing, and he concerns himself with the prosperity of his country, first as something which is useful to him and then as his own work (de Tocqueville, 1986, p. 230).

A similar idea exists in contemporary France in the distinction between the *droit du sang*, the basis for German citizenship and *droit du sol*, the basis for French citizenship (though it should be said that the French do not always live up to their own ideals here). This type of community identity, which I shall call the secular/ rational form (that is, based on rational expectations of gain in this world rather than messianic prospects for the ethnic group), can exist at the national or sub-state territorial level. At the territorial level, it comes from the existence of a *differentiated civil society*. By this is meant a complex of social and economic relationships, integrating the territory while differentiating it from the wider state and opening it to the international world. Unlike the primordial concept of ethnicity, this is not a reduction but a complex social construction, often with deep historical roots but able to survive and adapt to modernisation. It includes a sense of territorial identity, which need not be exclusive. It may co-exist with a state-wide 'national' identity as well as sectoral and class loyalties. Yet it should sufficiently attenuate class and other divisions as to allow cooperation in pursuit of identifiable territorial interests.

Territorial identity does not imply political consensus on all substantive issues or a return to a mythical age of affective community in which individuals are subordinated to collective imperatives. It has been argued that it should not be based on ascriptive characteristics of individuals. Given the needs of international competition, entrepreneurship

and labour markets, it should certainly be open not only to indigenous people but to immigrants who can assimilate to the local society. In this respect, language may be integrative or divisive depending on the circumstances. Such a stable civil culture and sense of shared identity may encourage relationships of trust and political exchange, overcoming fixed social cleavages but allowing political differences to be debated and resolved. A territorial community can thus become a space for social interaction, within which politics can occur (Mabileau et. al., 1989). Agnew (1987), calling this simply 'place' distinguishes it from community in the affective, monolithic sense. Place he sees in terms of three elements, *locale*, the settings in which social relations are constituted; *location*, the geographical area encompassing the settings for social interaction as defined by social and economic processes operating at a wider scale; and *sense of place*, the local 'structure of feeling' (Agnew, 1987, p. 28). Place is thus a combination of physical space, the social and economic processes which occur in it and affect it and perceptions of these. Balligand and Maquart (1990) similarly distinguish between *espace*, a purely geographical notion, and *territoire*, which includes the pattern of economic, social and political relations expressed within it and which cannot be reduced to mere market exchange. The internationalisation of markets and communication has not eroded place in this sense. On the contrary, the uneven impact of national and global forces, political trends to decentralisation and the differing mixes of forces in different locations have served to enhance the importance of place in politics. It is in specific places that the conflict between a global economic rationality and the requirements of distributive justice, environmental protection and cultural specificity is most keenly felt, providing distinct local forms of

politics.

It is this secular/rational identity which provides the social cohesion necessary to bridge individual and collective forms of rationality. The reduction of territory to a mere set of exchange relationships (as described in the public choice literature) provides no basis for economic or social exchange other than simultaneous and reciprocal benefit to identifiable beneficiaries. Public and collective action thus becomes a puzzle or a theoretical difficulty, even where there is abundant evidence that it does occur. The social cohesion stemming from a secular/rational collective identity on the other hand, can resolve a range of collective action problems both of distribution and of production. It may be able to allocate rewards in a manner which is seen as legitimate. It is also capable of entering into the international division of labour on favourable terms. In an open trading order, where tariff protection at national or sub-national levels is not available, the competitiveness of places becomes critical. Such competitiveness requires not only that individual producers are viable but that the territorial society can overcome problems of collective action, provide needed public goods and create patterns of mutual external benefits. A sense of common purpose permits the production of public goods, of policies with diffuse benefits, of delayed gratification and consideration of the future. Societies can thus engage in forms of 'social production' to produce positive sum outcomes from social and economic interaction. Social production requires a vastly more complex network of exchange in which investment (of resources, time, skill) can take place in the absence of precise knowledge of the internal distribution of outcomes, since there is a common interest felt.

Such a politics can of course easily degenerate into forms of class

exploitation or socialisation of private production costs in the name of over-riding territorial interest, or into new forms of clientelism and patronage. That depends on the political construction of the territory. New forms of class relations may develop at the regional level where traditional attitudes are loosened and there is a larger capacity for experimentation (Schmitter and Lanza-laco, 1989) but relatively little is as yet known about their content. In some regions, development coalitions may be emerging, including both capital and labour as well as political and bureaucratic elites, rooted in territorial promotion and with a capacity to make decisions which are generally accepted. A shared territorial culture may emphasise the need for an equitable distribution of the product of growth. So territorial identity becomes a resource in economic development. At the same time, there is created at a regional level the type of social democratic compromise for which the nation state provided the framework and cultural underpinning in the postwar era. In other cases, regional development may simply involve subordinating the territory to the dictates of the international market, to the advantage of investors but excluding labour interests; or class conflict may destroy the potential for territorial promotion.

In the modern era, this has been one of the tasks of the national state. In the contemporary world, the partial retreat of the state makes in key areas of social and economic life makes the civil society more important as an element of social cohesion and identity. Yet the resulting civil society need not necessarily take on the same spatial form as the state.

Given the complexity of the emerging territorial order, multiple identities may be a positive advantage, allowing territorial governments to

intervene at several levels. For this type of politics, a political culture emphasising bargaining, compromise and accommodation will also be at an advantage over one in which adversary politics is the norm. The latter is rooted in the sovereign nation state in which politics takes the form of competition for a fixed and complete set of power instruments rather than a pluralistic world in which power is dispersed and shifting. A final cultural element is the integration of the regional territory itself. A point missed by the national integration theorists of the past is the way in which, in the modern era, substate units themselves have integrated territorially to the point at which they provide a competing focus of loyalty.

Territorial societies vary greatly in the extent to which they possess these cultural and organisational features. In some cases, rational/secular identities may be emerging at the expense of ascriptive forms of identification. In other cases, it is apparent that the territorial society as well as the nation state is breaking down into 'ethnic' segments, the assertion of ethnic/territorial autonomy immediately provoking counter claims. The nature of regional politics itself is also important. There is an important distinction to be drawn between modernising regionalisms, committed to managing the process of change and rendering it more palatable to local interests, and archaic regionalisms, rooted in the defence of doomed and uncompetitive economic sectors. The latter has been a powerful catalyst for regional mobilisation but one which operates within the existing nation state, since the essential demand is for national protectionism. Protectionist demands can be and are, of course, articulated at the European Community level and are sometimes successful (notably in agriculture). In most sectors, however, the Community has

resisted regional protectionist demands. National governments, too, have used the Community as a pretext for rejecting protectionism and subsidy. It is the modernising and developmental types of regionalist movement, then, that have the best prospects in the new order. The distinction itself is a rough and ready one. Most regionalisms contain elements of both, as they combine demands for national government action with demands for autonomy. This is demanded by the needs of political mobilisation. The way in which these strands play out in practice and which comes to predominate, though, will shape the character of regional politics as a whole.

The potential for territories to use these resources to promote greater autonomy and governing capacity also depends on the nature and strength of the existing state. The capacity of states to resist territorial disintegration and to manage territorial diversity varies greatly with economic success, fiscal potential, cultural integration, international status and the political skill of its governing elites. Centralisation and assertion of monopoly privileges were characteristics of European states in the process of nation-building and territorial demarcation. In a more benign environment, state leaders may be less obsessed with state autonomy and even begin to alter their own sense of identity (Keohane, 1989, p. 92). Also important is the nature of the overarching regime, its autonomy from national governments and its penetrability by subnational interests. In the North American case, the international regime is weak. In the European case, it is strengthening. A European political/administrative class also exists with an interest in forming alliances with subnational groups. Yet this varies greatly from one sector to another. Regional development policy provides an obvious item for cooperation between the EC and regional

governments and interests. There is a substantial literature examining these relationships in general (Keating and Jones, 1985; Seligmann, 1989; Morata, 1987) or in specific regions (e.g. Santacoloma et.al, 1991; Berrio et. al., 1991) and showing how new networks are developing despite the member states' attempts to retain the monopoly of access (this is developed further in another paper, Keating, 1992). Defence and international affairs are another matter altogether. In between is a range of policies in which various patterns of shifting alliances might form.

Conclusion

The prospects for the future are for a highly differentiated state order in which some of the traditional categories, unitary state, federation, confederation, sovereignty, separatism, are transcended. There will not be a tidy hierarchical order, of continental, national, regional and local authorities. Nor can we expect a neat concentric system of functionally discrete jurisdictions. Instead, there will be a variable geometry state order in Europe and, to some extent, North America. In some cases, cohesive national states will remain, participating in the international and continental orders, while managing their territories internally and largely controlling the access of territories to the overarching regime. Other states will be more loosely organised, with lesser claims to the monopoly of authority by the central power. Some sub-state territories will have scope for considerable autonomous action in the interstices of the national and international order, blurring the distinction between sovereign independence and internal autonomy. Others will be reduced to new forms of dependence, on the national state to protect them in the new competitive order, or on the vagaries of capital

movements. There is no pre-existing model for this new order but it bears more comparison with the pre-modern Europe, with multiple identities, shared sovereignty and overlapping jurisdictions, than with the modern state order. In pre-modern Europe, too, there were emerging nation states consolidating their authority, alongside looser federations, principalities and city states. Outside the emergent nation states in England, France and Scandinavia, overarching secular and ecclesiastical regimes provided an external support system for autonomous micro-states and trading cities. The British Empire, with its post-1867 formula of Dominion Status for a while appeared to offer possibilities of quasi-independence for Scotland. The 1931 statute of Westminster, recognising the dominions effectively as nation states, finally killed this option. While it would be absurd to imagine a literal return to the pre-modern order in Europe, these historical references do remind us that the nation state is but a recent and contingent contrivance, corresponding to one phase of political development. Given the failure of the brief attempt to substitute 'nation states' for the imperial order in inter-war central and eastern Europe, such a variable geometry arrangement may be the only way forward for the European continent as a whole.

Such a future would of course bring its own problems. The process of territorial adjustment may be relatively smooth in some places, to the extent that questions of sovereignty and separatism are laid aside; but it may equally be conflictual. In eastern, as opposed to western Europe, ethnic identities are being asserted, rediscovered or invented to compete with secular nationalism. A differentiated order, while providing possibilities for conflict resolution, raises serious issues of citizenship and civil rights. Hitherto, rights have been identified largely with

citizenship of the modern state one of the singular achievements of which was to replace traditional, hereditary and ascriptive rights with civic equality (at least within the state). To the extent that statehood and citizenship are blurred, questions arise about civic rights and equality. A reversal of the process of civic equality can already be seen in the increased tendency in North America to attach rights to ascriptively defined groups rather than individuals. A disintegration of states along ascriptive (that is "ethnic") lines would exacerbate this trend; but even a secularised differentiated order raises questions about civic equality. A further set of questions arises about accountability in complex systems where political solutions have constantly to be negotiated by elites.

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