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# Nationalism and right to secession: New states, identities and global security

## 1. Nationalism and secession: How many countries are there in the world?

The concept of nation was born in the 19th century, but it really developed and took shape throughout the 20th century.w It is a controversial and polysemic term because, depending on the context and the interpretation, it may appear as a synonym 'or not' of state, people or just a peculiar culture. For example, nation and state for the USA (52 states, one nation) means the opposite of what it means for the United Kingdom (one state/kingdom, four nations). Many authors have given different explanations starting with John S. Smith, Johann Fichte, Ernest Renan, Emile Durkheim or Max Weber to those from more recent times, such as Anthony Smith, Ernest Gellner and Benedict Anderson, where the predominance of Anglo-Saxon thinking has been consolidated (for a summary of the diverse and sometimes contradictory positions among scholars see: Özkirimli, 2000/2010; Moreno Almendral, 2015).There are nations within state and states without nation. There are even cases of nations that pretend to include other nations ("nations of nations"), which results to be a conundrum imposible to solve. Given the past and present terminological confussion, this paper will priviledge the concept of nation as a territory that is or has been recognized along History as an independent political community able to exercise supreme power over its borders. Some would be tempted to say that this concept fits more with that of a state than that of a nation. But it represents, in fact, the goal pursued by most types of nationalism.

Before World War I (1914), there were 41 independent political national communities. For example, Spain was a part of this group for a long time, although it had ceased to be an Empire in the early 19th century. This was not the case for any of its current regions, despite some of them claiming today to be 'consolidated' nations. After World War I, the great empires that dominated the world (at least the German, the Austro-

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Hungarian and the Russian empires) began to dilute. This process was completed after the end of World War II, when the British and Japanese empires disappeared, although for a few years the Russian empire would re-emerge in the form of the USSR. As a result, in 1945, the United Nations was created with just fifty-one members. There were more nations in the world then, like continental China (Taiwan was the only China at the time) or Spain, which would not be admitted until years later (1955).

This period provides some important lessons: one of them being that granting supposed nations the borders that they claim might solve some problems, but it also creates new ones, because once nationalism is given free rein, it is not clear where or how it will stop (Elliot, 2018: 16-17). Today, after the decolonization process and the fall of the Berlin Wall, 194 countries (including the Vatican State as an observer) are member states of the United Nations. The decolonization process produced twenty-eight new states, while twenty-six emerged as a consequence of the fall of the Soviet bloc. Now that these processes are over, can we still keep on cutting up the world map, whenever cultural and racial minorities decide to, without any limits?

From a legal point of view, the answer should be clear. The UN General Assembly Resolutions 1514 (1960) and 2625 (1970) limit the right to self-determination to cases of colonial rule and notorious violation of human rights. Moreover, the US Supreme Court in Texas v. White (1869) clearly established that the Federal Constitution creates a permanent union that is not suitable to being broken at the whim or will of one of its parties. Since 1958, France has considered the unity of the Republic as an essential aspect of its Constitution that cannot be amended (art. 89: "No amendment procedure shall be commenced or continued where the integrity of national territory is placed in jeopardy"[Republic of France, 1958]), while the German Constitutional Court stated in a January 2017 ruling, facing an appeal by a citizen requesting to hold a separatist referendum in Bavaria, the following: "In the Federal Republic of Germany, as a national state whose constituent power resides in the German people, the federated states do not own the Constitution. Therefore, there is no room for secessionist aspirations of a federated state" (Bundesverfassungsgericht, 2017).

Thus, the rules of the game should be clear for all. However, interested interpretations (or alternatively: profit-seeking rather than strict content) of the Opinion of the International Court of Justice of July 22, 2010 (Kosovo/Serbia case), and of the decision of the Supreme Court of Canada (Secession of Quebec, 1998), seem to have given new wings to those who claim an unlimited right of different peoples to secession (or in softer terms "a right to decide"), without specifying what people means (for a more in-depth legal analysis of this question, see: Ibáñez, Marcos, 2014: 93-112). Although these interpretations are mistaken and slanted, not only legal reasons question the possibility of a permanent right to secession.

## 2. Practical reasons against the right to secession

### 2.1. Regional versus global interest

For some, legal arguments cannot deny the natural right of every region to become a nation. However, there are also other reasons to oppose secession. If we were to accept the principle that every linguistic, cultural or racial minority has the right to create its own nation – with no conditions other than the mere (and potentially changing and subject to emotional manipulation) will of the people – then the world would have to suffer permanent division and dismemberment. This is a fact that does not need to be subject to interpretation. General global interest may oppose particular demands.

Are the present 194 nations insufficient to reflect the different sensitivities of humankind, which should be presumably unique? It is contradictory to accept the destruction of existing nation-states because they contain diverse ethno-religious minorities and, at the same time, defend the virtue of multiculturalism and plurality. When tribes and collective groups have accepted for many years, even centuries, to be part of a bigger society, can they suddenly change their mind and call for independence? This decision may be the consequence of having a central and oppressive government or the result of receiving a discriminatory treatment, but this is not always the case, since independence is also claimed in cases within democratic countries where equal rights, security and a prosperous future are assured. For example, Catalonia and the Basque country both enjoy some of the highest levels of political and economic autonomy in the world, while being part of a country which is considered to be one of the best and fullest democracies of the world[1].

Of course not all the situations are the same as Allen Buchanan (1991: 30-120) has shown. Buchanan underlines cases such as the Kurds in Turkey and Iran, the Kachin and the Rohingya in Myanmar or the Balochis in Pakistan. Should these communities suffer oppression, discrimination and ethnic cleansing or should they have the right to claim independence as the last resort to survive? However, last resort is not equivalent to only way to solve the conflict. In fact, even in case of dictatorships, there may be other means to overcome oppression (including the direct intervention of the International Community) than directly opting for the easy way out of creating new nations. Especially if the latter can be unfair as well to the other existing cultural or language minorities that remain inside.

Nearly every nation includes more than one people or *Volk*, in the German sense. In fact, over 150 of the 194 states existing today include significant number of religious and ethnic minorities their population (Chow, 2018: 1). Is there a global plan for this? If we feel the temptation to prioritize culturally and ethnically homogeneous nations, then the United Nations could at some point expect to reach the figure of 3,500 member

[1] 17th position according to *Democracy Index 2019* (Economist Intelligence Unit, 2019) and 13th according *The Global State of Democracy 2019* (International Institute for Democracy and Electgroal Assistance, 2019).

states. Daniel J. Elazar has identified around 3,000 human groups with a collective identity (Elazar, 1994: 43). The United Nations Human Development Report (*Cultural Liberty in Today's Diverse World*) raises this figure to about 5,000 ethnic groups. A language, a nation? Then, depending on the criteria that we choose to determine what a language is (as opposed to simply a dialect), there are at present between 3,000 and 5,000 spoken languages in the world (United Nations, 2004). In sum, even if we leave aside the legal aspects of the topic, there are practical reasons and an interest of the global village to protect the stability of the current borders and to strictly limit the posibility of creating new nations (Ibáñez, 2018: 67-69).

### 2.2. *Ethos or ethnos*? The side efects of indentity recognition

Nationalism is closely related to an increasing demand for indentity recognition. In fact, most of what happens in our societies and in world politics today is due to the need for identity recognition (Fukuyama, 2019: 17). The Western society provides material progress and security, but at the price of losing the aspiration to higher ideals. It creates individuals who beyond their current satisfaction have nothing at their core, there are no higher goals or ideals for which they would be willing to fight and sacrifice (Fukuyama, 2019: 15). Therefore, we may have increased material progress, but the price we have had to pay is losing our identity. We do not know who we are any more, but we still need a business card in order to present ourselves to others. The Greek word *ethos* means both personal character and the guiding beliefs or ideals that characterize a community, while *ethnos* relates to a different race or a foreign nation. Different *ethos* can live together within the same nation, while *ethnos* tend to claim that they require a different and singular nation-state. Therefore, every individual looks for a personal identity, but at the same time lives within different groups that can provide a collective identity. The question would be, then, how to combine these two dimensions and which precedes the other.

It is not by chance that nationalism enjoys a new rebirth at a time when we are suffering *The Age of Anxiety* (Tone, 2009). Creating an identity is an increasingly complex process. We want to be special, unique and sociable people, all at the same time. Individual and social identities are constructed from what cognitive anthropologists and cognitive sociolinguists call "directive force of cultural models", based on ideologies, attitudes, beliefs and social actions (Filipović, 2014: 406). But individual and collective identity may not coincide, because each person has his/her own personality and an individual range of interests. Every person has a "moral narrative", a communicative and epistemic autobiography made up of the experiences and knowledge acquired as a member of different groups (Filipović, 2014: 406). Even two women sharing race and religious group,

and living in the same historical period, can evolve differenttly speaking different languages (even more than one each, having to apply "code-switching")[2].

Moreover, there is no such a thing as a 100% homogeneous cultural identity. There will always be one or more minorities to be protected once the "principal minority" achieves the goal of founding its own state. Thus, the "new majority" could easily be tempted to impose its criteria and rules on the other surviving minorities, for instance when it comes to language, citing historically "justified" reasons. However, there is never just "one" History of a people or of a country, because it includes subjective perceptions and emotions that could vary, depending on many factors and could even hide obscure interests. Nations have several functions but one of them is to achieve the political objective of organizing a community of 7,500 million human beings. They must not be artificial, but neither can they be magical means to represent all potential cultural identities. Nor does the demand for identity recognition necessarily imply the disappearance of old nation-states and these being replaced by international organizations, because the latter have yet to prove that they can ensure high standards in terms of democracy and accountability (Fukuyama, 2019: 152).

### 2.3. Do cultural minorities need to become independent states?

Cultural minorities have to be protected, but the question is how and with what limits. In this sense, it is doubtful whether the best or the only way to guarantee their survival should be making them independent nations. For instance, some minorities may feel the temptation to impose their views on other minorities, while others may defend the violation of some rights (i.e. women or language). Moreover, a culture is not a fixed, homogeneous and rigid affair, but may include different conceptions and conflicts between the community and the individuals, who have the right to choose their personal fate and/or indentity, regardless of their place of birth. Furthermore, any culture has the right to evolve, a right that cannot be belittled or despised. In fact, most minorities must coexist with other minorities, sharing the same territory.

In particular, the objective of creating new states is an easy temptation (almost a *prêt-à-porter* political fashion) for new political parties that attempt to win elections through promises of magic solutions and a better future based on dreams still to be fulfilled. It is more difficult to win elections through detailed plans with concrete measures – that can be measured – for better management, a stronger welfare state or less unemployment. The goal of creating new states has become an evocative temptation for political parties that arise during the transition process from dictatorship to democracy. Parties without much experience, structure or money, in need of rapid legitimation, consolida-

[2] Jelena Filipović studies the case of two female writers of Sephardic origin, Rosa Nissán from Mexico, and Gordana Kuić from Serbia/former Yugoslavia, as examples of identity construction through discursive practices in which the presence of three languages engaged in code-switching (Mexican Spanish/Judeo-Spanish, Serbian/Judeo-Spanish and Serbian/English) (Filipović, 2014: 406-416).

tion and electoral victory. In this type of context, it may seem risky to focus on complex objectives, which can be difficult to achieve and where failure is easy to verify, whether it is a substantial improvement of the economy, the reinforcement of social policies, the substantial creation of new jobs and better salaries. Instead, it is easier to opt for simple promises of a potentially splendorous and emotionally charged future, even if it is based on the feelings of resentment and comparative grievance, two of the easiest emotions to excite. This strategy has one further advantage: there will be no responsability for the separatist parties in case of either failure or violence, since all mistakes can be attributed to an external agent or scapegoat, either the 'others' or the past. Even once independence is achieved, the scapegoat would continue to operate as an alibi to justify why the fabulous promised changes have not finally taken place.

In fact, recent experience shows that independence by itself does not necessarily resolve economic problems, but may in fact create new unforeseen ones, including a war. The case of the former Yugoslavia (a multinational state that existed since 1918 and was the most prosperous of the former Soviet bloc) can be the example of this. The brutalities of the war and the hatred that arose as a consequence make it impossible today to ask two very simple questions: was Yugoslavia really an unviable nation-state? Has its division into seven states really improved the quality of life of their citizens? Former Spanish Ambassador, Javier Rupérez, has argued in this regard:

> The evolution of independent Kosovo constitutes a total amendment to those who believed that the separation would solve the problems. The coexistence between the Albanian majority and the Serbian minority has not improved while the territory, for all practical purposes, has become a failed state where the rule of law is conspicuous by its absence and it is the criminal mafias that impose theirs, creating an unbearable internal situation of insecurity and infecting neighbors with it (Rupérez, 2018).

Destroying old existing states because they include diverse ethno-religious-linguistic minorities may also be contradictory with the defense of the principles of plurality, multiculturalism and respect for the different, real civic virtues. Obviously not all cases are the same. We can find countries that had already functioned as independent states for a long time, being violently absorbed or dominated by others, even in the middle of the 20th century (e.g. Tibet). There are also new states that include very old political and religious communities clearly identified and confronted for centuries (e.g. Palestine and Israel). Finally, there may be some cases in which the demand for independence is simply the consequence of a change in the central government, which has become more oppressive, aggressive, centralist and discriminating.

However, there are also countries that have maintained their present borders for centuries. Thus, if we take the case of Spain, the opposite has happened: the demand to create new states has emerged more strongly precisely when those regions enjoy the greatest political and economic autonomy in their history, belonging to a centuries-old nation-state which is, according to all international classifications, among the most democrat-

ic and decentralized in the world. Furthermore, the Catalan political-identity sentiment had been absent for almost two centuries (18th and 19th) and the Basque was practically non-existent until the appearance of Sabino Arana (at the end of the 19th century) defending a racist and anti-modern ideology. Catalonia maintained its language and its private law throughout all of its history, while its economy and population have not stopped growing since the reign of Felipe V (1715) – much more than the northern Catalans, who have remained part of France. This was the case until October 2017, date of the illegal referendum when thousands of companies decided to abandon Catalonia. The Spanish Basque Country has also benefitted from long-lasting industrialization investments and economic privileges – even today it collects all the taxes in its territory and pays the Spanish government a small amount for federal services, calculated 'generously' (and called *cupo vasco*) – compared to the French Basque Country. In fact, the most dangerous attack on the linguistic rights of its inhabitants has been the imposition by new regional authorities (in the 80s) of an artificially unified language, called the *Batúa*, which led to the repression and forced elimination of the various Basque languages that survived naturally and peacefully within the valleys and towns of Vasconia.

### 2.4. Test of viability and fairness for potential new nations

Even if the imperious and inevitable need were admitted, and lacking any better alternatives, in order to become a new nation-state, it would still have to pass a test of viability and fairness. This test should demonstrate that such a process is not simply based on the selfish interest of a particular group and that it is compatible with the general or global interest. First, the candidate aspiring to become a new nation-state would have to prove that it can be economically and politically viable and that it does not run the risk of becoming either a failed state or a rogue state, or of being dominated, directly or indirectly, by another greater nation, since for that path there was no need for saddlebags. Secondly, it must guarantee a solid and responsible government, capable of maintaining internal security and defending its new borders.

Thirdly, the role of redistributive justice is at stake. Rich regions wanting to secede in order to maximize their revenue can jeopardise other regions in bigger need (e.g. North to South in Italy, Slovenia in former Yugoslavia, Catalonia and Basque country in Spain). When the candidate is one of the richest territories of the existing nation, minimum criteria of solidarity and social justice would require assessing the effects of the new state on the rest, as well as how much of their current wealth is due to the collective effort of the others. For instance, Thomas Piketty has showed his surprise for the fact "that Catalan nationalism is more pronounced among the most favored social categories than among the most modest ones" which would prove that economic reasons rather than historical or cultural ones are at play (Piketty, 2019).

Fourthly, size also matters, for both existing and new independent political communities. Regarding the former, we can distinguish between those which are too big to fail and those that fail because they are too big. Different empires are examples of how size can be both an instrument of power and the main reason for final failure. Given the difficulty of properly managing a large area, the European Union itself is not free of this danger. In any case, a fourth element of the viability test would be a minimum size. This feature would be easier to find within existing political communities that can be considered excessive, either because of their number of inhabitants (China, the most populous country in the world with 1.395 million inhabitants), its territorial extension (Russia, the largest country in the world, with 17,098,242 km2), its enormous diversity (India includes 100 spoken languages and seven different religions), or the three factors together. By the way, none of these would apply to Spain, a country the size of Texas, with a population slightly larger than that of California and with the same dominant religion in all its regions.

Conversely, countries which are too small to be reasonable or feasible, although in practice a large number of existing states have less population than many medium-large cities: a 'factory defect' that shoud not be extended. Emotions are important, but also subjective, whereas quality of services, well-being of the population and global peace and stability are not only relevant, but objective needs too. The proper functioning of both the private economy and public services require a minimum size. Moreover, it is important to prevent new states from becoming economically and physically new tax havens or economic colonies of other larger and more powerful neighbours, in order to survive, like some existing micro-states. Therefore, a minimum size should be required, both in terms of population (at least fifteen million, that is the population of the Netherlands) and territory. For instance, the Basque country with a smaller territory than the province of Madrid (7,234 km2 versus 8,030 km2) and a population that represents a third of it (2.1 million inhabitants vs. 6.4 in Madrid), would hardly meet this requirement. This fact may also be the reason behind its strong insistence on absorbing the old Kingdom of Navarre.

## 3. The 'dis-uniting' nationalism as a threat for global security

### 3.1. Ethics or ethnics?

The international community cannot remain passive, also morally or ethically, in the face of nationalism that pursues the destruction of old nations, exacerbating what separates people and advocating supremacism of some cultures over others. Nor can they look the other way when nationalism takes advantage of the imperative need of all human beings to have an identity – at a time of existential void and crisis of religions and ideologies – trying to fulfill these needs offering contempt, hate and divisiveness, pitting some ('us') against the 'non-nationalist others', or attempting to expel or simply making

life difficult for those who culturally disagree or think differently, even if those individuals and their families have lived for many years in the same territory. This is not about encouraging common values, cohesion, solidarity and enhencing the quality of life of all citizens, but quite the opposite.

Eventually, as the best-selling author, Richard Bach, has put it: "our true homeland is the country of our values and our conscience, the voice of its patriotism" (Bach, 1994: 204). Sound and healthy identity relates more to shared content values than to procedures, language or race, more to ethics than to ethnics (Ibáñez, 2017). Just as there are no ethics without limits (*nulla ethica sine finibus*), there is no right to an unlimited self-government, since local interest must be always take into account, the interest of others, whether at a national, supranational or global level.

Despite this approach, in some European countries the 'dis-uniting' nationalism surprisingly enjoys some sympathy and understanding, even from some judges, as if this process had nothing to do with them. As if infected by some post-modern and naive cultural virus, they may not realize that if Europe allows 500-year-old nation states to break up into a puzzle of new micro-republics or kingdoms, the EU itself, which is only a little over 60 years old, would dissolve like sugar, uncapable of managing an uncertain process which could prove impossible to digest. In fact, the world appears to be dominated by three giants (Russia, the United States and China) who are ready to feast, and free of charge (politically or economically), on the spoils of old Europe as it heads naively, like a club of smiling runners, towards its own self-destruction. Those who are committed to destroying the EU or NATO are just as dangerous as those who want to destroy nations that have existed for centuries, dividing them into hundreds of mini-states: a new chaos of unmanageable complexity.

### 3.2. Stable map and borders or a new chaos of unmanageable complexity?

It is precisely in times of globalization when a stable and rational world is more than ever necessary. Not only is geostrategic stability at stake; sustainable development and lasting peace (Ibáñez, 2019: 135-138) are as well. Moreover, new states can easily become new failed nations for the reasons mentioned above. When a government fails within its territory and cannot defend its borders, we all fail. European security, more so in times of globalization, needs solvent states and fixed borders. Global stability demands world map stability, as well as sound, capable and responsible governments in each country. The intangibility of borders is a common good, both for the survival of Europe and for a world that wants to become and remain global. At least those borders with more than one hundred years of history, proving that they are not mere artificial walls. This is the best way to guarantee peace and stability and is the basis for global progress. The only exception to this rule would be the voluntary processes of supranational integration that create larger unions, instead of smaller divisions.

The time has come to change the trend. The United Nations and the EU should begin to give prizes and economic aid to nations that remain united, even if they are internally complex from an ethnic, linguistic or cultural point of view. Instead of favouring the creation of new countries (the easy path), national and international forums should argue in favour of the intangibility of internal and external borders as a common value for a stable and rational world and the basis for real progress. Those who boast that they defend multiculturalism should start by protecting that which has been functioning for centuries. Rather than passively witnessing how more and more characters appear on the global stage, we should encourage all those diverse cultural or linguistic groups to remain integrated and united with those who they consider to be different (whether this is really true or not), disencouraging those who would prefer the easy solution of breaking up existing countries. Seeking homogeneity as a political objective is not only incompatible with the spirit of the times, but it becomes a 'never-ending story', since there will be always some minorities with specific needs, even within newly-created nation-states.

Spanish thinker, Salvador de Madariaga, said, in the mid-20th century: "the World War II must lead to an era of great families of nations. This is not the time to divide a ready-made nation, but to integrate it into a larger nation. It is not the time to multiply the republican but to federate the continents" (Madariaga, 1979: 586). World War II ended more than seventy years ago, but we keep ignoring what Madariaga stated, which represents pure rationality and common sense: neither too big, nor too small; neither too homogeneous, nor too diverse. Today as yesterday, we have to choose between "divide and conquer" and "unity is strength", even if this means recognizing diversity. Or as old thinkers taught us, two basic principles for ethics and wisdom are *concordia oppositorum* and *in medium virtus est*.

Eventually, evil acts through conflict (violence), division (weakening), confusion (ignorance) and deception, as false knowledge that identifies systematically the wrong with the other to justify supremacism, ethnic wars or exterminations, such as the Shoah (Ibáñez, 2011: 109). In order to be prepared to face the future and present common threats (like the fight against pandemics), we need more unity, not more division; more coordination, not more proliferation of actors. Let us not multiply the countries of the world excessively because there is a general global interest to safeguard stability, security and balance on the map of nations.

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**Abstract:** This article makes a provocative diagnosis: an unlimited right to secession is incompatible with global peace and progress. In order to overcome such a danger, it offers a practical solution: potential new nations should be subject to a viability test. Should each ethnic, cultural or language group claim their own and independent nation, the globe map would end up divided into 5,000 pieces. It is precisely in times of globalization that stable borders and rationalilty are more than ever necessary, and not only because geostrategic stability is at stake, but because sustainable development and peaceful coexistance are as well.
**Keywords:** nationalism, secession, desintegration, identity, globalization, minorities, security

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