

# Studying the Nation-State

- a multidisciplinary course: the nation-state as an object of study in:
  - Law (2 lectures)
  - political science (2 lectures)
  - anthropology (2 lectures)
  - country cases and the Int. Criminal Court as a case (3 lectures)
- this lecture: contrasting how law, political science and anthropology deal the nation-state; defining ethnic groups/ethnicity:
  - cultural groups with rights
  - political units with cultural boundaries (external) or cleavages (internal)
  - social groups with collective identity

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## **Learning Goals:**

### **Skills**

After having completed this course the student will be able to:

- Analyse ethnic conflict from the perspectives of law, political science and anthropology, and understand its cultural, political and legal aspects
- Appreciate the difficulties of creating and implementing state policies in situations with ethnic tension
- Detect processes of group identity formation and the grounding of identity in political and legal systems
- Understand the possible roles of human rights in ethnic conflict

### **General competence**

Having completed this course the student will have the competence to:

- Appreciate how different legal and political orders respond to situations of ethnic heterogeneity
- Carry out a multidisciplinary analysis of a case of ethnic conflict
- Suggest human rights-based solutions to ethnic conflict

# Studying the Nation-State

## The Nation-State in Law

- The relevant unit: basis for UN membership and being an actor in international politics
- The subjects of international law, the international human rights system and international humanitarian law
- The responsible duty-holder for implementing human rights

## The Montevideo Convention (1933) lists the requirements for statehood

- A permanent population
- A defined territory
- A 'de facto' government (and mindful of human rights?)
- Capacity of entering into legal relations

## Legal pluralism

- Forms of autonomy: cultural (Estonia 1925, Ottoman Empire: the Millet System) or territorial (Canada: Nunavut)
- Forms of state: unitary, federalist, etc.

## Citizenship

- Requirements for having full rights, limited rights, no rights, genocide, etc.

# Studying the Nation-State

The Nation-State in Political Science: A vast field with many questions and different approaches

- Comparative politics (descriptive, positivist):
  - investigating existing polities
  - making typologies of states
  - the attributions of and distribution of democracy and human rights
  - citizenship studies
- Political theory (interpretative):
  - origins of the state: voluntary association or hierarchical domination?
  - defining the state: its monopoly on power, its concern with security
  - the functions of the state; its role in globalisation
  - citizenship/membership
- Ethnicity in political science:
  - dealing with (cultural) difference
  - Constitutional traditions: federalism, consociationalism, autonomy arrangements, imperial integration

# Studying the Nation-State

## The Nation-State in Anthropology

‘a bounded community, in structural equilibrium, whose modern exemplar is the nation-state’

- The evolution of centralised power (interpretative, historical): from (stateless) bands to tribes, chiefdoms, kingdoms, empires, nation-states
- The construction of culturally bounded units (ethnographic): the role of identity in the construction of social groups: integration, segregation, domination
- Ethnicity: an aspect of group relations involving group identity

‘etymologically akin to estate, stasis and status, its use in anthropology has been such as to convey and prescribe norms of fixity, a settled order, categorical identities, within a bounded, usually territorial, social unit’

# Definitions of Ethnicity - 1

- consider the terms: race, people, nation, clan, minority, indigenous people, ethnic group, community .... are they social groups? political? cultural? ethnic?
- ethnic groups: people sharing the 'basic, most general identity for making social maps' (Barth)
- ethnicity: a 'dual' concept
  - it categorises 'the other', creating cognitive maps of relevant others
  - it defines the self, it is the collective aspect of self-identification

## Definitions of Ethnicity - 2

- ethnicity: a labelling system where collective identities ('cultures') are negotiated and fixed, i.e., for making social boundaries 'cultural'
- what is 'culture'? anthropology has had very different definitions
  - up to ca 1990: bounded units sharing 'traits'
  - present: sites for contesting and stabilising (fixing) meaning
- but what is then the 'cultural stuff' inside?

# Studying Ethnicity

- A focus on boundary dynamics, or the stabilisation (fixing) of meaning, by looking at processes of :
  - stereotyping and reification (e.g. turning a custom into a stable symbol or representation)
  - dichotomisation (separating by contrasting)
  - complementarisation (making equal in value by comparing)
- i.e., their role in creating 'cultures': constructing socially relevant group identities
- types of group relations: modern migrants, indigenous peoples, proto-nations, plural societies, post-slavery societies