

DISENTANGLING THE NATION-STATE:  
MEDIEVAL MODELS FOR RETHINKING NATIONS AND POLITIES

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A Thesis  
Presented to  
The Faculty of the Department of Political Science  
University of Houston

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In Partial Fulfillment  
Of the Requirements for the Degree of  
Master of Arts

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By  
Anna Marisa Schön  
May, 2016

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## **ABSTRACT**

In the twenty-first century the nation-state has become the fundamental ordering principle of the world and deeply permeates our thinking and talking about politics. This thesis has two principal objectives: to show that the nation-state and the underlying notion of the sovereign national community is insufficient and limiting as a category for political organization and identification today, especially in Europe; and to disentangle nation and state by introducing the medieval understanding of the nation as an alternative in the European discourse on nations, polities, and identities. I show that before 1100 medieval nations formed on the basis of shared language, customs, laws, and/or imagined descent, but – critically – that these communities neither constituted a jurisdictional unit nor coincided with political borders. Today this medieval understanding of the nation would aid us conceiving more realistic and durable approaches to multiculturalism, immigration, political integration, and globalization. I supplement my analysis with two additional medieval concepts – the corporate vision of community and the dialectic of the individual – to illustrate how unity, cohesion, and loyalty can be fostered when national solidarities do not undergird political community, and how individuals can accommodate the different identities that result from the disentangling of nation and state.

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## Introduction

*Without the nation-state there can be no real national political freedom... The soul needs a body. The soul of political liberty cannot flourish outside the body of the nation-state. The nation-state is the political body in which we live. That is why we must preserve and cherish the nation-state... Without a nation-state, without self-governance, without self-determination there can be no security for a people nor preservation of its identity... (Wilders, 2011).*

*The call for ethnicity or language provides no guidance to the future at all. It is merely a protest against the status quo or, more precisely, against the 'others' who threaten the ethnically defined group (Hobsbawm, 1990, p. 168).*

This thesis has two principal arguments. In the first place I observe that the modern nation understood as sovereign community with inherent rights to statehood is inadequate as category for political organization and identification in the twenty-first centuries. Secondly – and more importantly – I make the argument that medieval social and political organization and the identities resulting from this organization provide desirable conceptual tools for rethinking European political organization and political identities. I argue that the medieval understanding of nations as broad cultural communities not coinciding with jurisdictional units or political borders is more suitable than the “modern nation” for thinking about communities of people, political identities, and political units in Europe today.

While the implications of my study are potentially relevant universally as nation-states spring up in every corner of the world, my focus is on Europe for several reasons. In the first place, the *modern* nation and the nation-state, which I am critiquing at the outset, arose in Europe. Thus it makes sense to return to the source when exploring possible alternatives. Secondly, the medieval concept I seek to retrieve is a *European* medieval concept. Finally, Europe constitutes an excellent case for why this enterprise – rethinking political and social

organization and identities – is meaningful and relevant. A history of nationalist conflict, and increasing political integration, immigration, and globalization, all work together to make the nation an unsatisfactory political concept in Europe. Changing the way we think about political identities and political organization is arguably most urgent in Europe.

Since the onset of modernity, the nation-state has become the fundamental ordering principle of European politics, or what Rupert Emerson calls the *terminal community*: “the largest community that when the chips are down, effectively commands men’s loyalty, overriding both lesser communities within it and those which cut across and potentially unfold within a still greater society...” (Emerson, 1960, pp. 95-96). However, throughout the twentieth and twenty-first centuries such profound and transformative processes as international migration, ethnic diversification, political integration, and globalization have exposed the limitations of the nation as a model for both political organization and political identification. At the political level, the nation-state principle limits us in developing durable approaches to immigration, in thinking about social integration, and in conceiving cultural and civic rights for non-nationals by prescribing nationally homogenous state populations. Moreover, it obstructs increasing political integration – for example, within the European Union. For by equating state and nation, a loss of state sovereignty to a higher political authority is perceived as a sacrifice of national culture and character. At the individual level, in turn, the nation as a focus of primary political identities limits individuals’ possibilities for identification and defining their roles in society. In short, it appears that the modern nation is no longer adequate and satisfactory as an ordering principle of European politics and as primary focus of political identities.

Sharing my concern for the problematic implications of the nation-state principle, some authors have suggested alternatives for the European political order. For example, Jürgen Habermas, focusing on political mechanisms at the state level, proposes to go “*beyond the nation-state*” by decoupling majority culture from political culture and resorting to democracy as a source of social integration in increasingly differentiated and globalizing societies (Habermas, 2001, p. 61). Rather than relying on a national community to consolidate the body politic, he famously argues that a shared political culture may be cultivated on the basis of the polity’s constitution and that *Verfassungspatriotismus*, or “constitutional patriotism,” should fulfill the function originally occupied by nationalism (Habermas, 1998; 2001). In turn, democracy fosters social cohesion through the political participation of its citizens. “[P]ublic, discursively structured processes of opinion- and will-formation,” Habermas suggests, “make reasonable political understanding possible, even among strangers” (Habermas, 2001, p. 73).

Jan-Werner Müller further expands the idea of constitutional patriotism, viewing it as “a *normatively attractive* [emphasis added] form of civic, non-national ... attachment for increasingly multicultural societies” (Müller, 2007, p. 2). Seeing the lack of identification and attachment resulting from the diversification of political communities, constitutional patriotism establishes a “civic minimum” to determine how diverse populations want to live together. In particular, Müller argues that “constitutional patriotism theorizes the civic bond in a way that is more plausible sociologically and that leads to more liberal political outcomes than its main ‘domestic’ rival, liberal nationalism” (*ibid.*, p. 9). While liberal nationalists consider national culture the source of cohesion in contemporary polities (and the core object of their theory), shared culture is, in fact, more abstract than a set of normative commitments

centered on a constitution. Constitutional patriotism, on the other hand, offers a concrete normative resource for maintaining political regimes, and can foster identification with the community through the incorporation of particular experiences and concerns of the populace. Memory of the past and militancy, i.e. resistance against present enemies of democracy, “reinforce identity through negative contrasts” (*ibid.*, p. 11).

Finally, Bhikhu Parekh suggests to move past the nation by focusing exclusively on the unifying power of the state as a legal institution. In view of the increasing cultural diversity in many societies, including his home country Great Britain, he makes the argument that national identity is not only dangerous but also unnecessary. He suggests instead that the modern liberal state carries its legitimacy and source of cohesion within itself. In other words, “the modern state is a self-sufficient institution... To be its member is to acknowledge these [shared politico-legal values] and to abide by its laws. Nothing more is required of its members in order for it to remain united and stable” (Parekh, 1995, pp. 139-140).

What these authors have in common is the suggestions of a *post-national* political order in which national identities become irrelevant. However, the shedding of national identities altogether seems to be not only depriving men of essential human experiences, but also impossible. As Michael Sandel notes in his defense of communitarian attachments, communities are constitutive elements of individuality. Those loyalties are

inseparable from understanding ourselves as the particular persons we are – as members of this family or community or nation or people, as bearers of that history, as citizens of this republic... For to have character is to know that I move in a history I neither summon nor command, which carries consequences nonetheless for my choices and conduct (Sandel, 1984, p. 90).

The idea of a post-national order fails to acknowledge that national communities are highly important in the experience and self-understanding of vast numbers of people across the globe.



After all, “millions have been prepared to lay down their lives for [this] apparently abstract community of strangers” (Smith, 1998, p. 75). Instead of a political order that ignores the powerful ties individuals experience to their respective cultural, linguistic, and historic communities, what seems more appropriate and more feasible for the European future, and possibly in other parts of the world, is a political order that separates states and nations, political and national identities, and leaves room for both.

I argue that medieval Europe provides such alternatives in thinking about and organizing political communities and identities. The question this thesis seeks to answer is how and to what extent we can transfer and apply medieval political organization and identity structures to contemporary Europe. In exploring medieval political and social organizations and identities, my aim is to disentangle the nation and the state, and to introduce new categories – or rather to reintroduce forgotten ones – in the contemporary discourse on European political organization as alternatives to the nation-state.

My discussion of political and social communities, group dynamics, and identity formation necessarily taps into important sociological and psychological concepts and processes, the meaning of which should be clarified at the outset. Following Benedict Anderson, in the context of this work the nation is understood as an inherently limited imagined community. It is a community because solidarity prevails among its members; imagined because in the absence of personal acquaintances with the majority of their fellow nationals groupness is imagined; and limited because there are demarcation criteria that exclude non-members (Anderson, B., 2006, pp. 6-7). Any community is based on *some* shared characteristics or interests that are exclusive to the group. In the case of the nation these may be shared language, shared history, or imagined common heritage or descent (or any

combination of the above) (Yack, 2001, p. 526). Sometimes an ethnic past furnishes memories, values, symbols, and myths that may also be perceived as markers of (national) differences (Smith, 1987).

The central feature of this definition, however, is the subjectivity of the nation. As David Miller notes, “national communities are constituted by belief: a nationality exists when its members believe that it does” (Miller, 1993, p. 6). While perceived similarities with some individuals and differences to others may encourage the imagining of community, the existence of nations “is contingent on its members’ sustaining a certain image of it that is based on their perceptions and feelings” (Tamir, 1995, p. 423). Even though, *imagined* does not mean the nation is an *imaginary* community. The wording may be misleading at times in suggesting that an imagined community is not a *real* community (Tamir, 1995). But nations do not only exist in the imagination; instead their existence confronts any particular member “as part of an objective reality” (Canovan, 1996, p. 55). As every historian will attest, the existence of imagined communities is a social fact that has fundamentally defined the history of at least the last 200 years.

I use this “minimum” definition of an “imagined community” in my analysis because it allows me to speak adequately about the ways in which individuals perceive the world around them. They perceive similarities and differences and imagine communities based on these differences, and throughout history individuals have imagined and identified with different kinds of communities.

Besides defining what the nation is, it is also helpful for my project to specify what it is not. First, nations are not identical with states. Despite the frequent use of the two terms interchangeably – think of the United Nations, which is really an association of sovereign

states – the two terms indicate two fundamentally different entities. The way we speak of international relations to refer to inter-state relations, and national income, national wealth, national interest to refer to what are, in fact, “statal concerns,” illustrates the extent of the wide-spread confusion of “nation” and “state” (Connor, 1994, p. 97). Yet, whereas the nation is a psychological bond that differentiates members from other individuals usually based on some cultural characteristics, the state, according to Weber, is the entity that holds a “monopoly of the legitimate use of physical force within a given territory” (Weber, 2009 [1918], p. 77). Whereas the nation is a nonpolitical collective of individuals, the state is set of institutions, a “territorial juridical unit,” and the major political subdivision of the globe (*ibid.*, pp. 90-100).<sup>1</sup> There is *no* intrinsic reason why state boundaries should coincide with national boundaries, or why state populations *have to* be nationally homogeneous. The nation-state is, in fact, a demand of recent times.

By the same token, the nation is also not identical with “the people” understood in the sense of political community and citizenship.<sup>2</sup> As Bernard Yack observes, the nation and the people are both imagined communities to the effect that both “derive their character as communities from the way in which distant individuals imagine their connection to each other.” However, they are based on “two distinct ways of imagining the connections that bind us to each other” (Yack, 2001, p. 520). While the nation is an image of community *over time*,

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<sup>1</sup> Joseph Strayer makes a similar observation about the state, arguing that “a state exists chiefly in the hearts and minds of its people, if they do not believe it is there, no logical exercise will bring it to life” (Strayer, 2005 [1970], p. 5). This definition is misleading, and the state should not be confused with the people over which it wields power. The state is a set of institutions that govern a territorial unit; it does not refer to the population that lives on this territory.

<sup>2</sup> Part of the confusion surrounding “the people” is the fact that the term has been used in the past and, continues to be used today, to refer to a variety of groups of very different nature. In contrasting “the people” to the nation here (as well as throughout this work), I do not use the term in the sense of ethnic communities, but exclusively to refer to the body that legitimizes state power.

binding subsequent generations together by passing on the idea of shared culture and heritage, the people presents an image of community *over space*. At any moment in time, it includes – at least in theory – all individuals within the borders of a state and authorizes the state’s coercive power. As such, the people exists “by right rather than by ... conscious raising. To assert or deny its existence is a matter of ideology rather than a matter of sociology. It exists as long as one believes in a particular theory of political legitimation” (*ibid.*, p. 521). In contrast to the nation, the people (as the authorizers of political power) is a relatively modern form of community, conceived to solve the problem of political legitimacy in the modern state. To show how and why the state and nation, and the people and the nation, respectively, have become entangled in modern usage and practice will be part of the following study.

Finally, a brief description of the understanding of identity that informs my study is in order. An identity, according to Burke and Stets,

is the set of meanings that define who one is when one is an occupant of a particular role in society, a member of a particular group, or claims particular characteristics that identify him or her as a unique person... People possess multiple identities because they occupy multiple roles, are members of multiple groups, and claim multiple personal characteristics, yet the meaning of these identities are shared by members of society (Burke & Stets, 2009, p. 3).<sup>3</sup>

For instance, (in no specific order) I might identify as a woman, a student, a German, a Houstonian, and a Social Democrat. Yet, these identities are only meaningful to the extent that they are understood by the people vis-à-vis whom I use this description of myself and are therefore contextual. (My identity as a Houstonian, for example, would not be meaningful to

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<sup>3</sup> Chantal Delsol makes an interesting distinction between “roles” and “functions,” arguing that the former is “conferred in advance, often inscribed in the destiny of the individual, and unalienable” (for instance, motherhood), while the latter “is chose by the individual, is exterior to him, and he appears interchangeable in that function” (for instance, a social worker) (Delsol, 2003, p. 139). Following this distinction, individuals may derive a sense of identity from either roles or functions – I may identify as a mother, but I can also identify with my profession as a social worker.

anyone unfamiliar with North American geography and cultural differences.) Brubaker and Cooper further stress the constructed and fluid nature of identity; even though identity is often reified by lay users as a category of practice, identity is not a tangible and objective “thing,” something that people “have” without being aware of (Brubaker & Cooper, 2000). Hence, in the following analysis the term identity is understood as an individual’s particularistic self-understanding of his or her location in the social space based on categorical attributes such as race, ethnicity, or tribal origin (or gender or sexual orientation, respectively).<sup>4</sup>

In the following chapters, I will present my case for a conceptual renaissance in thinking about social and political identities and political organization in Europe by returning to medieval concepts. Scholars of nations and nationalism disagree over the origins of national communities. On the one hand, modernist theorists argue that nations are exclusively modern phenomena resulting from the process of modernization, while on the other hand historians and sociologists have argued that nations existed prior to the modern age. I side with the latter, but make an important qualification: It is my contention that pre-modern, specifically medieval, communities based on shared culture and descent were qualitatively different from modern nations. In contrast to modern and contemporary understandings of the nation, the medieval term *natio* referred to broad communities of culture and descent that did not demand exclusive solidarity from their members; furthermore, *nationes* were not regarded as sovereign

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<sup>4</sup> Brubaker and Cooper argue that the term “identity” should be avoided altogether because of its ambiguous and contradictory meanings and its reifying connotations. Differentiating between categories of practice and categories of analysis, they suggest that although “something like identity” exists in reality, the term does not need to be adopted as a category of analysis in order to discuss the phenomenon itself. The vagueness clouding the term, according to Brubaker and Cooper, makes it impractical to adopt “identity” as a category for analysis. While the authors certainly make an important point in stressing the danger of perceiving identities as an objective attribute that individuals “have,” the complete eschewal of “identity” should not be necessary. For a concise definition of the concept can solve many of the problems they present.

and did generally not coincide with the political structure. It is this medieval understanding of the nation that I suggest is worth recovering.<sup>5</sup>

The first chapter deals with the modern understanding of the nation as a sovereign community with claims to statehood. To illustrate the distinct nature of the modern nation as a sovereign community, in contrast to the medieval understanding of the nation, I trace the historical evolution of the concept and the nature of the communities the term referred to. Having arrived at the contemporary understanding of the nation, I explain why national communities became the most prominent principle of social and political organization by reference to modernist theories of nationalism.

The second chapter, in turn, lays out the deficiencies and limitations of the modern understanding of the nation and makes clear why we should engage in the project of rethinking political organization in Europe. I will show how the predisposition for territorial conflict as well as the limitations on effective processing of migration, successful political integration and individuals' possibilities for self-identification, respectively, make it necessary to turn to alternative visions of the nation and the political community.

In chapter 3 I return to the medieval understanding of the nation prior to 1100 and examine in greater detail those features of the medieval *natio* that would make the concept useful and attractive today, focusing in particular on the non-political nature of medieval national communities. I demonstrate that although linguistic differences and origin myths provided powerful foundations for imagining distinct nations, these national communities did not coincide with political entities (e.g. kingdoms or other principalities) or political borders.

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<sup>5</sup> Note, that continuity in the concept of the nation does not imply continuity in “actual” nations; it does not mean that, say, the French nation already existed in medieval times, but that the category ‘nation’ was available and used by medieval individuals to make sense of their social environment.

The last chapter explores how and to what extent the medieval understanding of the nation can be applied in contemporary Europe in rethinking political organization and disentangling our political and cultural identities. In anticipation of the critique that national communities are imperative for the well-being of political communities, I introduce the medieval corporate vision of community as a source of solidarity and cohesion for political communities in the absence of the nation. Finally, I suggest the medieval dialectic of the individual to explain the individual's experience of multiple identities – cultural and political – resulting from the separation of nation and state.

At the outset of Müller's discussion of constitutional patriotism as an alternative to the nation-state, he reminds us that political theory "should provide the concepts, [and] the languages, to allow citizens to rethink what they might or might not have in common, and what they perhaps should have in common" (Müller, 2007, p. 8). This work contributes to the effort of providing more adequate ways for individuals to see themselves as members of both cultural and political communities. Yet, my work distinguishes itself from existing attempts to rethink the nation, and Europe's political order in particular, for I do not seek to expose new normative ideas about the political order, nor do I propose a post-national structure. Instead, I present here the possibility of an a-national political order based on medieval models.

## Chapter 1: The Historical Evolution of the Modern Nation

Imagined communities of solidarity based on shared language, culture, or descent have existed among men for millennia (Geary, 2002, pp. 41-62; Smith, 1987). Love of birthplace, preferences for our own language as the only one in which we feel truly at home, pride in native characteristics, and discomfort in encounters with the foreign appear to be some of the oldest and most primitive feelings of men (Kohn, 1948, pp. 4-6). The term “nation” to refer to such communities, in turn, originated in the Roman Empire, where *natio* referred to a group of foreigners united by place of birth or provenance. Stemming from the word *nascor*, “I am born”, whose perfect form is *natus sum*, “I have been born”, a *natio* was “something born.” As is often the tendency today, foreigners living in the larger cities of the empire banded together in order to speak their native language and maintain their familiar customs, and these communities, larger than a family but smaller than a clan (*stirps*) or people (*gens*), were called *nationes*. Notably, national belonging was originally ascribed by others and was “linked in a conspicuous way with the negative demarcation of foreigners from one’s own people” (Habermas, 1998, p. 401). The Romans never designated themselves as a *natio* (the Romans belonged to the *populus Romanus*) and the concept indicated the inferior status of foreigners below the stratum of Roman citizens (Zernatto, 1944, pp. 351-352).

In the early medieval period, prior to the twelfth century, *natio* no longer referred exclusively to foreigners of common origin within a majority, but to various imagined communities. Differences in language, mode of living, customs, law, and imagined descent (expressed in origin myths) functioned as markers of group-belonging in various contexts. Note that law, deriving from custom and mores, was originally a cultural not a political attribute. Law was not applied territorially but practiced among groups of people, and different



legal codes for different groups living in the same political entity were common. Having lost its derogatory connotation, the *natio* “indicated a fairly indefinite interrelationship of tribe, tongue, and region...” (Huizinga, 1959, p. 107). Importantly, these cultural communities were not regarded as sovereign – for the notion of sovereignty itself was absent from medieval thought before the sixteenth century (Lesaffer, 2009, pp. 309-310; Strayer, 2005 [1970], p. 9) – and they also generally did not coincide with political units.<sup>6</sup>

The highly heterogeneous political and legal order in Europe arguably prevented the politicization of national consciousness. Because the various political entities were of different nature, authority to rule was derived from different sources, and the “international” and “domestic” orders were confusingly intertwined, no uniform focus of politicized nationality existed throughout Europe (Lesaffer, 2009, pp. 156-157; Strayer, 2005 [1970], pp. 14-15, 31, 83). National identities undoubtedly became more prominent and more important in centuries leading up to the 1100 and gained relevance in the political sphere, yet as the events of the First Crusade (1096 – 1099) demonstrate they were not thought of as inherently political entities.

As Jay Rubenstein notes, the First Crusade probably played a part in the establishment and deepening of national identities in Europe, particularly in France. The image of the “chosen people” and the tendency to conflate the Israelites of the Old Testament with the present-day Franks was a wide-spread habit of thought. Appealing to the story of Exodus and the return to the Promised Land, the Franks believed they were realizing God’s plan for history (Rubenstein, 2011, pp. 320-322). Pope Urban II, as imagined by Robert of Rheims, spoke of the “race of the Franks” as “chosen and beloved by God ... set apart from all nations by the

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<sup>6</sup> The nature of medieval national communities before 1100 will be elaborated in greater detail in chapter 3.

situation of your country, as well as by your catholic faith...” (Robert of Rheims, 1971, p. 26).<sup>7</sup> In turn, the self-image as “chosen people” is one of the most powerful inducements for the development of national communities (Smith, 2003), and so we can assume that the First Crusade was conducive to the institutionalizing of national communities. Yet, the Frankish nation was not (or, rather, could not have been) viewed as a *political* community since France was not yet politically unified and its members belonged to different principalities (Lesaffer, 2009, pp. 206-210). Instead, the Frankish nation was an idea of cultural community that spanned a variety of political entities.<sup>8</sup>

I propose the year 1100 as a turning point in the way nations and political communities were perceived because at this point national groups *began* to be associated with political units. These units were not states in the modern sense but nevertheless an understanding grew that populations constituting a political entity were also communities of custom and descent. Obviously, any date to delimit historical epochs is somewhat arbitrary, but the eleventh century can be justified here because the earliest evidence of political organization along cultural (or national) lines dates from this period.<sup>9</sup>

Two related, yet nevertheless separate processes can be distinguished between 1100 and 1600. On the one hand, people’s perception of the nature of political communities changed as

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<sup>7</sup> All translations in this thesis are by the secondary authors cited or by the translator of the respective editions (see bibliography), unless otherwise indicated as my own.

<sup>8</sup> The Norman Conquest constitutes another historical instance that must have contributed to the strengthening of national identities; the Anglo-Norman kingdom will be discussed in greater detail below (chapter 3).

<sup>9</sup> The association of national communities with political units begins around the same time that Collin Morris (1972) has located the “discovery of the individual.” Whether and to what extent the two developments are related has yet to be explored. One possible story would be that the increasing awareness of the self and of the uniqueness of the self sparked reflections on similarities and differences to others. In turn, subjects of a political unit may have been conceived as nations because legal developments led to the transfer of emotional allegiances from Rome to the local kingdom, see p. 17.

loyalties of kingship came to coincide with the solidarities of supposed common descent and law. Kingdoms and peoples [cultural communities] came to be seen as identical – not invariably, but sufficiently often for the coincidence of the two to seem the norm to contemporaries (Reynolds, 1997, p. 260).

On the other hand, the concept of the nation underwent a series of profound metamorphoses, adapting to the changing reality of the cultural and political order, until arriving at its modern meaning as a *sovereign* community.<sup>10</sup> Below, I will first discuss the changes in the meaning of the concept *natio* between the twelfth and fifteenth century, focusing on the semantic evolution in the context of universities and church councils; then, after sketching the origins of state formation during the same time period, I look at changes taking place in the way medieval men thought about cultural (national) communities and political communities. Note that kingdoms, or incipient states, increasingly came to be seen as constituted by communities of custom, law, and descent, but that this congruence was not yet implied in the meaning of the nation concept itself. Finally, I try to bring the two developments together by reference to developments in England in the sixteenth century.

According to Johan Huizinga, “two fields *outside* [emphasis added] direct political and hierarchical relationships where the people[ ] of Europe constantly came into contact with each other in a manner forcing them to associations and understanding on the basis of mutual trust” were especially fruitful for the development of the concept of the nation: trade and universities (Huizinga, 1959, p. 114). In the important commercial centers, such as Bruges in the Low Countries, merchants came together from all across Europe and usually united into

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<sup>10</sup> Greenfeld refers to this semantic evolution as “‘the zigzag pattern of semantic change’. At each state of this development ... [t]he available conventional concept is applied within new circumstances, to certain aspects of which it corresponds. However, aspects of the new situation, which were absent in the situation in which the conventional concept evolved, become cognitively associated with it, resulting in a duality of meaning. The meaning of the original concept is gradually obscured, and the new one emerges as conventional” (Greenfeld, 1992, p. 5).

*nationes*. “These ‘nations,’” Huizinga remarks, “undoubtedly served to strengthen the sense of national cohesion, but their field of activity was generally limited to the town harboring them” (*ibid.*).

In the context of medieval universities, on the other hand, the effect of “nation formation” on the idea of the nation was much stronger. Coming from places all across Western Europe, students were as much foreigners in university towns as once were the immigrants into Roman cities. Young and often poor, they had to depend on each other for protection of their rights and sometimes their lives. What is more natural than that they should form groups according to their geographic origin or their language, laws, and customs? (Huizinga, 1959, pp. 117-118; Zernatto, 1944, pp. 353-354). The university of Paris (existing since the mid-twelfth century) had four nations: *l’honorable nation de France, la fidèle nation de Picardie, la venerable nation de Normandie* and *la constante nation de Germanie*. The *nation de France* included all students who spoke Romance language, i.e. French, Italians, and Spaniards; the Picard nation was reserved for the Dutch; that of *Normandie* for people from the Northeast; and the German for students from England and Germany. Similarly, at the University of Prague, the student body was divided into the Czech, Bavarian, Polish, and Saxon nations, based on territorial associations (Zernatto, 1944, pp. 353-355). Wherever universities developed in the following decades, the system of nations was adopted.

In the university setting, the meaning of *natio* underwent its first important semantic change. As a result of the customary vigorous debates among the student *nationes*, certain common opinions were formed among its respective members. Having lost its derogatory meaning, the word thus acquired a new, additional meaning, referring now to “a community of origin, a union of purpose, and a community of opinion” (Zernatto, 1944, p. 354). Again,

this early “national” identity was relevant only in the context of encounters with the foreign; as students returned home upon completion of their studies, these labels and corresponding identities were usually shed (Greenfeld, 1992, p. 4). Note that the term *natio* continued to be used in settings other than the university and to refer to a range of different cultural communities; however, the usage in medieval universities was critical in the concept’s semantic evolution and the gradual adoption of a political meaning.

As universities sent representatives for the adjudication of ecclesiastical questions at church councils during the thirteenth century, the word *natio* underwent yet another transformation. According to Huizinga, the popes themselves – probably inspired by the divisions at universities imported by the representatives – were the first to introduce the “national principle” into ecclesiastical organization “as a counterweight to the power of the cardinals” (Huizinga, 1959, p. 116). Beginning at the Council of Lyon in 1274, the archbishops and bishops met by nations alongside and in opposition to the cardinals. Final voting at the Council of Vienne in 1311-1312 took place nation by nation, and by the time the Council of Constance met in 1414-1417 to restore the unity of the Church “the principle of nations was indisputably master” (*ibid.*). Yet, who actually constituted a nation remained contested. The prelates at the Council were originally divided into four nations – German, French, Italian, and English – but the English (unsuccessfully) protested against the French claim to form their own nation on grounds of their (alleged) lack of coherence. The cardinals asked to vote as a fifth nation, which was rejected (arguably for political reasons), while the Spaniards were eventually admitted as a nation (Huizinga, 1959, p. 116).

Several points deserve particular attention in this picture: In the first place, the dissension at the councils illustrates the gradual process by which the demarcation criteria for

nations were negotiated. Medieval men realized that the ecclesiastical nations did not correspond to the existing political entities (for instance, representatives from Savoy, Provence, and large parts of Lorraine voted with the French nation although these regions belonged to the jurisdiction of the Holy Roman Empire), but representatives debated over what made for distinct nations. Ecclesiastical ties, dynastic bonds, or maybe language? Secondly, the self-understanding of nations at the church councils demonstrates the changing meaning of the concept with regard to the functions of the nation. The *nationes* at the church councils were perceived as representing the entire population of their respective regions. As a result, nations became intimately associated with a piece of territory. More importantly for the immediate developments, however, a *natio* came to mean above all a representative body and by extension a political, cultural, and social *elite* (Huizinga, 1959, p. 116; Zernatto, 1944, pp. 357-361). Zernatto cites Montesquieu, Joseph de Maistre, and Schopenhauer to demonstrate how late the accepted understandings of the nation was as *a political and cultural elite* (Zernatto, 1944, pp. 361-363).

Contemporaneously we observe in Europe the gradual formation of the *state*. Joseph Strayer locates the origin of the modern state around the same time I situate the emergence of politicized national communities. Between 1100 and 1600, he argues, elements of the state emerged in Western Europe: The persistence of human communities in space and time allowed for the concretization of political entities and the development of distinct patterns of organization; “impersonal, relatively permanent political institutions” were formed, specialized for the execution of particular tasks in the polity; authority and prestige of the ruler grew and contributed to the expansion of *de facto* sovereignty; and finally, a shift in loyalty took place “from family, local community, or religious organization to the state” and the state

acquired “the moral authority to back up its institutional structure and its theoretical legal supremacy” (Strayer, 2005 [1970], pp. 5-10).<sup>11</sup>

Basic elements of the state – permanent institutions for financial and judicial business as well as a central coordinating agency, the chancery (Strayer, 2005 [1970], pp. 26-34) – appeared almost everywhere in Europe during the twelfth and thirteenth century, but their timing was uneven. We find evidence for incipient state institutions comparably early in England (and Normandy), already under the reign of William I the Conqueror (r.1066-1087). Immediately after the conquest, William was able to integrate France and Normandy into a single polity subjected to the same king and the same aristocracy by replacing the English nobility with a new Norman aristocracy and implementing a strict feudal hierarchy (Douglas, 1967, pp. 265-288; Garnett, 2007). The result was a rather effective and uniform rule with a large degree of central royal control. For example, a central office for the management of all royal and ducal revenues existed and William was also able to influence the administration of justice. Both in Normandy and England he used local units of justice to introduce a standardized jurisdiction by issuing writs for the shire courts and dispatching members of the *curia regis* to conduct local trials of particular importance (Douglas, 1967, pp. 305-308). Even so, one must note that the essence of William’s government was a personal monarchy and that under his reign royal administration was still the responsibility of the king’s personal servants; important developments would take place under his successors, including the effects of Magna Carta on the image of kingly rule (Douglas, 1967, p. 293; Strayer, 2005 [1970], pp. 36-49).

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<sup>11</sup> Strayer points out that “sovereignty existed in fact long before it could be described in theory (1300 AD as opposed to 1550)... [T]he turning point was the recognition of the need for a final authority, not the [actual] possession of a ‘monopoly of power’” (Strayer, 2005 [1970], p. 9).

We find embryonic ideas about the state (as compared to practices of statecraft) in the thought of Robert de Meulan (1046-1118), adviser to William II (r.1087-1100). Orderic Vitalis, recounting a speech by Robert, has him saying that those “to whom the common utility [*communitas utilitas*] is committed by Divine Providence, ought to seek after the safety of the kingdom and of the church of God” and, further that it is permissible to overstep traditional morality if the protection of realm and church require it (Orderic Vitalis, *The Ecclesiastical History of Orderic Vitalis*, cited in Vaughn, 1987, p. 165). Expressed here is the king’s responsibility for the public welfare and, by extension, a first notion of *raison d’état*. As Sally Vaughn observes, Orderic’s formulation indicates “a subtle change in the relationship between king and people” as the king’s “responsibilities were becoming more explicit and increasingly dependent on royal policies carefully calculated and effectively enforced” (Vaughn, 1987, p. 166). Robert thus clearly exhibits an awareness of the tasks that would soon be ascribed to the state.

For France, as for England, the unification of the polity and the establishment of effective central control were critical in the development of the state. Under the rule of Philip Augustus (r.1180-1123) the French polity, large parts of which had thus far been under the lordship of the English king, was brought under the control of a single government through negotiations, war, marriage, and inheritance (Strayer, 2005 [1970], pp. 49-50; Baldwin, 2010, pp. 3-5).<sup>12</sup> An accounting record for the complete fiscal year 1202-1203, in turn, provides evidence of the existence of essential institutions by the beginning of the thirteenth century: Judicial functions were fulfilled by the *baillis* who would “hold monthly assizes [in the

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<sup>12</sup> Until the early thirteenth century, the Angevine kings of England ruled Normandy, Britany, Anjou Maine, Touraine, and the vast duchy of Aquitaine, i.e. most of North-Western France.



provinces] at which they received appeals, did justice, defended royal rights and recorded judicial fines due to the king” and *prévôts* were responsible for the collection of royal income. A royal chancery, tasked with the drafting of charters also existed, and, notably, all clerks and officials received a salary for their services (Baldwin, 2010, pp. 98-114). In order to merge the growing realm and its highly diverse provinces, the bureaucracy was expanded over the course of the following decades and France developed a many-layered bureaucratic and administrative structure that made possible the exercise of royal authority throughout the realm. By the end of the thirteenth century, according to Strayer, “the sovereignty of the French king was clearly established” (Strayer, 2005 [1970], pp. 51-56).

Finally, Germany constitutes an ambiguous example. Under the Ottonians and the first two Salian rulers (983-1056), preceding Strayer’s historical threshold, certain incipient state institutions were formed and a move took place from patrimonial to more formalized rulership. The German kings brought a rather large and diverse territory under their control and instituted a hierarchy of office-holders, with the king sending out commands to the localities (Reuter, 1991). There is even evidence that the idea of the kingdom existing independently of whomever held it could be formulated. In a famous anecdote, Wipo recounts Henry II saying that “if the king die [sic], the kingdom still exists, just as a ship whose steersman has died still remains” (Wipo, *Wiponis Gesta Chuonradi*, cited in Reuter, 1991, p. 286). Yet, this abstraction was made “more easily at the level of rhetoric than at that of politics or institutions” (Reuter, 1991, p. 286). For the polity remained defined by the personal relationships between rulers and magnates. And while these developments were at the time ahead of the rest of Europe, the process of state formation stagnated in Germany, proceeding only very slowly until the nineteenth century (Strayer, 2005 [1970]).

After 1300 the state grew in strength and loyalty. Internal and external sovereignty was solidified and ideas of consent to government gained importance, necessitating the development of representative institutions. The improvement of bureaucracy and government departments slowed down between 1300 and 1500, but European states “gained time and experience, both of them valuable commodities for a body politic” and thus at the turn of the modern era, the modern state came into being rather rapidly (Strayer, 2005 [1970], pp. 57-104).

Having seen how the state evolved in different parts of Europe, we are now in a better position to inspect the process by which the national community came to be attached to the political community and, in fact, the state – first in practice and later also in theory. Between 1100 and 1300 the idea ripened that populations were united not only by the fact of being subjects of the same ruler, but also by a sense of shared descent and sometimes shared language, culture, and customs. It would be hasty to consider these political communities “national kingdoms,” but it would be equally mistaken to ignore the emerging “medieval idea of the kingdom as comprising a people [cultural community] with a ... permanent and objective reality” (Reynolds, 1997, p. 252). A legal transformation that appears to have been especially relevant in this development was the transfer of the *patria communis* from Rome to local principalities in the early thirteenth century.

For a few centuries a distinction had been made between the local *patria*, *patria propria* or native land, and the *patria communis*, Rome (as Christians all men were at home in the Holy See), and scholars had disagreed over which *patria* deserved individuals’ highest loyalty in times of war (Post, 1964, pp. 446-447). The *theory* of the unity of Christendom in Church and Holy Roman Empire was still flourishing, yet a number of legal scholars now

developed the novel idea that “the local *patria* was *communis* to all within it and independent of Rome and the Empire” (*ibid.*, p. 449). In this theory, by implication and by direct statement, the kingdoms of Europe were no longer part of the Empire, and instead acted as quasi-sovereign. The formulas *rex superiorem non recognoscens* and *rex imperator in regno suo* captured the idea of jurisdictional and legal independence (*ibid.*, pp. 425-454).<sup>13</sup> Around the same time Ernst Kantorowicz, in turn, detects a change in the meaning of *patria* with the recovery of its (classical) emotional value (Kantorowicz, 1951, p. 477). As a result the kingdom was not only legally independent from empire and church, constituting a dominant focus of political allegiance, but as the *patria communis* it also increasingly elicited emotional bonds to land and crown.

As we have seen, kingdoms were able to enhance their authority over law-making, jurisdiction, and taxation, and thereby made their authority felt more effectively by the people living in their realm. Kingdoms and smaller units of government had always been perceived as communities bound by mutual obligation and they were now increasingly perceived as communities of descent as well. Myths about the long common history of the subjects were fostered “consciously or unconsciously, to promote their unity” (Reynolds, 1983). At the same time, being under a single law promoted a sense of nationality for one marker of national communities had always been shared customs and laws. In practice the boundaries of national communities and kingdoms “did not coincide well, but people seem to have thought that they normally did so” (Reynolds, 1983, p. 389). Yet, even though subjects of the same king (or populations of the same polity) were increasingly regarded as *congruent with* national communities, nations were not yet viewed *as sovereign or political in their own right*.

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<sup>13</sup> “The king does not recognize a superior;” “the king is emperor in his realm” (my translation).

The *concept* of the nation underwent its most fundamental change only at the turn of the modern era when the nation itself came to be viewed as a political actor. In her extensive analysis of the emergence of nationalism in the different parts of Europe, Liah Greenfeld contends that the last step in the evolution of the concept of the nation took place in the sixteenth century in England. The word “nation” in its meaning of cultural and social elite, she argues,

was applied to the population of the country and made synonymous with the word ‘people.’ ... As a synonym of the ‘nation’ – elite – the ‘people’ lost its derogatory connotation and, now denoting an eminently positive entity, acquired the meaning of the bearer of sovereignty... (Greenfeld, 1992, p. 6).

In England, the supposed pioneering nation, sustained social mobility had replaced the old ruling aristocracy with a new social elite that had acquired its status through education, necessitating a new definition and justification for aristocracy. Reinforced by the new Protestant egalitarianism, the idea arose that, in principle, every member of the people (the plebs or commons), could become part of the ruling elite, elevating the people as a whole to the dignity of an elite, that is, a nation, and thereby investing it with the right to self-government (Greenfeld, 1992, pp. 27-87).

Ultimately what is at stake in Greenfeld’s analysis is the absorption of the notion of self-determination into the concept of the nation, which had thus far been merely understood in terms of a community of origin and of opinion or cultural values. Greenfeld holds that “this semantic transformation signaled the emergence of the first nation in the world, in the sense in which the word is understood today, and launched the era of nationalism” (Greenfeld, 1992, p. 6). While I disagree with Greenfeld considering this the birth of the nation, her analysis of the concept’s transformation clearly demonstrates the profundity of this semantic change: Including the notion of self-determination marked a decisive turn in the concept of the nation

and would fundamentally distinguish the modern nation from previous communities based on shared culture and descent. In other words, England was not the first nation (for nations existed long before 1100) but may be considered the first *modern* nation.

The attachment of the notion of self-determination or sovereignty to the nation, an imagined community defined in terms of certain shared characteristics, constitutes the most defining feature of the modern understanding of the nation and has decisively shaped the political, social, and cultural experience of modernity as well as our contemporary use of the term “nation.” The process by which “nations” and “peoples” (and eventually states) became conflated in Europe varied for different national communities, England being one instance, yet certain shared features can be abstracted. The idea of sovereignty arose in the sixteenth century parallel to the gradual formation of the modern state. The French jurist Jean Bodin (1530-1596) has been acclaimed the father of the modern concept of sovereignty. According to Lesaffer, “his political doctrine legitimated the independence or sovereignty of the supreme state authority vis-à-vis foreign and domestic powers...” (2009, p. 313). Bodin defined *souveraineté* as “that absolute and perpetual power vested in the commonwealth” (Bodin, 1955, p. 25). By “absolute” he indicates that sovereign state power was neither internally nor externally bound to any higher or different authority. In explaining internal sovereignty, Bodin specifically stresses the original, undelegated or unalienable power of the sovereign, borrowing from the medieval concept of *merum imperium*; the sovereign may delegate power to other bodies or officials, but they can never have it on their own account.<sup>14</sup>

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<sup>14</sup> The notion of sovereignty became formally embedded in “international” law with the work of Hugo Grotius, and subsequently undergirded the Treaty of Westphalia, which is often cited as the legal document that marks the beginning of the modern states system (Lesaffer, 2009; Murphy, 1999).

Whereas Bodin focused on the sovereign, i.e. the ruler, his contemporary Francisco Suarez (1524-1590) specifically locates power in the people. For Suarez, god as the creator is the ultimate source of power, but rulers receive power from the people. He regards the transfer of power from the people to the ruler “as irrevocable, although that does not eliminate the ability of the people to rebel if their ruler’s deeds threaten the existence of the people and the state” (Lesaffer, 2009, p. 316). The idea that “the people” were the source of political power was certainly not novel, having clear precursors in medieval political thought, but Suarez expressed them in the context of the incipient territorial state, where the idea of popular political power met with an abstract notion of sovereign state power.

Heralded by social and conceptual change in England, it was subsequently in the context of the French and American Revolutions that the notion of self-determination became fully popularized and that the abstract idea of political sovereignty was transferred to the “people.” Building on the contractarian philosophies of Locke, Montesquieu, and Rousseau, popular self-determination meant that sovereignty should rest in the people of a given territory (Anderson, M., 1996, pp. 37-38). As John Stuart Mill famously stated, “the question of government ought to be decided by the governed” (Mill, 1910 [1861], p. 360). Consequently, the people became the bearers and authorizers of sovereign state power.

Finally, to move from popular sovereignty – government by the people – to national sovereignty – self-government of the nation – required only a small conceptual step. In the late eighteenth and throughout the nineteenth century a number of German Romantic philosophers advocated the idea of sovereign nations. They believed in the natural, in fact preordained, division of the people of the world into homogenous nations. Language in particular was considered to embody the collective character of a group of people and thereby

to define a *Volk*. “For every nation [*Volk*] is nation: it as its national education as well as its language,” Herder asserted. He spoke further of national character: “For centuries it is preserved in the nation ... for a nation is both a plant of nature and a family” (Herder, 1989 [1784]; my translation).

Critically, for the German Romantics the naturalness of the nation implied a right to self-determination and state sovereignty. For Hegel, “the mind of a nation [*Volksgeist*] ... is divine, knowing and willing itself” (Hegel, 1949 [1821], p. 155). In turn, sovereignty “embodies mind’s actual awareness of itself as a unit” and hence it is “the most fundamental freedom which a people [*Volk*] possesses as well as its highest dignity” (*ibid.*, p. 208). The nation “does not begin by being a state” yet subject to the same determinate principles that govern the rest of the world, the nation’s “transition ... to political conditions is the realization of the Idea in the form of that nation” (*ibid.*, p. 218). As Lesaffer observes, Hegel believed that nations could only exist meaningfully by “determin[ing] their own lot through their deeds, their feelings, and the choices that they made on the basis of free will” (Lesaffer, 2009, pp. 465-466).

For Herder the issue of sovereignty was even more obvious, deriving simply from the nation’s similarity to the family: Because “a family is a product of nature” and “a people is a natural growth like family, only spread more widely,” he argued, “the most natural state is, therefore, a state composed of a single people with a single national character” (cited in Canovan, 1996, p. 8). Similarly for Fichte the natural differences in language granted rights to self-determination; he declared that “wherever a separate language is found, there a separate nation exists, which has the *right* to take independent charge of its own affairs and to govern itself” (Fichte, 1922 [1808], p. 215).

It is interesting to note here, that the reasoning to grant sovereignty to nations was not a political or a moral argument, but an argument derived from the inherent authority of what was perceived as the natural order of the world. As Margaret Canovan observes, for Romantic philosophers a nation had the right to form a state and to call upon the allegiance of its members because “its existence and its historic destiny proceed from a natural order that is assumed to be the source of authoritative values” (Canovan, 1996, p. 7).<sup>15</sup>



If we pause here to take stock of the evolution of ideas discussed until this point, we realize we have come a long way from a community of shared culture and origin to a homogenous, sovereign nation with inherent claims to statehood. There is undeniably a striking conceptual difference between the kind of community denoted by the term *natio* prior to 1100, and the modern sovereign nation that takes concrete shape in the eighteenth century. Through different, yet undoubtedly related paths the people became the bearers of sovereignty and the nation became conflated with the people: In England, for instance, the people were elevated to the status of the nation, understood as ruling elite, whereby the people-turned-nation became sovereign, whereas in Germany, an ethnically inspired concept of the nation was considered to be sovereign in its own right, claiming the status of the people.<sup>16</sup>

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<sup>15</sup> Proponents of national self-determination have since moved away from appeals to natural order, but have not given up the notion altogether. Scholars like Harry Beran, for instance, have presented a liberal-individualistic argument for national self-determination: “Individuals have a right to personal self-determination. Therefore groups have a right to group self-determination... Therefore, groups which are nations have a right to national self-determination” (Beran, 1987, p. 138).

<sup>16</sup> Jürgen Habermas further observes that “the differences between these two paths (from state to nation versus from nation to state) is reflected in the backgrounds of the actors who formed the vanguard of nation and state builder.” In the former case lawyers, diplomats, and military officers were imperative in the construction of state bureaucracy that was later filled with a national spirit, whereas in the latter case, writers, historians, scholars, and intellectuals propagated the image of a cultural nation, that would constitute the “groundworks for Cavour’s and Bismarck’s subsequent diplomatic and military unification” (Habermas, 1998, p. 397). Some scholars refer to these different movements as civic and ethnic nationalism, respectively. Yet, I intend to avoid this distinction



We have seen what unique features characterized the modern nation, but why did the nation become the most prominent principle of social and political organization? Recalling the subjective nature of the nation, the fact that it exists exclusively in the mind of its members, we can ask why so many people imagined and identified with nations? In answering these questions we may look to the modernist scholars of nationalism. Classical modernism argues that “nations and nationalism are intrinsic to the nature of the modern world and to the revolution of modernity” (Smith, 1998, p. 3). While disagreeing over the precise “date of birth” for nations – the English Revolution (Kohn, 1948), the French Revolution, the Partition of Poland and the American Revolution (Cobban, 1969), and Fichte’s *Addresses to the German Nation* (Kedourie, 1960) have all been suggested – modernist scholars share the conviction that “nationalism was the manifestation of a particular *Zeitgeist*” and that nations are the product of “historical developments and of the rational planned activity made possible and necessary by the conditions of the modern era” (Smith, 1998, pp. 17, 19).

As I have argued above, the modern period should not be considered the cradle of nations, but as the decisive turning point in the nature of the communities described as “nations.” Even so, modernist theories are instructive precisely because they examine and specify the social, cultural, and political transformations that constituted the context in which the conceptual change took place. Capitalism, industrialization, urbanization, bureaucratization, and secularization necessitated a new form of social and political organization and this organization was fulfilled by the nation.

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because the reality of nationality is more muddled than the ethnic-civic divide permits and because it clouds the purpose of my project: to distinguish between cultural (ethnic) communities and political communities.

In his seminal work *Imagined Communities*, Benedict Anderson links the appeal of the nation and its European-wide emergence, i.e. the widespread imagining of national communities, to secularization, new conceptions of time, and print-capitalism. According to Anderson, Western Europe in the eighteenth century marks the decline of “religious modes of thought” and the erosion of religious certainties (Anderson, B., 2006, p. 11). The lengthy process of secularization invalidated previous narratives about afterlife, paradise, and salvation and contributed to the fragmentation of sacred communities, requiring a “secular transformation of fatality into continuity, [and] contingency into meaning” (*ibid.*).

At the same time, a fundamental change was taking place in the “modes of apprehending the world” that made individuals receptive to imagining national communities in particular. In the European conscience time came to be perceived in terms of a temporal coincidence, measured by clock and calendar (*ibid.*, pp. 22-36). Anderson explains:

An American will never meet, or even know the names of more than a handful of his 240,000,000-odd fellow Americans. He has no idea what they are up to at any time. But he has a complete confidence in their steady, anonymous, simultaneous activity (*ibid.*, p. 26).

The simultaneous consumption of newspapers – a modern commodity – Anderson suggests, is symptomatic for the imagining of community enhanced by modernization. Each reader is “well aware that the ceremony he performs is being replicated by thousands (or millions) of others of whose existence he is confident, yet of whose identity he has not the slightest notion” (*ibid.*, p. 35).

Print-capitalism, in turn, made it possible and self-evident for a growing number of people to think about themselves and to relate themselves to others in terms of national communities. When book-publishing, one of the first capitalist enterprises, started off around 1500, the initial Latin market was saturated within about a hundred and fifty years. Searching

for new markets, print-capitalism turned to the huge markets represented by vernacular languages spoken by the masses. The diversity of spoken languages, “those languages that for their speakers were (and are) the warp and woof of their lives,” was immense. Yet, decisively, publishers did not exploit each potential oral vernacular, but assembled various dialects into print-languages far fewer in number (*ibid.*, p. 37-46). The result was the creation of “unified fields of exchange and communication below Latin and above the spoken vernacular” that could function as realms for imagining community (*ibid.* p. 4).

While Anderson presents a compelling account, his explanation for the emergence of the nation as the most important identity category in Europe is not the only one. Ernest Gellner (1964, 1983), focusing on different elements of the modernization phenomenon, contends that the nation is not only a self-evident community, but also a sociological necessity in modern societies shaped by industrialization and urbanization. “The size, mobility and general ecology and organization of industrial society, or even a society moving in this direction,” he argues, causes the erosion of the “intimate structures of traditional society” and leads to a change in identity. Whereas in pre-modern societies identity is primarily derived from social roles and the structure of society, in modern societies the individual is “obliged to carry his identity with him ... His culture becomes his identity” (Gellner, 1964, p. 157).<sup>17</sup>

Furthermore the industrial mode of production requires shared culture among all members moving among activities of production, and individuals have to be able to

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<sup>17</sup> Gellner’s conceptualization of national identities may appear similar to the way “national belonging” constituted a source of individual identity in the medieval universities. However there are important differences. While in Gellner’s account individuals carry their national identity with them (and national identity, in fact, becomes a constitutive element of the self), the national identities that developed in medieval universities were only applicable in the university setting; upon completion of their studies and return to their home, national identities were shed (Greenfeld, 1992, p. 4). (In practice, individuals often didn’t return home, but continued to travel between universities, but this does not invalidate the point that national identities were only valid in the university setting.)

communicate with large numbers of people they have never met before. In modern society, “a very large proportion of one’s relationships and encounters – in fact, they are encounters rather than relationships – are ephemeral, non-repetitive, and optional” making “communication, symbols [and] language ... crucial” (Gellner, 1964, p. 155). Thus in the new urban setting, unified national language and culture replaced the village and tribal structures of role relationships as the cement of society. In Gellner’s theory, individuals imagine national communities not because it is inviting or lucrative, but because other kinds of communities, less abstract and more pertinent to the individual’s everyday experience, had been dissolved by modernization.

Finally, a number of scholars regard the modern bureaucratic state as the source and framework of modern nations. We have seen how in the West, the emergence of the state coincided with the modern conceptual transformation of the nation. The levelling of intermediate bodies that had characterized pre-modern political and social organization, and the “growing power and impersonal rationality of the state had left individuals as citizens exposed” and created a vacuum in the social experience of the individual, that was filled by the nation. According to Charles Tilly, the state is sociologically paramount to the nation because it is historically prior. It is through the means of the state apparatus that individual identities are channeled to the state level where citizenship is ostensibly congruent with nationality (Tilly, 1975). Similarly, John Breuilly argues that the nation as an imagined community served to bridge the gap between the state, the absolute realm of politics, and the private realm of civil society, which modernity opened. Defined simultaneously as a cultural and a political community of theoretically equal citizens, the modern nation offered an effective mediator between the two realms (Breuilly, 1993, pp. 55-64).

Regardless of whether the focus is on secularization, industrialization, urbanization, or bureaucratization, respectively, modernist theories of nationalism reveal that the widespread adoption of national identity was the response to fundamental and profound structural changes in society occurring between 1500 and 1900. The adoption of national identity, Greenfeld notes, must have been preceded by the dissatisfaction of the groups which imported it with the identities they previously held. Throughout the period of modernization in Europe individuals experienced what may be called a “crisis of identity” (Greenfeld, 1992, p. 14). Deep societal changes lead to the inadequacy of traditional groups and categories in providing individuals with definitions and self-understandings of their position in the world. The nation as an imagined community based on culture and descent had been available for centuries but not dominant. In the new context, however, it became increasingly attractive for large numbers of individuals searching for self-identification and social belonging. Essentially, national identity was adopted “because of its ability to solve the identity crisis” (Greenfeld, 1992, p. 17). Anthony Smith provides an excellent review of the wide-spread identification with national communities:

Just as the world religions constituted a much earlier response to the predicament of humanity in agrarian societies, with their natural disasters and social cataclysms, so the nation and nationalism represent the fundamental response to the crisis of identity so many human beings faced with the onslaught of modernity on the traditions of their ancestors. Nationalism is the natural response of human beings whose social world, with its stable groupings, has collapsed; yearning to belong to a durable community, they turn to the transhistorical nation as the only available replacement for the extended family, neighborhood, and religious community, all of which had been eroded by capitalism and Westernization (Smith, 1998, p. 97).

I hope to have shown thus far, how in the modern period the nation acquired an additional meaning as a sovereign community, implying rights to statehood, and how, in turn, the nation and the nation-state have become the highest ordering category of social and

political life as well as the locus of primary solidarities and identities. Why the modern understanding of the nation is not only problematic and prone to conflict, but also limiting will be the topic of the following chapter.

## **Chapter 2: Limitations of the Modern Nation**

Today the nation as a category for both cultural and political organization and the primary object of individual identification deeply permeates our world-view, and the way we think about politics and ourselves. The nation-state is no longer exclusive to Europe, either. As pointed out by Smith, “nationalism’s ideal of a world of incommensurable but equal national states, each possessing its own irreplaceable character and destiny ... has come to embrace every part of the globe and has taken deep root in every continent” (Smith, 1995, p. 106). Nation-states are today the only *internationally* recognized structure of political association and pre-eminent not only in Europe, but in the global political order – the word ‘international’ to refer to ‘interstate’ relations is revealing. It is my contention that this worldview has resulted in the almost exclusive focus on the nation-state as the horizon of our actions and thoughts and in the frequent inability to see past the *national* community in approaching *political* questions. Thinking about the populations of states in terms of nations limits us in thinking about the world we live in and in processing, managing, and coping with the transformations, challenges, and problems we face as societies today.

The most obvious critique of the nation-state principle is its predisposition for territorial conflict. With the exception of – arguably – Iceland and Japan, nation-states do not exist. Most states are too ethnically diverse to conform adequately to the national model of statehood and, conversely, national groups live too interlaced to constitute homogenous state populations. As Guntram Herb remarks, “the territoriality of political powers as expressed in the patchwork of colors on the world political map, is discordant with the territoriality of national identity” (Herb, 1999, p. 9). In other words, the nation-state is a utopia – a place that does not exist. In response to the incongruence of nations and states, Smith introduces the

term “national state,” indicating a national majority population, in contrast to the unfulfilled ideal of the nation-state (Smith, 1995, p. 86).

Paradoxically, it is precisely the unattainable nature of the nation-state that is the source of territorial conflict and violence. Where national visions are powerful and combined with claims to self-determination and statehood, the mismatch between cultural and political boundaries leads to the politicization of geographic space: territory, borders, and population groups become contested. Rogers Brubaker describes the resulting national conflicts as “triangular relationships” between

*nationalizing states*, ethnically heterogeneous yet conceived as nation-states, ... the substantial, self-conscious, and (to varying degrees) organized and politically alienated *national minorities* in those states, ... and the *external national “homelands”* of the minorities, whose elites ... closely monitor the situation of their co-ethnics in the new states... (Brubaker, 1996, p. 57).

In the effort to create homogenous and territorially discrete nations, “nationalizing states” attempt to manipulate physical borders to coincide with national populations and vice versa. Dominant national elites may attempt to redraw borders, often by use of force, to include co-nationals living in a neighboring state or to exclude others. Alternatively, they may seek to increase internal homogeneity and cohesion through policies that exclusively promote the “language, culture, demographic position, economic flourishing, or political hegemony of the nominally state-bearing nation” while disadvantaging and suppressing national minorities. National minorities – for obvious reasons – try to resist “policies or processes of assimilation or discrimination” and the external homeland may intervene, again by use of force, to defend minority rights (Brubaker, 1996, p. 57). Taken to the extreme, the “national modification of territory” involves nationalist (ethnic) cleansing, the expulsion or killing of members of other national groups (Herb, 1999, p. 23).



What is more, nations are often emotionally attached to *specific* pieces of land over which they claim exclusive rights, precluding possibilities for compromise. As Herb observes, the significance of particular geographic places or regions “for national territorial control is defined by their physical characteristics (locale), the meaning that is ascribed to them in their national narrative (sense of place), and their position in the larger territorial setting of the nation (location)” (Herb, 1999, p. 22). It is important to stress, that group-based identities including national identities are not naturally prone to group violence; rather, it is the conflation of national identity with demands for political sovereignty, statehood and exclusive control over specific territory that make national identities dangerous. Thus, as long as territorialized nationhood remains a justification for sovereign statehood, conflicts over territory will remain. Even in the Western part of Europe, where international borders have been largely uncontested since the end of the Second World War, national minorities such as the Basques in Spain or the Corsicans in France raise claims for greater autonomy and independence, respectively, on the basis of the nation-state principle.

Even where the nation-state principle does not currently constitute a source of conflict in Europe, we may call into question the nation-state as a viable form of political organization by pointing out the ways in which the principle confines our ability to deal with important issues of our time. In the first place, the nation-state concept prevents effective processing of migration. While the field of migration studies has still to put forth a coherent theory of the causes and consequences of migration, all scholars agree that migration is such a fundamental aspect of human life, that it will not cease anytime soon, if ever. Consequently, European states will face a constant influx of individuals from different national backgrounds that seek to work and live in Europe (Castles, 2004; Massey, 1994). The nation-state principle which

stipulates a nationally homogenous state population, however, severely complicates issues of social integration, cultural rights, political participation, and ultimately citizenship. Simply put, if the state is perceived to be a nation-state (or even a national state, to borrow Smith's terminology), then immigrants remain distinct from the titular national group not only by virtue of their different cultural and linguistic backgrounds (which over the course of generations may fade), but, more importantly, from the perspective of political membership.

The nation-state principle decisively shapes our answers to the question "who can be a member of the people?" Aristotle already pointed out that every state has to have *some* standard or constitutional stipulation for the conditions under which a newcomer can obtain citizenship and thereby become a member of the people (Aristotle, 2000, pp. 100-104; 105-112); today the nation-state principle affects, if not determines, these rules in many European countries. As Habermas observes, the nation-state idea "leads to a double coding of citizenship" with the result that "the legal status defined in terms of civil rights also implies membership in a culturally defined community" (Habermas, 1998, p. 404). Yet, as immigrants acquire rights to employment (and sometimes welfare), contribute to the "national" economy, and send their children to school, "it becomes harder to see them as temporary outsiders in society" and to justify their exclusion from political participation (Castles, 2004, p. 869). Furthermore, many countries in Europe are now facing the manifestations of failed social integration of migrants. It appears that citizenship rights may constitute the most effective incentive for integration and full participation in society by endowing immigrants with means to influence politics and ultimately their own future within society (Gathmann, 2015).

International migration is an indispensable factor in the European economy. Yet, the way we think about political communities as national communities, is in contradiction to the

way our societies are becoming increasingly multinational as a result of migration and economic evolution. Massey rightfully points out that international migration poses

strong challenges to the very concept of the nation-state and the idea of *national* sovereignty, requiring political leaders and citizens in both sending and receiving nations to move beyond nineteenth-century conceptions of territory and citizenship to more expansive notions that embrace the transnational spaces that are currently being formed throughout the world as a result of massive circular migration (Massey, 1994, p. 51).

The fusion of national majority culture with citizenship must be dissolved for different cultural, ethnic, and religious forms of life “to coexists and interact on equal terms with *the same* political community” (Habermas, 1998, p. 408). Put differently, in order to accommodate social and economic realities, it will be necessary to let go of the nation-state and embrace multinational political communities.

The nation-state’s viability for political organization can be questioned in second way. The nation-state principle limits the success of political integration, specifically in Europe. The European Union is constituted as a “supranational” (in fact, supra-state) political union where negotiated power is delegated to a central authority by the governments of the member states based on the principle of subsidiarity.<sup>18</sup> The member states of the European Union have agreed “to transfer some of their [sovereign] powers to the EU institutions in specified policy areas. Thus EU institutions make supranational binding decisions in their legislative and executive procedures, budgetary procedures, appointment procedures and quasi-constitutional procedures” (European Union, 2016). As a consequence, EU member states are no longer fully sovereign for in some policy areas decision-making power rests with a higher authority

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<sup>18</sup> The principle of subsidiarity in the context of the European Union refers to decision-making at the lowest level of authority. According to Article 5 of the Treaty of the European Union, it “aims to ensure that decisions are taken as closely as possible to the citizen and that constant checks are made to verify that actions at EU level is justified in light of the possibilities available at nation, regional, or local level.”

and national laws may be overridden by “supranational” laws. The trade-off between losses of sovereignty to the EU and the gains from economic and political solidarity and stability remains controversial for some observers.

Even so, a prominent theme in public discourse on the European Union has been the way in which European integration has compromised *national* identities. Opponents have argued that the European Union threatens to level national differences and will divest individuals of their unique national cultures. A British newspaper reported that open borders were a central part of the EU’s

ideological project to create a new federal Europe through the abolition of borders and the destruction of national identities... [G]overnance by Brussels means that the traditional concepts of nationhood and allegiance are fast becoming an irrelevance as Britain slides into the status of a province within the EU’s empire (McKinstry, 2013).

The sentiment of having to protect national communities against European integration is even stronger in the views of rightist politicians. According to Geert Wilders, European leaders

aim to turn it [the EU] into a state. To this end they are destroying the wealth, identity and freedoms of the existing nation-states of Europe... The EU supranationalism has brought the once prosperous, sovereign and free nations of Europe economic misery, a loss of national identity, [and] the demise of freedom and independence (Wilders, 2013).

In an interview with *Spiegel* French politicians Marine Le Pen, in turn, advocated the destruction of the EU to protect national culture: “I want to destroy the EU, not Europe! I believe in a Europe of nation-states... Everybody should be able to choose according to his own values and history...” (Le Pen, 2013).

What these critics have in common is their perception of political integration as identical with the flattening of national cultures. I suggest that it is because the nation-state principle ties national identity to the state, that “supranational” integration and the limitation on state sovereignty have been perceived as a challenge to national identity. Because states

are thought of as nations, individuals confronted with the European Union fail to differentiate between their national cultural communities (and identities) and their political communities, and consequently resist European integration to protect their national identity. Some proponents of European integration have appealed to shared European culture and history to encourage identification with the European Union, but this seems to be missing the point. The European Union is a political (and economic) community, which should be viewed as composed of different national cultural communities.

In order to encourage greater acceptance and identification with the European Union as a political community, European citizens need to consider the political functions of their respective states apart from their national cultural affiliations. National states now share sovereignty with the European Union and certain political tasks have been delegated to this higher authority, arguably, to be more effective in their execution. None of this touches the nation. As such, the EU makes a good case in point for the manner in which various national groups could constitute a single political entity and could, in fact, be a model for multinational polities at the state level.

Political integration is not only relevant in Europe, however. In general, the nation-state principle obstructs the ability to act collectively across national borders by pitching the horizon of political interests and solidarities at the national level. Increasing globalization – global networks of transportation, information and communication technology, and economic integration and interdependence – has altered the scope of impact of what appear to be local issues or conflicts. Unlike the civil war between Christians and Druzes in Syria in the early 1860s (Bass, 2008, pp. 153-232), the current political crisis in Syria is no longer a local problem. Local issues have become globalized, so to speak, and demand cross-national

solutions. And yet, the nation-state principle often seems to instill a “why should we care”-mentality because political issues are understood in terms of national issues. Because political loyalties are defined in national terms, individuals – including individuals in power – fail to see past the national community in considering political responsibilities.

Finally, the nation-state principle conceptually limits individuals’ possibilities for identification and to define their roles in society. By marrying national identity with political loyalties, the nation-state privileges a specific cultural community over other communities or roles from which individuals may derive their sense of self. The nation-state makes concern for the national community and co-nationals the underlying rationale for political opinions. This is to a considerable extent a consequence of language for when we speak about state-level politics (or federal politics in the United States) we have very few, if any, other options but to refer to national politics and thus to the nation.

Yet as Eric Hobsbawm reminds us, “we cannot assume that for most people national identification – when it exists – excludes or is always or ever superior to the remainder of the set of identifications which constitutes the social being” (Hobsbawm, 1990, p. 11). Individuals may identify strongly with other communities such as smaller or larger geographic entities, social class, profession, religion, or gender. But the way we think about politics as nations does not leave sufficient room to appreciate other communities and identities. Western language and dominant discourse, indeed, do not provide the categories and concepts that would allow individuals to express their identity in terms other than national. For these reasons, Allen Buchanan goes as far as considering the practice of privileging national identity as discrimination:

To confer special rights of self-government on nations... is an insult to the equal status of every citizen whose primary identity and allegiance is other than national and to all

who have no single primary identity or allegiance. In a word, singling out nations for self-government is a form of *discrimination* and like all discrimination violates the principle of equal respect for persons (Buchanan, 1997, p. 295).

Thus in order to fully embrace the multiplicity of identities that make up a person, we need a more comprehensive framework that accommodates both political and various cultural identities.

We have seen how the nation became the most prominent principle of social and political organization between the seventeenth and twentieth century as the response to the fundamental and pervasive transformations of modernity. Yet today this politicized nation is not only inherently unattainable, but also conceptually limiting the way we approach contemporary issues including immigration, political integration, and international solidarity. It follows that precisely because the nation-state principle addressed the challenges of modernization, the concept does not work effectively anymore. Today's multiethnic societies in a globalizing world face different challenges – both practical and conceptual – than modernizing societies used to and therefore we require different concepts and categories to think about ourselves and the world.

This is not to suggest that the nation-state should be an evolutionary necessity in the modernization process (although some modernist scholars would undoubtedly argued so). For the inherent violent and exclusionary potential of nation-states always makes alternatives to the nation-state desirable. Yet, even *if* arguing within a modernist paradigm, one has to acknowledge that in a post-modern world the nation-state is no longer the most appropriate concept for political organization and discourse in Europe. As Habermas points out,

the nation-state at one time represented a cogent response to the historical challenge of finding a functional equivalent for the early modern form of social integration that was in the process of disintegration. Today we are confronting an analogous challenge... [W]hen the nation-state finds itself challenged from within by ...

multiculturalism and from without by the pressure of globalization, the question arises whether there exists a functional equivalent for the fusion of the nation of citizens with the ethnic nation (Habermas, 1998, pp. 398, 407).

The remainder of this work will discuss the possibility to meet contemporary challenges by depoliticizing the nation and returning to the early medieval understanding of the nation.



### Chapter 3: The Medieval Understanding of the Nation Prior to 1100

I have thus far talked about medieval national communities before 1100 only very briefly, and focused instead on showing how the distinct features of the modern nation, a sovereign community with rights to statehood, have emerged. It is now time to consider medieval communities before 1100 and particularly the *natio* in more detail. As mentioned above, the issue of national communities during the middle ages has long been contested and continues to involve some disagreement. Notably, whenever some modernist scholars do acknowledge the existence of national communities during the medieval period – roughly between 400 and 1400 – they either consider these communities to be “unfinished” pre-stages of today’s nations or imply that medieval nations were somehow less genuine or less impactful in the lives of medieval men. Susan Reynolds observes that

it seems to be normal [in medieval scholarship] to be taken for granted that the nation-states of today are the true nations of history and that only they can ever have inspired loyalties which deserve to be called nationalist... [A]ny past unit ... which no one claims to be a nation now is *ipso facto* seen as having been less naturally cohesive in the past. It evidently did not enjoy the manifest destiny to solidarity and survival which is the essential attribute of the true nation (Reynolds, 1997, p. 252).

What such a teleological approach results in is the inability to study medieval communities in their own right and to appreciate the manner in which they functioned in medieval society. Yet, the “incomplete” medieval nations were not evolving towards a *teleos*, but served an important psychological function in their own right by allowing individuals to make sense of the world they experienced. Obviously, the Italian nation did not exist during the medieval period like it does today, but the absence of specific national manifestations does not imply that individuals did not think about themselves and others in terms of national communities at all.

One of the essential features of the medieval nation was its embeddedness in a context of multiple and layered jurisdictions of different sizes and multiple identities corresponding to a greater or lesser extent to the communities of which individuals were members. For most of the centuries between the disintegration of Rome and roughly 1100, the political landscape of Europe was fragmented into a multiplicity of unsteady overlapping “complexes of power” (Huizinga, 1959, p. 103). Under the rule of the Carolingian Franks (eighth century) large parts of Western and central Europe were brought under the rather effective control of a single ruler, but during the late ninth and early tenth century imperial power disintegrated again (Reuter, 1991; Lesaffer, 2009, pp. 128-135). Although the successor kingdoms nominally continued to exist, “Western Europe was in practice divided into literally hundreds of medium-sized and small entities – ranging from duchies such as Normandy and Saxony to villages of a few hundred people – governed by local lords who acted as petty kings” (Lesaffer, 2009, p. 134).<sup>19</sup>

The kinds of jurisdictions and communities existing during medieval times thus included kingdoms, principalities, city-republics, ecclesiastical territories, *universitas*, seignories, villages, parishes, and manors (Lesaffer, 2009, p. 314). Reynolds notes that “many people must have thought of themselves (if they thought consciously about the subject at all) as belonging to overlapping groups within their immediate locality and also layers of collective activity beyond” (Reynolds, 1997, p. 138).<sup>20</sup> Specifically, the hierarchical ordering of society implied that individuals belonged to a hierarchy of communities

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<sup>19</sup> Considerable parts of the Germany and Italy were again united under the Ottonian kings, but the extent of the empire was smaller.

<sup>20</sup> In *Kingdoms and Communities* Susan Reynolds (1997) remarks on the centrality of communities in medieval society. Lay peoples’ ideas and assumptions about politics and society, she observes, combined the values of hierarchy and community (p. xlvii). One liberty, or freedom, all free men took for granted was the freedom to act collectively, provided their activities were not subversive. By the same token, the tendency prevailing in modern times to think of collectivity as a threat to individual liberty was foreign to medieval times. For after all, “the most effective defense that a free man had against injustice was precisely the community of which he formed

from their households and families, through villages or towns, up to kingdoms... At every level, moreover, there were overlapping communities such as the communities of guild, parish, and craft within towns, and those of manor, lordship, parish, village, and guild in the country (*ibid.*, p. lxv).

We can assume that for people of lower status, the lowest community in the hierarchy was often the most relevant and the one they felt the strongest bonds of solidarity with.<sup>21</sup> Yet, every individual had to negotiate personally the weight of his or her alliances depending on the context. Unlike in classical modern society where the primary affiliations with and loyalties to the nation were understood rather fixed, medieval identities were multiple and circumstantial (although not freely adaptable). Depending on their needs and intentions, medieval men “seem to have been ready to act collectively in any group that had common interests in the matter at hand” (Reynolds, 1997, p. 138). While the vagueness of the historical sources may create confusion and dissatisfaction for scholars today, it is instructive in its own right: “the effective membership of local communities varied according to the structure of the local economy, society, and polity... [Medieval] people do not seem to have needed nicely defined categories for their collective activities” (*ibid.*, pp. 143-144). Of course, we do not know whether medieval men were aware of the layering of loyalties and communities; it seems to be an accurate description, but it *may* not have been an explicit *idea*. Nevertheless we can learn a lot from this practice for Europe today.<sup>22</sup>

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a part: hence the right to judgment by one’s peers, or by the men of one’s locality and by its custom” (Reynolds, 1997, p. lvii).

<sup>21</sup> Joseph Strayer makes this observation about layered communities in the thirteenth century; while we do not have the same evidence for the centuries preceding 1100, we may assume that is *likely* to have been very similar.

<sup>22</sup> It seems that feudalism, for example, would have made a conscious negotiation of loyalties practically necessary, especially in times of war. In the thirteenth century Johannes Teutonicus and Jean de Blanot both entertain the question of who a vassal owes supreme loyalty to in case of conflict, the king or his feudal lord, indicating that by then ideas about the hierarchy of communities and loyalties were explicitly formulated (Post, 1964, pp. 444-445). But, even though feudal institutions existed prior to 1100, we lack this kind evidence before the thirteenth century.

Among these different types of communities the nation, an additional layer in the hierarchy, constituted *one more possible locus of identification*. Recalling our definition of the nation as a limited imagined community based on shared customs and descent, we find evidence between the seventh and eleventh century clearly suggesting that national communities existed. Two features that appear to have been especially important as sources of national imagining were language (as well as cultural habits), and origin myths (discussed further below).<sup>23</sup> Linguistic or dialectical diversity was striking in the period under consideration (Classen, 2013), and thus it is not surprising that linguistic differences inspired feelings of community. For instance, about 900 Regino of Prüm wrote that “different nations [*diversae nationes populorum*] differ between themselves in descent, manners, language, and laws [*genere moribus lingua legibus*]” (Regino of Prüm, 1890, p. xx; my translation). Note that he mentions a variety of characteristics of national communities, indicating a rather concrete understanding of what constituted *nationes*.

We can detect the emotional content of the nation and the passionate feelings this imagined community aroused in medieval men in *The Life of Saint Goar*, written half a century earlier around 840. Therein the author tells of a German living along the Rhine, who

with a certain national hatred [*quodam gentilico odio*] abhorred all persons of Romance nation and language [*Romance nationis ac linguae*] so much that he was not even willing to view the face of one of them without equanimity. Such an obtuseness born of barbaric ferocity had seized his mind that he could not look upon people of Romance language or nation passing ... without aversion (cited in Huizinga, 1959, p. 108).

As Marc Bloch explains, “the use of the same language draws men together; it brings out the common factors in their mental traditions and creates new ones.” Particularly in “untutored

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<sup>23</sup> Note that evidence for national communities based on language and habit appears about two centuries later (ninth century) than for communities of descent (seventh century).

minds” difference of language “produces a sense of separation which is a source of antagonism in itself” (Bloch, 1972 [1964], p. 28). The experience of otherness – language, culture, customs, and laws – almost everywhere reinforced individuals’ sense of community with those that were more like themselves. And as soon as “the others” in whatever way “seemed to threaten or rival them” the in-group felt “passionately united” (Huizinga, 1959, p. 107). Medieval sources provide ample examples: The French of the Northern parts, speaking *langue d’oil*, hated the Aquitanians in the South, and similarly, although perhaps less violently, the English disliked the Scots, and the Danes the Swedes on grounds of linguistic variations (Huizinga, 1959, p. 107).

Somewhat later, we find similar sentiments of disdain based on differences in customs and manners, too. The French chronicler Rodulfus Glaber (c985-1047) spoke about the Aquitanians as a

vain and frivolous folk who were as affected in their ways as in their dress: they wore their hair cropped half long and shaved their beards like buffoons, wore improper stockings and shoes, and worst of all they could not keep faith. Clearly, their clothing was at least as irritating as their morals (Huizinga, 1959, p. 107).

Bloch refers to sources of the tenth century when he cites examples of contempt and hatred between national groups: The Neustrians elated by their pride in coming from “the noblest region in the world” described the Aquitanians as “perfidious” and the Burgundians as “poltroons.” The Aquitanians, in turn, denounced the “perversity of the Franks” and the people of the Meuse disdained Swabian “deceit.” Finally, the Saxons painted a grave picture of Thuringian cowardice, Alemanian rapine, and Bavarian avarice (cited in Bloch, 1972 [1964], p. 26). The development of such stereotypes presupposes a vision of distinct communities, defined – or at least characterized – by their mannerism, and thus powerfully demonstrates the existence of medieval national communities.

The above examples also serve to show that nations were imagined at different scales. The French, the English, and the Germans were called nations, but so were the Burgundians, the Bretons, and the Bavarians, and apparently also the members of the Romance language group. (Note that in *The Life of Saint Goar*, the author refers to the Romance language-speakers as a “nation.”) What is more, nations were sometimes imagined within nations. While the Burgundians, Aquitanians, and Neustrians perceived important enough differences among each other to foster the imagining of distinct national groups, they were at the same time united by the fact that all spoke Romance languages in opposition to Germanic languages.

While the evidence for national communities based on linguistic and cultural differences dates from the ninth century and after, founding myths for distinct national groups can be found already two centuries earlier. The first descent myths that we know about were recorded during the sixth and seventh century, “when they seem to originate, not in popular traditions, but in the desire of learned clerics both to find honorable origins for their own groups and to make sense of the contemporary world in light of classical and Christian learning” (Reynolds, 1983, p. 375). Reynolds distinguishes three different themes among the mystical origin stories. According to the first theme, coming from the work of Roman historian Tacitus (AD 56 – c117), various “barbarian” people traced their descent back to the three sons of Mannus, the son of the earth. The earliest version of this myth was produced in the sixth century in Byzantium in an attempt “to show the genealogical connections between various peoples” (*ibid.*). The (alleged) genealogies of ethnic groups existing in the sixth century were recorded in the “Frankish Table of Nations” which soon became available in the

West.<sup>24</sup> And although Mannus was not a meaningful figure for most medieval men in the West, scholars occasionally copied and adapted the table “because it provided a model by which the peoples of the time could be grouped and classified” (*ibid.*).

The second theme established the descent of medieval groups from Noah. Isidore de Seville was arguably most influential in this tradition, attributing descent from the son of Noah to a variety of groups. However, he appears to have been particularly interested in the Goths, his own *natio*, and argued that their name was derived from Magog, the grandson of Noah. The scholars following Isidore’s lead focused more narrowly on their own people. The Scots, for instance, “introduced an attractive twist to their own story by deriving their people, not directly from Noah, but from Scota, the daughter of the biblical pharaoh of Egypt in the time of Moses” (Reynolds, 1983, p. 376).

Finally, the most famous theme connected medieval people to the origins of the classical world, notably to Troy following Vergil’s example. The first origin myth linking medieval groups to the ancient world appeared in the seventh century in Fredegar’s Frankish chronicles according to which the Franks were the descendants of a party of exiled Trojans who settled in the Rhineland and obtained their name from their first elected king, Francio. “The story was quickly elaborated,” Reynolds notes, “with the gaps filled in and the genealogies completed in a variety of ways, and from the eighth century on references to it multiply.” A variety of myths were conceived in subsequent centuries that did not only link medieval nations to the Trojans or Aeneas, but also to other classical figures. (Reynolds, 1983, pp. 376-377). In the tenth century, for instance, the Saxon monk Widukind of Corvey retold

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<sup>24</sup> The text appears with minor variations in a variety of different sources in the ninth and tenth century, but the original composition has been dated to the sixth century based on the groups that are listed in it. The title is slightly misleading because it did not only include Frankish groups (Goffart, 1983).

the story of how the Saxons descended from Alexander the Great's army (Widukind, *Rerum Gestarum Saxonicarum* (book 3), cited in Reynolds, 1983, p. 376).<sup>25</sup>

To what extent stories about the origins of groups influenced or represented more widespread beliefs is of course doubtful on first sight. For certainly only a very small part of medieval society, mostly clerical writers, had the time and abilities to engage in the study of origins and genealogies. Yet, it is striking that so many writers adopted "such a wide and haphazard collection of stories with such essentially similar features." The universal character of the origin myths "suggests that the writers who adapted their elements from ancient authorities... have been answering a quite widely felt need" (Reynolds, 1983, p. 378). Whereas differences in language, culture, and habit demarcated groups of people and provided the foundations for the imagining of distinct national communities, origin myths constituted a way to explain and make sense of these differences, and in turn gave greater depth to the image of the nation. It is not clear that linguistic and cultural communities were always accompanied by distinct origin myths (or vice versa), but it is possible that they did at least some of the time. Either way, we can say that nations as communities of language, custom, *and/or* descent were well established in medieval society before 1100 – if not in name at least in practice.

For the purpose of applying medieval categories in contemporary Europe, it is especially relevant that before 1100 national communities were not yet envisaged as constituting jurisdictional or political units and had no administrative significance. As such, the *natio* was fundamentally distinct from the concept of *patria*, which was used to indicate a

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<sup>25</sup> Note that individuals comprising mystical communities of descent are actually extremely unlikely to have been of a single common descent. Biological facts do not correspond to the medieval origin myths for ethnic groups are not as stable across centuries.



specific jurisdiction, a county, or a group of several counties. The meaning of *patria* was equivalent to *terra*, or the French *pays*, and may have implied *Heimat* (place of home), but always remained exclusively a geographic concept free of emotional load (Kantorowicz, 1951, p. 476; Huizinga, 1959, pp. 105-106). Any equation of *natio* with *patria* before 1100 is thus inappropriate.<sup>26</sup>

Instead, national communities transcended the jurisdictions of which individuals were part. It was not uncommon for individuals living in various principalities to identify with the same national community, or for different national groups to live together in a single (larger) polity. Reynolds notes that, regardless of political borders, wherever individuals *felt* that they spoke different dialects or followed different customs or laws, separate myths of descent were cherished (Reynolds, 1983, p. 382). The kingdom of France, for instance, included a number of groups who thought of themselves as having origins distinct from the Franks and from each other. Similarly, various German groups believed in separate origin myths as late as the twelfth century suggesting that they thought of themselves as distinct national groups, while at the same time feeling a sense of solidarity and loyalty to the *regnum Teutonicum*, the German kingdom (Reynolds, 1983, p. 384).

We find evidence for the non-political understanding of the nation both in the way medieval men thought of polities and nations as well as in the way larger medieval polities were actually constituted – as multinational kingdoms or empires. For example, in *The History of the Normans*, Dudo of St Quentin (c.965-1043) ascribes a dream to Rollo in which, sitting

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<sup>26</sup> Gaines Post makes the argument that the idea of *patria* is evidence for the existence of nationalism (and ‘national states’) as early as the seventh century (Post, 1964, pp. 343-449). However, he fails to acknowledge that the term *patria* did not carry the same meaning as *natio*. While the *patria* apparently did create a sense of loyalty and in many places customs and laws obliged kings and subjects to defend the *patria* (and if necessary to die for it – *pro patria mori*), it differed from the nation. For the *natio* was a community of people and solidarity was extended to individuals that shared common features, whereas the *patria* was a geographic concept.

on top of a mountain, he sees thousands of birds of various sorts and colors gathering around the mountain foot. Subsequently, this vision is interpreted by a wise man in Rollo's camp to mean that he will bring together people of many nations under his rule (Dudo of St Quentin, 1998). The idea of the multinational polity is also apparent in Widukind of Corvey's thoughts about the Ottonian Empire. Opposing the title as *Roman* emperor, he argued that the people of the empire were the Franks *and* the Saxons, and that Otto's rule had already been imperial before the coronation by virtue of his kingship over many peoples (Widukind, *Rerum Gestarum Saxonicarum* (book 3), cited in Reuter, 1991, p. 171).

Finally, we may look to the Norman kingdom under William the Conqueror and his successors as an example of how effortlessly different national groups, in fact, different languages, were integrated into a single polity. I have described above in chapter 1 how effectively William integrated the two parts of the kingdom into a single polity. Here we may observe that his kingdom was also composed of two different nations – the English and the Normans – with different languages and customs. William was very aware of the deep-rooted cultural differences and sought to respect English customs during the transformation of the kingdom, but the differences never called into question the combination of the two nations in a single polity (Garnett, 2007; Reuter, 1991). A telling anecdote comes from William of Poitiers' *Gesta Guillelmi Ducis Normannorum et Regis Anglorum*: At the coronation ceremony, the assembled congregation was formally demanded by the bishop of Coutances (from Normandy) speaking in French and the archbishop of York speaking in English whether they would accept the new king (Reuter, 1991, p. 249).

Besides the absence of political or administrative significance, the medieval nation differs from the modern nation in another, defining aspect: It is possible that not everyone

claimed a nationality in medieval times. Principalities, city-republics, villages, seignories, and manors provided the framework in which individuals fulfilled basic tasks of life as well as public duties while the nation had much less, if any, effect on the immediate activities of daily life. Depending on the (geographic) scope of their daily activities and the variety of people a given individual interacted with throughout his life, he may never have encountered anyone “different enough” for him to become aware of his own linguistic or cultural uniqueness. The *natio* was available as a category for identification before 1100, but not all medieval men may have had the occasion or necessity throughout their lives to imagine themselves as part of this larger community based on language, culture, custom, and law. What is more, when individuals did identify with a national community, it is possible that this bond was not, at least not at all times, the most important (most defining) identity and solidarity. For, on the one hand, the Christian faith increasingly demanded individuals’ loyalties, and, on the other hand, the communities within which individuals fulfilled the basic tasks of their lives remained indispensable to their well-being. Whether medieval man felt strongly about his nation depended largely on the setting in which an individual or group was involved.

The medieval understanding of the nation that will be employed in the next chapter as an alternative model for Europe is this: A community with relatively strong loyalties whose members share common language, customs, laws, and/or imagined descent; the medieval nation neither constitutes a jurisdictional unit nor coincides with political borders; it is layered among other identities and communities and may not, or at least not at all time, demand the individuals supreme loyalty.



Even though the idea of the nation as a political community was circulating in medieval thought since about the seventh century and became increasingly entangled with political

communities after 1100 (chapter 1), it is interesting to note that the nation was still not ubiquitous and remained contested among later medieval thinkers. The lack of universal acceptance of national polities is apparent both in the political landscape as well as in the work of medieval political thinkers. Writing in 1324, Marsilius of Padua (1275-1342) remains ambiguous regarding the suitability or necessity for political organization along national lines and does not endorse any specific form of government. “Whether it is at certain times appropriate to have different ... ruling bodies in those different areas of the world which are almost necessarily situated in separate localities, and especially among those who are unable to communicate by words and are greatly distanced by customs and habits...” appears completely irrelevant to his study (Marsilius of Padua, 1993, pp. 191-192). He thus acknowledges the existence of national divisions but does not agree that political units should constitute national communities. Rather than “national self-determination,” the purpose of political government is human perfection and therefore all legitimate rule should rest on consent (Marsilius of Padua, 1993, pp. 180-182; Nederman, 2009, p. 168). As Cary Nederman notes, for Marsilius,

the consent of the community ... was the only legitimate and binding source of political authority... To insist upon the necessity of any constitutional or geographic arrangements in advance would have detracted from the unique competence of the community to determine its political identity for itself (Nederman, 2009, p. 168).

Dante (1265-1321) was considerably more enthusiastic about national communities, especially his own nation Italy, yet he similarly remained hesitant about national *political* communities. His work unmistakably shows his love for Italy and his imagining of the Italian nation. He wrote the first great poems in the Italian vernacular, instead of Latin, and thereby played an instrumental role in establishing a national language for Italy. All the same, Dante’s work entails no thought of Italian political unity. For he was, in fact, a fervent supporter of

the empire (Lesaffer, 2009, pp. 205-206, 224, 347; Reynolds, 1983, p. 388). In *De Monarchia* he advocates universal rule in the form of “a single principality extending over all persons in time or in and over things that are measured in time” (Dante Alighieri, 2011, p. 362). He acknowledges that different national communities may need different laws to accommodate their living situation and character, but does not see the need for them to constitute independent political entities. “It should of course be noted,” Dante writes,

that when we say the human race can be ruled by a single supreme prince, we do not mean that the minutest decisions of each municipality could emanate directly from this single ruler... For nations, kingdoms, and cities have their own characteristics, which have to be regulated by different laws. For a law is a rule [*regula*] to direct life (Dante Alighieri, 2011, pp. 370-371).

Rather, one must understand, that “the human race, in the things that are common and apply to all, should be ruled by him and guided to peace by common rule” (*ibid.*, p.371). Thus in his view, *nationes* with their distinct characteristics and their own laws and customs should coexists within a universal empire.

Finally, Nicolas de Cusa provides evidence that as late the fifteenth century, some medieval thinkers failed “to recognize the emergence of the nation-state, which had been gradually gaining ground in Europe” (Nederman, 2009, p. 182). Instead, Nicolas continued to uphold the ideal of the empire, antithetical to national states, and afforded for local governments merely the role of local agents of the emperor (*ibid.*).

The ideas of these medieval thinkers illustrate that, while national communities came to coincide with political communities (and vice versa) in various parts of Europe between the eleventh and fifteenth century, not everyone agreed that kingdoms or other political units were also units of shared customs, languages, laws, and descent. This controversy surrounding the nation in the late middle ages serves to make the point that the ideas of nations and strong

national identities (in the case of Dante) can fit into diverse forms of political order – an outlook that we can put to work today.

## Chapter 4: Transferring Medieval Concepts to Contemporary Europe

So far I have described the a-political origins of the concept of the nation, shown how the nation evolved to designate a sovereign community with rights to statehood, and explained why this modern understanding of the nation as a sovereign community is problematic and insufficient. We now come full circle in discussing how and to what extent we can usefully apply the medieval understanding of the nation in contemporary Europe. In anticipation of the familiar critique that nations are instrumental to the well-functioning of modern political communities, I specifically address the question how social cohesion and loyalty to the political community can be preserved when supplanting the nation as locus of political identification. For this purpose I introduce the concept of the *body politic*, the medieval corporate vision of community. Furthermore, I consider how individuals can accommodate the different identities that result from the disentangling of state and nation by introducing the medieval dialectic of the individual.<sup>27</sup>

When transferring the medieval understanding of the nation to contemporary Europe, the central idea is to maintain national identities, but not to make them the foundations of our political allegiances. Europe today is home to 45 states and with the exception of Belgium, Cyprus, Luxembourg, and Switzerland most of these could be considered nation-states or, more accurately, national states.<sup>28</sup> Fashioned with an official national language, national

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<sup>27</sup> These ideas that are extensively discussed between the twelfth and fourteenth century, i.e. after the period interesting to us for its national concept (seventh to eleventh century). Since I am not suggesting a linear restoration of medieval society (as a given point in time), but merely want to reintroduce specific medieval ideas and visions into the contemporary discourse on Europe's political order I take the liberty to use concepts from different centuries – the medieval nation prior to 1100, and the *body politic* and dialectic of the individual from later centuries.

<sup>28</sup> This count includes Russia, but excludes the Caucasian countries, Turkey and Kazakhstan. 28 of these countries constitute the European Union since 2013, and all except Belarus and the Vatican City are members of the Council of Europe (as well as Armenia, Azerbaijan, Georgia, and Turkey).

histories and heroes, specific holidays, and anthems praising the titular population, each of these countries claims to be home to a unique nation. As Olsen points out, “the modern European state is a polity with considerable overlap between territorial, political, legal, administrative, economic, social and cultural boundaries... [T]he most developed states combine a capacity to control their territory and boundaries with nation-feeling, democracy, and social solidarity” (Olsen, 2005, p. 8). We have seen above how the wide-spread assumption of the state as coinciding with a nation – the conflation of nation, a cultural community, and people, the bearers of political sovereignty – has repeatedly been the source of conflict and violence, and constrains us in the ways we can think about important political issues of our time such as globalization, international migration, and political integration. By adopting the medieval understanding of the nation as distinct from the political order, we can think and talk about European political organization and about our political and cultural identities more freely and more adequately. Even where political units and national groups seem to *largely* coincide (as in much of Europe), the medieval conception of the nation allows us to consider our political loyalties and political issues separately from our cultural affiliations, and to realize that we have distinct political and cultural identities.

In the first place, the depoliticizing of the nation eliminates the violent potential inherent in nation-states. For if political units are not thought of as constituted by or coinciding with national communities, borders and populations do not need to be manipulated to realize a coherent and homogenous national territory. Borders may be contested for other reasons, such as resources or access to the sea, yet unlike national questions these issues leave room for compensation; arrangements through treaties can assure, for instance, access to resources, but it is unlikely that two nations claiming exclusive political control over a territory can settle



their disagreement (Fearon, 1995, pp. 389-390). The modern assumption that nations should be politically self-determining, “compels modern ‘stateless’ nations to accommodate themselves to a state-centric order and to gain recognition as states in the making” (Kaplan, 1999, p. 33). The medieval distinction between national and political communities, on the other hand, leaves room to consider alternative possibilities for cultural autonomy for different national groups within the same political order as the examples of the Ottonian and Anglo-Norman empire show. The Kurdish community in Turkey is a good case in point: While the national politics of the Turkish state have resulted in the marginalization of, discrimination against, and persecution of the Kurds, an a-national political order would allow the Kurdish nation to exist peacefully alongside the Turkish nation in Turkey.

Moreover, the apolitical medieval conception of the nation allows for a more unproblematic vision of the multinational polities produced by international migration and European integration, respectively. Because national and political communities are distinct in the medieval understanding, the state can contain different national groups. By the same token, the people is not understood in terms of the nation and thus “outsiders” or newcomers can be thought of more self-evidently as potentially part of the people. In turn, citizenship rights aid the social integration of immigrants by granting them the possibility to participate fully in society. As such, the medieval understanding of the nationhood permits to actually accommodate conceptually the social and economic realities of international migration.

Likewise the separation of political loyalties from cultural affiliations allows individuals to fully embrace the European Union as a supra-state (not supranational) political body, sharing sovereignty with the member states, without fear of forfeiting their national cultural affiliations so essential to the sense of self. Because nations are distinct from states in

the medieval understanding, European *political* integration would not imply the eradication of national cultures and identities. Europeans today, in fact, already find themselves in a situation similar to the medieval political organization before 1100; they are part of various hierarchical political communities at the same time – their municipality, region (*department*, *Bundeslands*, or *province*), state, and the European Union – and may have different cultural identities – regional and national – too. The medieval understanding of the nation provides a framework to think about the simultaneous membership in these various communities.

Finally, medieval configurations about layered and overlapping political and cultural communities more adequately capture the multiplicity of identifications that make up the individual's sense of self. Obviously, the kinds of communities medieval men identified with differed from the various communities and roles from which individuals derive their identity today. Gender and sexuality, for instance, are likely of greater importance as sources of identity today, than in the past.<sup>29</sup> Yet, the general picture is very similar: individuals used to be and are today part of different communities and occupy different roles with which they identify. Depending on the context in which they find themselves, a different identity may be most relevant to the individual's understanding of who he is. Whereas the modern nation as a locus of primary solidarities and identities is too rigid to accommodate the profound changes to their sense of identity that individuals experience as a consequence of societal transformations and over the course of their lives, the medieval understanding of nations as

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<sup>29</sup> We may be tempted to say that identities are also more fluctuating today. Owing to increasing physical mobility and the virtual access to distant parts of the world by means of communication and information technology, individuals appear less tied to their communities and therefore may identify with changing communities throughout their lives. But there is also some evidence that medieval men changed their identities, too. Reuter, for instance, points out that national identities could change rather quickly. The German emperor Henry II “was admittedly in a sense a Saxon, but contemporaries evidently saw him, or at least his following as Bavarian” although his grandfather had gone to Bavaria only fifty years earlier (Reuter, 1991, p. 200).

cultural communities embedded in a continuum of political, cultural, religious, and other identities, more or less inclusive, provides a vision that accounts for the complexity of selfhood.

The nation remains today a relevant community for identification and a constitutive element of self-understanding for many people, but it is not the only component of individual identity. In order to maintain our national affiliations, while leaving room for other elements of self-identification and also constructively thinking about political communities and political issues today, the separation of nation and political community similar to medieval practices prior to 1100 is more effective and suitable.



A number of scholars have expressed their doubts about the feasibility of a political order not founded on national communities. In her book on nationhood and political theory, Margaret Canovan makes the argument that democracy, social justice, and liberal rights, respectively, presuppose the existence of a community of solidarity and collective enterprise. A political community is not natural, but historically contingent and thus to some extent arbitrary; there is no self-evident marker for membership and, more importantly, no obvious basis for political cooperation. The nation, however, makes the political community *look* natural and is able to transcend the fact that the people is “a mere collection of ever-changing individuals” (Canovan, 1996, p. 23).<sup>30</sup> Furthermore the nation provides a basis for collective endeavor by capitalizing on the members shared cultural and linguistic features – their sameness vis-à-vis others.

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<sup>30</sup> Again, Aristotle already addresses these issues in his *Politics*. In the beginning of Book III he discusses the problem of how to demarcate a territory (on the basis of territory or population) and how to overcome mortality, the ever-changing composition of the polity (Aristotle, 2000, pp. 104-105).

According to Canovan, the sense of collective identity and solidarity supplied by the nation is especially important in democratic polities. The idea that “a representative can speak for a community ... and enter into commitments on behalf of its members” requires an understanding of the community as a *collective*, not merely a *collection* of individuals. Democratic polities that are “able to take action have to be able to maintain some degree of unity and stability in face not only of the competition from other polities but of entropy resulting from the plurality of human beings” (Canovan, 1996, pp. 20, 21). Charles Taylor makes a very similar point when he argues that democracy needs a collective body. A democratic society, he contends,

requires a certain kind of unity, because its people supposedly form a unit of collective decisions... They have to be able to trust one another and have a sense of commitment to one another, or the whole process of common decisions will be poisoned by divisions and mutual suspicion (Taylor, 1993, p. 197).

On this view the nation is an indispensable element of the modern political project. Seeing the wide-spread dependence of political communities and political processes on national communities, Canovan suggests that “the most significant feature of nationhood is its role in generating collective powers, its capacity to create an ‘us’ that can be mobilized and represented...” (Canovan, 1996, p. 3).

Finally, Canovan argues that the institution of civil society presupposes a national community. The civil society functions as a realm of conflict management “in which private and public, individual and social are linked” (Canovan, 1996, p. 39). Yet, what made this form of political and social exchange possible was the formation of the nation as a universal category of belonging. The two preconditions for the “liberal pluralism” of civil society are, on the one hand, “autonomous individuals who feel themselves to be free from ascriptive identities” and, on the other hand, “generalized trust among the members of society” (*ibid.*, p.

40). In other words, civil society was made possible “because individuals had been released from communal identities, and had instead become members of new, more abstract national communities” (*ibid.*).

Like Canovan, Margaret Moore maintains that nations are moral communities because they are imperative for the attainment of the moral good of justice and for the smooth functioning of democracy. Besides the above argument that democracy requires social solidarity and relations of mutual trust, she further argues that “the bonds of affection and solidarities nurtured by a shared national identity” are essential to “support liberal justice” (Moore, 2001, p. 75).

What these thinkers and scholars have in common is a real and justified concern for the source of social cohesion and solidarity among the members of a political community. The political community – the community that legitimizes political power – requires a sense of shared purpose as a rationale for collective action and as a basis for the willingness to compromise in a democracy. In the nation-state the national cultural community fulfills these functions. Yet, by disentangling nation and state and advocating, as I do, a political order deliberately not founded on national communities, it is not possible to rely on the mediating and unifying effect of the nation for political purposes. To overcome the vacuum of solidarity and social cohesion, I therefore suggest recovering the medieval corporate (or organic) vision of the political community, i.e. the idea of the *corpus politicum*.

In the absence of cultural (national) solidarities to undergird political community, medieval men obviously faced the same question of how to ensure unity, cohesion, and loyalty among the members of political bodies. Thus it makes sense to look for answers among medieval ideas, too. The corporate vision of community was pervasive in the medieval

worldview and it is discussed with very few variations by scholars from the fifth to the fourteenth century (although the use of the metaphor becomes more popular in the twelfth century and after). I argue here that the functional identity derived from membership in the corporation fosters loyalty and the necessary cohesion by instilling in individuals the sense of fulfilling an indispensable function.

The metaphor of the body politic was a popular theme in medieval writing to express ideas about politics; one famous account can be found in the work of John of Salisbury (c1120-1180). In the *Policraticus*, he describes the political community as “a sort of body which is animated by the grant of divine reward and which is driven by command of the highest equity and is ruled by a sort of rational management” (John of Salisbury, 1993, p. 38). The position of the soul is held by the clergy to direct the body “just as the soul has rulership of the whole [human] body” (*ibid.*). He goes on to describe in detail the analogies of the other body parts, which for the sake of illustration are worth repeating at length:

The position of the head ... is occupied ... by a ruler subject only to God and those who act in His place on earth, in as much as in the human body the head is stimulated and ruled by the soul. The place of the heart is occupied by the senate, from which proceeds the beginning of good and bad works. The duties of the ears, eyes, and mouth are claimed by the judges and governors of provinces. The hands coincide with officials and soldiers... Treasurers and record keepers ... resemble the shape of the stomach and intestines; these, if they accumulate great avidity and tenaciously preserve their accumulation, engender innumerable and incurable diseases so that their infection threatens to ruin the whole body. Furthermore, the feet coincide with peasants perpetually bound to the soil, for whom it is all the more necessary that the head take [sic] precaution, in that they more often meet with accidents while they walk on the earth in bodily subservience; and those who erect, sustain and move forward the mass of the whole body are justly owed shelter and support (John of Salisbury, 1993, pp. 38-39).

The exact parallels between limbs and political institutions should not concern us here; instead, the passage serves to show how medieval men thought of political communities –

kingdoms, city-states, principalities, universities – as (human) bodies, which in turn, had important implications for individuals' self-understanding.

Recalling Reynolds' observation about the centrality of hierarchy and community in medieval political thought we can clearly detect both these elements in the analogy of the body politic. On the one hand, there is a strict hierarchy between the head and the rest of political community. The ruler is subject to the corporate interest – the individuals united into a single body – and to God, but he is superior to each individual member (and even the collection of individuals).<sup>31</sup> While he considers justice the central principle of corporate community, John nevertheless holds that the ruler, “even if he is afflicted with the vices ... is to be endured as the one with whom rests the hopes of the provincials for their security” (John of Salisbury, 1993, p. 45). The vices of the head are to be tolerated because he ensures public safety. On the other hand, every single member makes an indispensable contribution to the maintenance of the community as a whole, including the ruler. While “inferiors must serve superiors,” those in power have the obligation to “provide all the necessary protection to the inferiors... [W]hat is to the advantage of the humbler people, that is, the multitude, is to be followed; for the fewer always submit to the more numerous” (*ibid.*, p. 43).

Importantly, every member occupies a unique function in society. Marsilius of Padua explains the interplay of individual and collective: The members of the civic body

are directed towards ... numerical oneness [one city or one kingdom] by means of different active or passive arrangements ... through which different people are appointed to different offices. On the basis of these differences of commands, the parts

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<sup>31</sup> The medieval idea that the corporate body is superior to the ruler is, in fact, the vision of rulership and representation that Thomas Hobbes wrote against in the seventeenth century. In the *Leviathan* he practically inverts the corporate understanding of representation. Hobbes' general disdain for corporations is apparent from his discussion of the weaknesses of the Commonwealth: A particular “infirmity of the Commonwealth,” he writes, is “the great number of corporations, which are as it were many lesser Commonwealths in the bowels of a greater, like worms in the entrails of a natural man” (Hobbes, 2002 [1651], p. 248).

and offices of the civic body are themselves also formally different (Marsilius of Padua, 1993, pp. 192-193).

Jealousy or competition was precluded – at least in theory because every part of the body is vital; the “lower could not more long for higher than a finger... could want to be an eye” (Augustine, 1958, p. 541). In turn, each member of the body derives its purpose and identity from its contribution to the whole. According to Marsilius, the ability to “perform its appropriate function” signifies the end of each part, “which also renders intelligible its own essence or identity” (Marsilius of Padua, 1993, p. 193).

The health of the whole body was understood to consist in the peaceful and just coexistence of all parts. From the “good disposition” of the body follows, “for example, the mutual intercourse of citizens, and the interchange of their functions amongst one another, and mutual aid and assistance ... and also participation in the common benefits and burdens...” (Marsilius of Padua, 1993, p. 194). The consequences of disharmony in the body politic, when the different parts do not honor each other’s contribution, are vividly painted in the fable about the man whose limbs conspired against the stomach.<sup>32</sup> Angered by the apparent “laziness” of the stomach, devouring and consuming the things which are obtained by their labor, the other body parts decided to abstain from their contribution and not feed the stomach any longer. As a consequence the whole body grew weak and all members suffered (John of Salisbury, 1993, pp. 48-49). While the moral is obvious, the fable illustrates well the medieval understanding that responsibilities and benefits are essentially two sides of the same coin. The function of

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<sup>32</sup> The fable has two classical sources, Livy’s *History of the Romans* and the Greek fabulist Aesop, yet it was first recorded in the medieval West by Marie de France. Marie’s French version of the story made it accessible to non-scholars as well and according to Nederman, it is possible that John of Salisbury heard her tell the story at the court of Henry II.



each member of the organism is imperative for the well-being of all others. As John of Salisbury observes, only where the members of the political community

are held to their varied occupations and, in as much as the duties of each *individual* [emphasis added] are practiced so that provisions are made for the corporate *community* [emphasis added], so long as justice is practiced the ends of all are imbued with sweetness of honey (*ibid.*, p. 44).

Critical for the project at hand is the way in which the corporate understanding of community shapes a sense of solidarity and cohesion among its members: Each individual is at the same time essential to the community and dependent on it. The understanding that all parts work together to maintain the community, on which everyone depends, creates a lively sense of mutual purpose and cohesion. Likewise, the recognition that each part makes a vital contribution, instills in all members the understanding to look out for each other and treat everyone justly, that is, it fosters solidarity. As John writes, “each individual may be likened to a part of the others reciprocally and each believes that it is to his own advantage to be determined by that which he recognizes to be most useful to others” (*ibid.*, p. 43). Political loyalty thus takes the form of a functional identity and a sense of self-worth.

Notably, this sense of political cohesion is not founded on some shared notion of a “substantive good or a set of goods that generate a fundamental civic identity...” (Nederman, 1992, p. 977). One does not need to share the same outlook on life, or the same cultural disposition in order to be part of the political community. Instead, membership in the community is defined as “a direct result of one’s contribution” and citizenship can be determined by “what individuals *do*, rather than what they are. A person is a citizen by virtue of the performance of certain functions that contribute to the welfare of the whole” (*ibid.*, pp. 978, 983). The corporate vision of (political) community thus provides both tools for the

management of cultural diversity and a source of solidarity and cohesion in view of this diversity.

To what extent can we think about existing political communities as corporations? This is a critical question with respect to the practical feasibility of the ideas presented here. It turns out that the corporation is, in fact, not very far removed from our contemporary political organization. Reviewing the ideas of legal historian Frederic W. Maitland, David Runciman makes the argument that the modern state *ought* to be understood as a corporation. Maitland originally approached the problem of the phenomenological status of the state by posing the question how it was possible for the state to own property, borrow money, and, critically, owe money: “what happens if someone lends a state money and is not repaid? Who owes that person the money?” (Runciman, 2000, p. 95). The simplest answer is to say that the money is owed by the government, those in the state who actually retain the monopoly of coercion. But to understand the government as the debtor implies that the debt has to be repaid out of their private bank accounts; to attribute debt to “any named individuals, however numerous, was to make them personally liable for repayment” (*ibid.*, p. 97). Obviously this refutes the idea of public power (as compared to the personal power of princes) and the state itself.

Alternatively, Maitland resorts to the legal concept of the corporation. For the way in which groups of individuals are generally able to hold property together is as corporations. In order to be able to own and owe money in its own right, the state must be an entity which is constituted by individuals yet exists distinctly as its own body. Maitland briefly considered the possibility to conceive of the state as a trust, but dismissed the vision because “trusts had no clear conceptual foundation, but rested in each case on the terms of the particular trust and

its interpretation in the courts” (*ibid.*, p. 98). In other words, the concept of the trust would not adequately capture the abstractness and universality of the state. According to Maitland (and Runciman), the modern state therefore has to be a corporation.

David Ciepley makes a similar point when comparing republics and corporations. Using the example of the English East India Company, he argues that constitutional republics may be viewed as corporations because they have the same form of government: Both are “operated under a constitution (in this case, a written constitution, or charter), which authorized a property-owning electorate ... to elect a parliament ... which elevated one of its own to the position of prime minister” (Ciepley, 2013, p. 142). While we may not share the conclusion that the corporate vision is indispensable in order to make sense of the state’s actions (and it is beyond the scope of this work to explore the validity of this claim), the examples nevertheless shows why it is *possible* and logical to think about our political communities as corporations.

At last it remains to consider how individuals can accommodate the different identities that result from the disentangling of state and nation. We have seen above the extent to which the multiplicity of communities – political and cultural – individuals are part of today resembles the medieval experience. How can individuals manage and prioritize these identities? Again, I will suggest to make use of a notion that was deeply ingrained in medieval thought. Medieval men managed their membership in different communities and were able to navigate their different identities because individual identity was never derived exclusively from membership in any one community. Rather, medieval men acted within a dialectic relationship between their inner self and their external self – the *forum internum* and *forum externum*.

The distinction between *forum internum* and *forum externum* dates back to the conciliar literature of the twelfth century where it referred to the two broad spheres governed by canon law: “the external forum of ecclesiastical courts and the internal forum of conscience and of penance” (Fumurescu, 2013, p. 96). The external forum is mandatory; one is obliged to appear before ecclesiastical courts if summoned. In contrast, the internal forum is entirely voluntary; no one can be forced to confess or repent (*ibid.*, p.97). Put differently, the *forum externum* captures the individual’s relationship to the Christian community, whereas the *forum internum* pertains to the relationship between the individual and God. More broadly speaking, the two *fora* thus illustrate the way the individual understood his or her relationship to the community. In the *forum externum* the individual was defined in terms of his membership in the community, while in the *forum internum* he existed in his singularity.

Yet, it would be hasty to ascribe sameness exclusively to the external forum and singularity to the internal forum. For as we have seen, the individual fulfilled a unique function in the corporate community. According to Alin Fumurescu,

the interplay between uniqueness and sameness was present in both *fora*. The uniqueness of each individual was secured in the *forum internum* by the fact that one was a morally independent individual, accountable only to God and in the *forum externum* by performing a unique function inside the *universitas* [corporation]. At the same time, the sameness among individuals was preserved in the *forum internum* by the fact that everyone was created in God’s image, and in the *forum externum* by everybody’s membership in the same *universitas* (Fumurescu, 2013, p. 98).

By virtue of this dialectic medieval man was equipped to apprehend himself at the same time as unique and independent and as member of a given community based on shared attributes and interests. Because the individual was always partially understood in terms of his uniqueness or singularity and never exclusively in terms of his sameness, no single community could consume the individual entirely. This allowed medieval men to identify with different

corporations as circumstances required and yet remain his true self at all times. Of course, we cannot know with certainty whether all medieval men actually thought of themselves as acting in a dialectic of *forum internum* and *forum externum*, but we do have some evidence that the distinction and relation between outer and inner self were explicit ideas. In *De institutione novitiorum*, an instruction for novices, Hugo of Saint-Victor stresses the close connection between the outer and inner man: “If inside the heart did not first swell in pride, outside the tongue would not give up its guard of humility and let itself go in invectives” (Hugo of Saint-Victor, 1997, p. 36). Hugh exhorts to constant self-probing of one’s thoughts, speech, and action to bring inner life and outer behavior in tune. “Slowly the same form of virtue will by custom be imprinted on the mind as is conserved by discipline in the bodily posture” (Hugo of Saint-Victor, 1997, p. 48). While Hugh’s focus is on the harmony between inner and outer self, his awareness of the two realms of men’s existence is clear, and we can also see how the dialectic between the two realms may have worked for medieval men through inspection and reflection.

In thinking about the manner in which we have multiple identities today, the medieval dialectic of the individual clarifies how we are never exclusively defined in terms of our membership in *one* community. Rather, we can approach the multiplicity of identifications – political, cultural, and other – by recognizing that *by virtue of* our uniqueness we can be part of different external communities and by the same token can have various identities.

## **Conclusion**

In the preceding chapters I have presented a framework for rethinking European political organization as well as the foundations of political and cultural identities in Europe by reintroducing a number of medieval ideas. Starting from the observation that the contemporary understanding of the nation is insufficient and unsatisfactory in dealing with contemporary challenges, I have shown how the medieval concept of the nation is more suitable in thinking about communities of people, political identities, and political units in Europe today. Let us recapitulate.

Originally a broad cultural community not coinciding with political units, it was shown that the “nation” came to be understood as a sovereign community with legitimate claims to statehood through a series of semantic changes. The idea of self-determination was absorbed into the concept of the nation between the sixteenth and eighteenth century. As a consequence nations claimed rights to statehood, producing nation-states (or national states), and the people and the nation became virtually indistinguishable. At the same time, large numbers of individuals – practically all of Europe – imagined and identified with the new nations because national communities fulfilled important psychological and social (and also political) functions. The forces of modernization had uprooted human beings all over Europe by destroying traditional securities about life and traditional communities and networks, and in search for meaning and a sense of belonging they turned to the nation.

Today, the nation-state constitutes the fundamental ordering principle of Europe and almost all European citizens claim a national affiliation. Yet, with changing circumstances – and changing demands for explanatory concepts – the idea of a sovereign nation and the related nation-state principle are no longer adequate in speaking about communities and

identities in Europe. Quite the contrary, we have seen that under today's conditions of globalization and domestic multiculturalism, the nation-state, in fact, limits us in addressing important political issues: Among other things, the nation-state principle prevents effective processing of migration by prescribing homogenous state populations, and obstructs political integration within the European Union by equating state and nation in common perception. At the individual level, in turn, the nation-state principle limits individuals' possibilities for identification and to define their roles in society by privileging the national community. It appears that precisely because the nation became deeply rooted in the European conscience as a response to the challenges of political and economic modernization, the concept does not work as well today as it did under previous historic circumstances. Political communities face different challenges today than modernizing societies once did and therefore we require different concepts and categories to think about ourselves and the world.

As an alternative to the nation-state I have proposed the medieval understanding of the nation. I have shown that prior to 1100 medieval men identified with imagined cultural communities defined by language, habits, law, and imagined descent. Yet, in contrast to the modern nation, medieval national communities before 1100 did not coincide with political borders (and were also not viewed as sovereign entities). What is more, embedded in a continuum of multiple jurisdictions and non-political communities of different sizes, the *natio* was generally not the locus of primary identification. For unlike other medieval communities (including, for instance, principalities, villages, seignories, and parishes) in which individuals fulfilled public duties and the basic tasks of life, the nation had very little, if any, effect on the immediate activities of life.

In public discourse today, the medieval understanding of the nation would allow us to disentangle the nation-state, i.e. to distinguish between national and political communities, and aide us in conceiving more durable and, in fact, realistic approaches to multiculturalism, immigration, political integration, and globalization. Seeing the nation not as a sovereign community meant to coincide with state borders, but merely as a cultural entity would allow different cultural communities to coexist within the same political order without facing political or physical discrimination. This would invalidate nationalist conflict, accommodate national minorities, facilitate the social and political incorporation of immigrants, and conduce to the political integration of the European Union. Instead of relying on the mediating and unifying effect of the nation for political purposes, the medieval view of the political community as a political *body* also establishes a source of solidarity and cohesion.

Furthermore, the medieval understanding of the nation as one of several layered political and cultural communities provides a vision that captures the complexity of selfhood. The depoliticizing of the nation would reinforce the fact that individuals are today (as they have been in the past) members of several, overlapping communities below and above the nation (and the state) from which they may derive a sense of identity. In turn, the dialectical relationship between *forum internum* and *forum externum* visualizes how multiple, layered and contextual identities can be managed. Not only does this dialectic capture the multiplicity of identifications derived from community membership, but it also accommodates other sources of identity such as gender or sexuality. As such the medieval concept of the individual is relevant beyond the application for European political organization; it provides a model of individual's sense of self in contemporary society.



In combination, the medieval understanding of the nation, the corporate vision of political community, and the dialectic of the individual constitute a comprehensive and coherent alternative for the European political order today – a model that preserves and values national communities and the corresponding identities, but does not make them the foundations of the political order. Today, above all, we need a language to talk about and a perspective to think about national communities separate from political organization and medieval ideas about the nation provide helpful categories.

I will close with a few remarks on the practicality of my propositions. One may ask to what extent the ideas presented above are really feasible as an outlook for the political organization in Europe. In other words, are we today truly able – and willing – to engage in such a project of rethinking the foundations of our political communities and the nature of our identities by resorting to medieval concepts? I will present two specific instances where political communities have self-consciously founded their polities on purposely non-national bases: the United States of America at their founding and Western Germany after the Second World War.

When the American colonies declared independence from Great Britain in 1776, they did not (yet) constitute a unique national community by any stretch of the imagination. As Brian Steele observes, the one thing the colonies had in common – besides political grievances against the British parliament – was their “mutual emulation of British economic, cultural, and social practices” (Steele, 2012, p. 15). After all, the majority of inhabitants of the American colonies were British emigrants; they spoke English with a British accent and most felt British. As late as 1810 Thomas Jefferson admitted that American “laws, language, religion, politics and manners are so deeply laid in English foundation, that we shall never

cease to consider their history as part of ours, and to study ours in that as its origin” (Jefferson, 1984, p. 1228).

Yet, despite the obvious national similarities among the British in the Isles and the British emigrants in North America, the colonies declared political independence: “[I]n the course of human events” it had become “necessary for on people to dissolve the *political* [emphasis added] bands which have connected them with another...” (Declaration of Independence, 1984 [1776], p. 19). From the first sentence it is made clear that political communities are at stake, not national communities. The Declaration of Independence expresses the dynamics of national unity and political independence in the passage on the colonies’ relationship with their “British brethren.” The British disregard for the “voice of consanguinity” had given

the last stab to agonizing affection, and manly spirits bids us to renounce forever these unfeeling brethren. We must endeavor to forget our former love for them, and hold them as we hold the rest of mankind, enemies in war, in peace friends (Declaration of Independence, 1984 [1776], p. 23).

As such, the Declaration of Independence justifies the existence of an independent political entity not in terms of national differences, but exclusively on grounds of political values. The United States of America started off purely as a political community, not a national community.

Similarly, in the post-World War II decades Western Germans, separated from their co-nationals in the Eastern German part and facing a history of nationalist excess, sought to construct a political community independent of a national idea and national culture. The social security system was expanded and reforms were implemented in such areas as education, family, criminal justice, penal system, and data protection, enhancing the equality of all members of the citizen body. Within a single generation, Habermas observes, “the status of

citizens ... was markedly improved in its legal and material substance” (Habermas, 1998, p. 409). What is important in the present context is that the increasing political and socio-economic well-being of the community made the citizens themselves “keenly aware of the *priority* of the issue of the implementation of basic rights – of the priority that ... citizens must maintain over the imagined cultural nation” (*ibid.*).

In fact, the shared experience of growing prosperity through a system of solidarity instilled in Germans a kind of functional understanding of the political community, which, in turn, reinforced identification with the political unit:

Each individual could come to recognize and appreciate citizenship status as that which links her with the other members of the political community and makes her at the same time dependent upon and co-responsible for them. It became clear for all to see that private and public autonomy mutually presuppose one another in the ... improvement of conditions of preferred ways of life (Habermas, 1998, p. 410).

These examples serve to show that as circumstances required political communities have been built on and nourished by non-national – sometimes, in fact, corporate – foundations in the past. In a similar fashion we could conceive political communities distinct from national communities today.

Obviously the nation is very deeply rooted in the (political) self-understanding of most people in Europe (and the rest of the world for that matter). To expect people to give up the notion of national sovereignty over night would be ridiculous. But thought and language are powerful. In starting to think about nationality differently, that is as a cultural and historic community, not primarily as a political community, and by embracing these ideas in the way we talk about the future of states and statehood, about political borders, and citizenship might gradually change the dynamics of politics and facilitate decisions about state policies.

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