

# National-Cultural Autonomy and its Contemporary Critics

**Edited by and Ephraim Nimni**



# National Cultural Autonomy and its Contemporary Critics

In his seminal 1899 essay *Staat und Nation (State and Nation)* Karl Renner presents his model for national-cultural autonomy, with a two-tier system of government that devolves considerable non-territorial autonomy to national communities, while sustaining the administrative unity of the Multination State.

*National Cultural Autonomy and its Contemporary Critics* develops a discussion of how the model can be adapted to contemporary settings. From a variety of perspectives, the contributors discuss the contemporary validity of Renner's arguments, paying particular attention to theories of state, liberal democracies, minority nationalism and multiculturalism, and models of regional integration.

Making an important contribution to the literature on nationalism and ethnic conflict resolution, this volume will serve as a vital research tool for students and scholars of nationalism and political theory. Readers of this volume may also be interested in the forthcoming companion volume by Ephraim Nimni, *Multicultural Nationalism*.

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**Karl Renner** (1870–1950) was one of the most important leaders of Austrian social democracy. He twice became Chancellor of Austria (1918–20, 1945) and was President 1945–50. He was an accomplished constitutional jurist and first sketched the model for national cultural autonomy around the turn of the nineteenth and twentieth centuries. He wrote, partly under the pseudonyms of Synopticus or Rudolf Springer, a number of works on nationalism and the state, including *Staat und Nation (State and Nation)* in 1899, *Der Kampf der Österreichischen Nationen um den Staat (The Struggle of the Austrian Nations for the State)* in 1902, *Der deutsche Arbeiter und der Nationalismus (The German Worker and Nationalism)* 1910, *Das Selbstbestimmungsrecht der Nationen (The Right of Nations to Self-determination)* 1918.

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E.N.

# 1 Introduction

## The national cultural autonomy model revisited

*Ephraim Nimni*

The model for national cultural autonomy ('NCA') discussed in this volume is rarely mentioned in the West nowadays, even if it is debated and seriously considered in post-communist states and in a diluted and perhaps distorted form has been recently implemented in post-communist Russia (Bowring below). The original model, which is explained in Karl Renner's article *State and Nation*, first published in 1899 and published in English for the first time in this volume, represents an ingenious, daring and, some say, a complex and counter-intuitive model (Forman 1998: 108) for managing persistent and obstinate national and ethnic conflicts within a single democratic state framework. The model has something important to say to many contemporary multinational and multi-ethnic societies governed in accordance with the canons of the nation state model but which show a glaring discrepancy between this model and their multinational and multi-ethnic composition.

When first discussed, around the turn of the twentieth century within the Social Democratic Party of the collapsing Austro-Hungarian Empire, the model was designed to manage ethno-national conflicts and prevent secession by offering national and ethnic minorities constitutionally guaranteed collective rights, wide cultural autonomy and non-territorial self-determination. A century later, and following the John Stuart Mill (1862/1976: 361) dictum that 'free institutions are next to impossible in a country made of different nationalities' it is still widely accepted that sovereign states have to be nation states in order to legitimately represent their citizens. This deceptive assumption engendered states which are nation states only in name, an anomaly that motivates not only the tendency of many liberal democracies to be *linguicidal*, but countless internal wars and acts of ethnic cleansing when a nation in one such state wishes to live up to Mill's unfortunate assertion.

As the twenty-first century commences, there is a conspicuous discrepancy between the cultural and political borders of most nation states, in an international system that has 191 nation states represented in the United Nations, all of whom together contain 3,000 to 5,000 nations and 575 potential nation states (Ryan 1997: 162). The majority of armed conflicts,

and the most bloody, are between ethnic and national groups seeking some kind of independence or autonomy and those who want to prevent them from reaching that goal.

The problem remains as urgent and perplexing as it was nearly 100 years ago, at the time of the collapse of the Habsburg Empire and the first formulation of the NCA model. This shows how little we have advanced in the interim period in accommodating the collective rights of national minorities within a single state. In spite of this, a contemporary discussion of the NCA model elicits, as it will be seen in this volume, a diversity of objections that echo turn-of-the-century Austrian socialist debates. Sadly, by doggedly adhering to the model of the territorial nation state, we have made little progress over the last 100 years towards conceptualizing a multinational state that offers collective rights and collective forms of representation to its constituent national and ethnic groups.

### **The origins of the NCA model**

On 24–29 September 1899 the All-Austrian Social Democratic Party (*Gesamtpartei*) met in the Moravian city of Brno (Brünn) to discuss what should be the nationalities programme of the young multinational Socialist Party. The central committee of the Socialist Party proposed to the congress the dissolution of the strong centralist tendencies that characterized socialist organizations and the creation of a confederation of nationally based parties. In an attempt to preserve the unity of the Austrian state, the congress also proposed the radical reform of democratic Cisleithanian Austria into a federation of nationalities, with no dominant language and with a complex web of autonomous arrangements for territorial and non-territorial minorities. This proposal was not only daring and original, but also ran against the dominant idea that national communities should be organized according to the canons of the territorial nation state model.

The period was the high point of nationalism, and the nation state was not only the emerging dominant model, but it was consolidated into the matrix of the twentieth-century international system. The then dominant mixture of territorial ethno-nationalism, self-determination and nation state sovereignty signalled emancipation for some but also left a brutal trail of exile, pain and destruction for those national communities that resided in mixed areas of residence and could not therefore consummate a nation state without oppressing or dislocating others.

The resolutions of the Brno conference incorporated a much diluted version of Renner's NCA model, which was supported mainly by Czechs and Slovenes and was opposed by some German delegates, including the respected leader of the party, Victor Adler (Kogan 1949: 204–17).<sup>1</sup> However, the Brno resolutions incorporated important elements of the NCA model, which were not considered sufficient by Renner and Bauer as they disapproved of the dilution of the original argument that resulted

from party negotiations. Why did the Austrian socialists decide on a course of action that blatantly contradicted prevailing models of state organization and territorial self-determination? The Austrian situation was an initial encounter with a problem that became endemic in the twentieth century, and its recurrence shows that we have few effective mechanisms to deal with it.

Under these circumstances, it might be useful to reconsider the juridical and organizational principles proposed by Karl Renner and see if they help us navigate the very contemporary quagmire of demands for self-determination, secession, cultural recognition and collective rights.

## Historical background

At the turn of the twentieth century, the Habsburg Empire was a dual monarchy with a total population of 53 million made up of more than fifteen different nationalities, occupying an area smaller than the Iberian peninsula (Pauley 1972: 23). After Prussia defeated Austria in 1866, the empire was divided into a dual monarchy through the Compromise (*Ausgleich*) of 1867, which remained the constitutional basis of the multinational empire until its dissolution in 1918. The Austrian part of the dual monarchy was called Cisleithanian Austria, because a significant part of its territory lay west of the Leitha river. Austria was a complicated mosaic of national, ethnic, religious, linguistic and social groups, and the two parts of the empire had separate parliaments and a significant degree of autonomy, even though foreign affairs, defence and finance were common concerns. The largest ethnic group in each part of the empire constituted a minority in the area that it controlled: Germans numbered only some 36 per cent of Cisleithania's population, and Magyars slightly under half of Hungary's. Czechs, the majority in Bohemia and Moravia, Poles and Ukrainians and Slovenes sought a greater say in Cisleithanian affairs.

At the same time, and within the limitations of the period, Austria was a constitutional monarchy with periodical elections to its parliament through male universal suffrage. The Social Democrats had significant parliamentary representation. The circumstances of the dual Austro-Hungarian monarchy cemented the hegemony of the most powerful nation within each part, respectively the Austro-Germans and the Magyars (Hungarians). The main compromise was followed by minor 'compromises' between different ethnic and national communities and some unusual class alliances to protect local interests. This resulted in an intricate web of group coalitions that not only anticipated contemporary consociationalist models, but, according to Otto Bauer, amounted to an understanding among the ruling classes of the large nations (Germans, Magyars, Poles and Croats) to maintain their advantage over the mass of their disenfranchised fellow nationals and the newer nations – Czechs, Slovenes and Ukrainians in Austria, and Slovaks, Serbs and Romanians in Hungary.

As the Austro-German rulers needed a working majority in parliament, they granted administrative autonomy and linguistic rights to the Poles of Galitzia, a region that also included other minorities. This concession to the Poles antagonized in particular the Czech nationalist leadership because the main demand of their movement was to recover for Bohemia the status of a historical kingdom (*Staatsrecht*) with a significant degree of autonomy. The parliamentary coalition between Austro-Germans and Poles effectively neutralized the political influence of Czech deputies. In Bohemia, the part of the empire that Czech nationalists considered Czech, there was a significant German-speaking minority. At the same time, industrialization and differential development fuelled internal migration within the empire and many Czechs and Germans resided outside their historical homelands. This situation resulted in the Czech nationalists resenting the German presence in Bohemia and Pan-Germanic nationalists resenting the presence of Czechs in the German part of the empire. In a situation that reminds of obstructions to the contemporary 'Good Friday Agreement' in Northern Ireland, Czech nationalists often blocked legislation in the Austrian parliament, and the Pan-Germans were equally bent on obstructing the provincial diet in Prague (Nimni 1994: 120–1).

In Vienna, internal migration caused dramatic changes. The population of the capital increased more than four times in fifty-three years. With the migration of people from all over the empire, Vienna became a lively cosmopolitan city. It experienced an unprecedented level of intellectual and artistic development, which was deeply resented by conservative Pan-Germans. This situation generated protracted controversies over schools instructing in languages other than German (particularly Czech), bilingual notices and place names. Victor Adler, the veteran socialist leader and founding member of the Socialist Party, was moved to say that even the names of railway stations had become an important question of principle in Austria (Joll 1974: 122).

The Austrian Socialist Party was one of the very few multinational organizations in late imperial Austria that survived this period of ethnic and national confrontation more or less intact. To avoid the threat of ethnic and national disintegration, the Austrian socialists made considerable efforts towards overcoming national and ethnic mistrust. This was first done within the Socialist Party, and subsequently by drafting programmatic proposals that attempted to maintain the unity of the Cisleithanian Austrian state, while giving maximum institutional, political and cultural recognition to the constituent national and ethnic minorities.

The problems faced during this period have a clear contemporary resonance and the protocols of several congresses of the Socialist Party not only make fascinating reading, but also prove how little we have advanced in the last 100 years on the question of ethnic and national minority representation. For many delegates to the 1899 Socialist convention in Brno, the recognition of the equal value of minority cultures in the

public domain was a key political demand, something that more than a century later continues to be the subject of a protracted political and academic discussion. For this reason, the study of late Habsburg history can help our understanding of the difficult relationship between ethnic and national identity, and help to illustrate how we may secure multinational states, channel ethnic politics into a constructive direction, understand the complex relation between ethnicity and political democracy, and, not least, how we may develop (and discover) imaginative models of ethnic conflict resolution.

The genesis of the NCA model discussed here must be understood against the backdrop of the very pressing nationalities problem faced by Austrian socialists. The process of rapid industrialization in Austria and the growing urban working class provided the conditions for the emergence of the socialist movement, which was deeply affected by national divisions from the outset. Several socialist organizations emerged among Czechs and other non-German communities, but these remained independent and suspicious of the German socialist organization at first. Finally, in 1889, and thanks to the intense efforts of Victor Adler, the socialists became a single organization, initially named the *Gesamtösterreichischen* ('All-Austrian') socialist party and later referred to as the *Gesamtpartei* ('whole party'). The name was carefully chosen to suggest the multinational character of the organization.

The difficult nationalities problem of late imperial Austria and the need to counteract the claims of nationalist parties impelled the Socialist Party to relinquish the simplistic and misleading formulas that prevailed in most turn-of-the-century socialist parties. Austrian Socialists were obliged to evaluate difficult questions of minority rights, ethnic political representation and conflict resolution in great detail, and were compelled to adopt more nuanced positions that displayed greater sensitivity to national demands than was normally the case in socialist organizations.

In 1897 the biennial congress of the *Gesamtpartei* took place in the Wimberg Hotel in Vienna. Following Czech demands, the party decided to transform itself into a federative organization of six national parties (Ukrainian, Czech, Polish, German, Italian and Slovene), with a common executive committee. This new organizational arrangement gave way to an intense and prolonged discussion of theory and strategy in regard to the nationalities question, which culminated two years later in the historic 1899 congress in Brno. It is in this interim period that the NCA model took shape.

Otto Bauer and Karl Renner developed the model of national cultural autonomy in a string of writings, and one of the most significant is Karl Renner's *State and Nation* (1899, Chapter 2 of this volume). Karl Renner (1870–1950) was a renowned constitutional jurist and one of the most important leaders of Austrian Social Democracy. He was twice Chancellor of Austria (1918–20, 1945) and he became President in 1945 (1945–50). He

played a major role in re-establishing Austrian independence after the end of the German occupation in 1945. As an accomplished constitutional jurist he first sketched the model for national cultural autonomy around the turn of the twentieth century.

As he was a civil servant and barred from political activity in his youth, he wrote under the pen names of Synopticus or Rudolf Springer, publishing a number of works on nationalism and the state. These included *Staat und Nation (State and Nation)* in 1899, *Der Kampf der Österreicher Nationen um den Staat (The Struggles of the Austrian Nations over the State)* in 1902, *Der deutsche Arbeiter und der Nationalismus (The German Worker and Nationalism)* in 1910, and *Das Selbstbestimmungsrecht der Nationen (The Right of Nations to Self-determination)* in 1918.<sup>2</sup> A posthumous work was published in 1964, *Die Nation. Mythos und Wirklichkeit (The Nation: Myth and Reality)*. Otto Bauer's most significant work is the monumental 1907 tractus, *Die Nationalitätenfrage und die Sozialdemokratie*, translated into English by Joseph O'Donnell and edited by myself with an introduction to the English-reading audience as *The Question of Nationalities and Social Democracy (1907/2000)*. While the writings of Bauer and Renner certainly influenced and inspired the position of the Social Democratic Party, the NCA model, much to the consternation of Bauer and Renner, was never made party policy.

### **National autonomy**

The singularity of the NCA model can be understood when contrasted to most other models of national autonomy. In most conventional theories, national autonomy requires a territorial base for the autonomous national community, or at least the intention to build some kind of 'autonomous homeland' that will serve as the territorial base. Federal systems are the most common form of territorial autonomy. A different, more imperial specific form of national autonomy is home rule, a form of restricted self-government granted by a central authority to one or more of its political dependencies. Home rule mainly occurs in multinational empires such as the Roman or British empires. This system provides some recognition of minority cultures, if autonomous populations remain loyal to the imperial government.

In contemporary terms, the autonomous governments in the Spanish state and the Italian region of Alto Adige/Sud Tyrol are yet another form of national autonomy. Here the Spanish constitutional arrangement stipulates a distinction between 'historical' and 'non-historical' autonomies. The historical autonomies are those that existed as autonomous regions before the Franco dictatorship. These are usually regions with a strong ethno-national identity (Catalonia, the Basque Country and Galicia).

In the Soviet model, national autonomy reached levels of unprecedented complexity. The Soviet Union defined itself as a multinational

state, and granted different levels of national autonomy to its large collection of ethnic and national minorities. In distinction to the Ottoman *millet* system, the principle was meticulously based on territorial administrative districts organized on an ethno-national basis. Here, over 100 different national and ethnic minorities were given differing levels of cultural autonomy in pre-defined territories. Those who did not have one, such as the Jews and Armenians, were simply administratively allocated one. The largest units, the 'titular' republics, were given the right to nominally secede from the Union in the Soviet constitution, despite constitutional cast iron safeguards to prevent secession. The idea was that every nationality should have its own territorial base from which it could develop its cultural life.

The Yugoslav model of communism further expanded the Marxist-Leninist model into a system that allowed an even greater degree of territorial national autonomy. Yugoslavia was more decentralized and the constituent autonomous republics had more autonomy than their Soviet counterparts. Yet, with the collapse of communism, the autonomous federal system became the basis for the ethnic disintegration of the federal state. The burning desire to create ethnically based independent nation states in place of the autonomous republics led to unparalleled acts of brutality and ethnic cleansing.

Liberal democracies have considerable difficulty coming to terms with ethnic or national autonomy if it is not clearly expressed in territorial terms. Classical liberalism has difficulty conceptualizing national autonomy because it is committed to privileging equal individual representation and individual autonomy above any other right. Historically, the liberal normative tradition was suspicious of collective rights. National autonomy is a collective demand, requiring differentiated rights for a national group. Sometimes, demands for national autonomy clash with basic liberal beliefs about freedom and strict political equality of all individual citizens.

Quebec, for example, enjoys considerable territorial autonomy within the Canadian state. It enacted legislation requiring the compulsory use of French in the public domain, and required French-speakers and immigrants to send their children to French schools. The Québécois government sees Quebec as a threatened linguistic island in an anglophone sea, and considers that Québécois culture will disappear if it is not protected. Here the compulsion to speak French in the public domain is considered a matter of cultural survival. Yet inflexible Canadian liberals consider this expression of cultural autonomy as violating the liberal principle that requires freedom of choice and political equality for all citizens. Affirmative action principles are of little help in such situations. In the case of disadvantaged groups, affirmative action principles and policies are designed to ultimately erase differences based on sex, gender and ethnicity. In sharp contrast, demands for national and cultural autonomy are designed not to

erase but, on the contrary, to maintain and legitimize difference in the public domain. These demands clash with versions of liberalism that are, according to Charles Taylor (1994: 60), inhospitable to difference.

The demands of indigenous peoples in settler liberal democracies dramatically highlight the problem. Indigenous groups invoke centuries of displacement, settler invasion, cultural destruction and often genocide to justify their demands for national and cultural autonomy with differential rights. Indigenous demands for self-determination rarely request territorial sovereignty even if they draw their legitimacy from strong affinities with homelands. In states that are often violent intrusions into their ancestral homelands – an intrusion that made them scattered minorities – indigenous peoples demand national autonomy and public recognition of their way of life.

Liberal democratic states deal comparatively well with ‘melting pot’ situations. Here individual members of minorities, usually immigrant minorities, simply desire non-discrimination to allow full integration and assimilation to the national majority. In this situation the issue is not autonomy but individual choice, something that liberal democracies are particularly well suited to handle. However, the problem begins when, usually but not always, autochthonous national minorities demand recognition of their specific collective identity in the public domain, demanding rights and autonomous arrangements that are not applicable to all. The demand is for recognition of segmental and differentiated collective rights, and this offends the liberal notion of equality between sovereign and unencumbered individuals. Furthermore, as many consociationalist scholars have noted, liberal democracy is not well suited to societies that are divided by ethnic or national antagonisms, and this is when the NCA model can help to iron out and remedy these liberal democratic shortcomings. To some extent, the consociational model is also attempting to meet these challenges, and its findings merit further discussion.

### **Consociationalism**

Theories of consociationalism and consociational democracy play an important role in the discussion of ethnic and national conflict resolution and minority rights. Most contemporary applications of consociationalism take as a point of departure the seminal book by Arend Lijphart, *Democracy in Plural Societies* (1977). The aim of the model is a pattern of democratic representation in societies that are deeply divided, usually on ethnic grounds. According to Lijphart (1982: 166), the consociational model is characterized by five principles, grand coalition government, power sharing, autonomy, minority veto and proportionality.

McGarry and O’Leary (2004), in what promises to be a path-breaking work in consociationalist theory, dropped the grand coalition as the constitutive aspect of consociationalism.<sup>3</sup> Favourable conditions are required for

a consociational model to operate. These are: a balance of power between segments, a multi-party system, cross-cutting cleavages and traditions of elite accommodation. Belgium is considered to be a very interesting case for consociationalism, and Lijphart has extensively discussed this. In addition, the recent federalization process and the idea behind the institutionalization of the *Vlaamse Gemeenschap* appear to justify the main tenets of the consociationalist model (Knappskog 2001: 529). Particularly in the case of Brussels, the consociational arrangement is non-territorial and appears to be very close to the NCA model.

Lijphart is not only well acquainted with the NCA model, but also shows considerable sympathy for it. He cites Bauer and Renner favourably because he considers that the NCA is an important variant of consociational, non-territorial federal democracy and because the model emphasizes the individual's right to elect what community she or he wishes to belong to; furthermore, that these communities acquire a collective personality via the constitutional status – the status of the *Kulturgemeinschaft*. He argues that 'where the segments are geographically too interspersed, segmental autonomy has been established on the personality principle, in the Netherlands, Austria ... in Belgium'. From this he concludes that autonomy, a key ingredient in consociational democracy, has proved to be compatible with territorial autonomy and with the personality principle (Lijphart 1977: 43, 1995: 278).

However, Lijphart does not discuss the other key dimensions of the personality principle, collective rights, segmental sovereignty and the challenge to the atomist–centralist doctrine that results from the organic implementation of a commonwealth of *Kulturgemeinschaften*, and these issues have been largely ignored by more contemporary consociational scholars. It is perhaps by considering the implications of these last three key aspects of the NCA that the consociational model can be enriched considerably from the multifaceted conceptual dimensions of NCA, while the NCA model can be enriched by the wealth of empirical work of consociationalist scholars on deeply divided societies.

Consociationalism has been criticized for its excessive emphasis on elites, for consolidating ethnic and national cleavages, and focusing too much into closing communities, and not allowing trans-communal links to develop. McGarry and O'Leary argue that the original model also neglected questions of self-determination. However, because the model is better at creating comparative and empirical models than at developing an alternative conceptualization of the nation state and national sovereignty, it cannot easily defend itself from universalizing criticisms, and here the conceptual depth of the NCA model will come as considerable help, particularly on questions connected with state sovereignty, self-determination and community sovereignty and the atomist–centralist principle. The NCA model is better able to handle two arguments. First, the NCA model can counterbalance the excessive emphasis on elites through the need to

develop organic communities with collective rights and collective juridical personae, something that will diminish the role of elites and allow a more inclusive pattern of internal democracy. Second, the emphasis on veto and consensus in the consociational models tends to suggest a model of deliberative democracy that is not compatible with societies with deep cultural or ethnic cleavages. Instead, the institutionalization of difference will permit a model of agonistic rather than consensual democracy, as a deliberative consensus is impossible in societies riddled with ethnic conflicts.<sup>4</sup>

### **National cultural autonomy**

Except for consociationalism, and in sharp contrast to most other forms of national autonomy, Renner and Bauer's national cultural autonomy model rests on the 'personality principle', the idea that autonomous communities are organized as sovereign collectives whatever their residential location within a multinational state (Renner 1899/2005, Chapter 2 below). As in the *millet* system in the Ottoman Empire, peoples of different ethnic identities can coexist in the same territory without straining the principle of national autonomy. The *crucial* difference from the Ottoman *millet* system is, however, that the autonomous communities are organized democratically and are based on individual consent to belong and internal democracy. The analogy used by Renner is that of religious communities. Much in the same way as Catholics, Protestants and Jews could coexist in the same city, Renner argued, so members of different national communities could coexist with their own distinct institutions and national organizations, provided they did not claim territorial exclusivity. The model of national cultural autonomy acknowledges that national communities require recognition of their specificity and difference in the public domain, and this is achieved through the existence of legally guaranteed autonomous and sovereign corporations. Unlike more conventional forms of autonomy and self-determination, it rejects the idea of ethnically or nationally exclusive control over territory.

Renner derives the term 'personality principle' from the leading German historian Friedrich Meinecke. In his monumental work *Weltbürgertum und Nationalstaat* (1907/1970), he criticized the notion of the sovereign state as the embodiment of ethical values and of *Realpolitik* as justifying the breaking of moral laws. In his *Right of Nations to Self-determination* (1918) Renner specifically cites Meinecke when he argues that 'personality is not only the highest form of autonomy, but that it is also the highest level of personal autarky and the harmonic unity of all forces and qualities' (Agnelli 1969: 96–7).<sup>5</sup>

Drawing on Meinecke, Renner called the system he envisaged the 'personality principle' because it referred to the widest personal choice of its members to partake in a particular national association. Renner contrasted this with the 'territorial principle', which is characteristic of the

modern nation state. Renner describes the territorial principle in the following way: if you live in my territory you are subjected to my domination, my law and my language. This, according to Renner, suggests domination and not equality of rights. It suggests the dominance of the ethnic majority over the ethnic minority, the dominance of settled populations over immigrants, and the dominance of settlers over indigenous peoples. The model proposed by Renner and Bauer is well suited to minorities that demand significant autonomy but for a variety of reasons cannot have separate states. A prime example of such minorities is indigenous peoples in liberal settler societies. In an argument that closely resembles Bauer and Renner's ideas, James Tully (1995: 197–8) argues that the political recognition of diversity is one of the most important ways to ensure constitutional allegiance in culturally diverse states.

Renner is fond of comparing ethnic conflict with the religious wars that plagued early modern Europe, when absolutist German states imposed a particular religion on their subjects in the wake of the Peace of Augsburg. Here the organizational principle *cuius regio illius religio* (in this region, that religion – or, who governs the territory decides its religion) decided religious beliefs and led to countless wars. This problem was resolved, according to Renner, when religion was separated from territorial sovereignty and the right of religious groups to coexist side by side became the norm. In the modern nation state, however, Renner argues, the organizational principle is *cuius regio illius lingua* (in this region, that language – who governs the territory decides the language). The personality principle, according to Renner, would separate the question of governance from the issue of protecting national and cultural identities, just as religious freedom separated church from state.

As explained in *State and Nation* below, Renner's model requires that all citizens declare their nationality when they reach voting age. Members of each national community, whatever their territory of residence, would form a single public body or association endowed with a legal personality, collective rights, segmental sovereignty and competences to deal with all national cultural affairs in the context of a single multinational state.

The NCA model addresses weaknesses of other models of territorial autonomy: national territorial boundaries always create minorities and propensities to ethnic discrimination. In a world of migration and differential development, territorial boundaries are porous, and population movements tend to upset neat schemes for fortress states. This situation inevitably results in ethnic and national minorities constituting unwelcome pockets in any autonomous or sovereign territories. The second advantage of the model is that it does away altogether with the idea of national minorities and the need for specific minority protection. As argued earlier, the status of national minorities is the by-product of a national state that has a sovereign national majority. In the NCA model, even if the citizen inhabits a territory where the majority belongs to a different national

group, on questions of national and ethnic interest citizens of different ethnic groups are not subject to the cultural practices of the majority, but can rely on their own trans-territorial national organization, which has the status of a public corporation with sovereign areas of competence (Kann 1970: 244). This is an important advantage of the Bauer–Renner model over contemporary liberal theories, as it obviates the need to pursue complex and invidious discussions on the rights and wrongs of minority communities, and, more important, it obviates the need for patronizing and controversial special cases.

In this volume we revisit the NCA model as proposed by Renner's important article, 104 years after it was first published, and contributors examine the contemporary validity of the model from their own experience and perspective on nationalism, multiculturalism and minority rights. Karl Renner in his 1899 article presents the model for NCA in the language of the period. Rainer Bauböck argues that the NCA idea must be regarded as a supplement and not as an alternative to territorial government rights for ethnic minorities. Bill Bowring analyses the curious resurrection of the NCA idea in the Russian Federation and discusses the controversial influence of Renner. Mary Farrell and Luk van Langenhove look at the vexed question of cultural autonomy in Belgium and draw analogies with the NCA model. Michael Keating looks at the NCA and its relevance to the project of European integration and finds that the Renner model can complement some aspects of regional integration. Paul Kelly analyses the NCA model in the context of the contemporary liberal debate on multiculturalism and finds that a few of Renner's arguments hold ground against the attack of Brian Barry against multiculturalism. Walter Kemp argues that the NCA model is useful only in so far as it can contain extreme forms of minority nationalism and cultural politics. Iлона Klímová looks at the possibility of using the NCA model to advance Romani demands for self-determination. Will Kymlicka considers various possibilities for the implementation of NCA and concludes that territorial autonomy is preferable on normative and practical grounds. Geoffrey Brahm Levey argues that NCA is unlikely to satisfy national claims where identification with land, language preservation and symbolic recognition are concerned. John McGarry and Margaret Moore argue that NCA might be useful for dispersed or intermixed populations but it will not suffice for nationally mobilized groups. Geneviève Nootens finds in Renner's model an important challenge to the equation state–nation–sovereignty–territory and a useful model to rethink the concept of sovereignty. Paul Patton looks at the NCA in connection with indigenous sovereignty and finds that NCA does not address the complexities of indigenous sovereignty. John Schwarzmantel argues that Renner NCA addresses the contemporary concerns of the multiculturalism and the politics of identity and despite its weaknesses can contain extreme nationalist demands.