Minorities and the Limits of Liberal Democracy: Demociracy and Non Territorial Autonomy

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4.1 Introduction

The liberal democratic nation state is generally understood to have an abundance of beneficial features. People that live in liberal democracies are generally satisfied with the regime, and most people who do not live in a liberal democracy yearn to live under it. This is an extraordinary development; never before in the history of humanity was a culturally circumscribed form of governance met with such hegemonic approval across vastly diverse societies. Notions of civic national identities and liberal democracy have grown hand in hand with the nation state in the genesis of the "Occident"\(^1\). However, in whatever way it is construed, the idea of national identity contains a particularistic element which is strangely at odds with assertions of universality cherished by liberals. The convergence in the nation state between a particular national tradition, with a specific sense of history, with a Universalist liberal world view which aims to realise universal individual values, remains one of the unexplained oddities of modernity. (Schwarzmantel: 2003:28).

Following the above, there is a widespread tendency to take the nation-state for granted as the only form of fair governance, and worse, to see nation and state as synonymous, considering the world as a collection of perennial nation-states. This does not take into account the parochial origins of the nation state, and, how the nation state was historically created to satisfy particular historical needs of state formation in Europe. Last but not least, it does not take into account the significance of this particular form of political organization for societies that have not have historical roots in Western European political traditions. This results in an utterly confusing and misleading analytical criteria that defines political phenomena as located either as “below the nation state” \(<\text{sub-national sic}>\) or above it \(<\text{international sic}>\) (Engels, Bettina: 2015: 181).

There are countless debates and discussions on what is nation. Across profound intellectual and ideological divides, it emerges that a nation is a cultural artefact and as such very different from a state, which is a territorial institution of governance. It is well documented that the conflation between nation and state resulted from series of parochial events in late medieval Europe at the onset of modernity. The genesis of the nation state is widely associated with the rise of the European system of states, which international relations theorists call the "Westphalian system." This is the emergence in Europe of well demarcated states which recognize each other’s unqualified control over territory (sovereignty). Vivid evidence of the development of the modern state is

\(^1\)I use the term in the sense given by Edward Said: the Orient is, as much as the Occident, an "idea that has a history and a tradition of thought, imagery and vocabulary that has given it reality and presence for the West" (Said:1978:4-5, See also, Lary:2006:8-9)
shown by the fact that Europe in the fifteen century was composed by some five hundred political units and by the nineteen century the number was twenty five (Hechter & Brustein: 1980:1062, Bourdieu, Loic Wacquant & Farage: 1994:4-5).

There is a debate in International Relations as to how this was achieved (See Teschke: 2002), but the outcome is that the nation became the powerful cultural glue that kept these states unified, giving sovereign legitimation to the state in eyes of the majority nation. When these majority nations did not exist, the state constructed them by coercion and fiat (White: 2007: 66, Wimmer & Feinstein: 2010:785). The example of revolutionary France will be shown below. This specific event in European history determined the way the international arena was constituted for centuries to come.

The term liberal democracy has different and contrasting meanings, and for this reason no consensual definition is possible. However, perhaps a common denominator could be extracted from contrasting definitions. Liberal democracy is a political system based on egalitarian rule and political liberties (Bollen & Paxton: 2000:59). Here “Democracy” is only understood as a form of government that is accountable to the electorate, and one in which each citizen has a say on how the government is elected in periodical elections. Citizens are entitled and protected in expressing political views. While accepting that simplifications often occur in the expression of political discourses (Farrelly: 2014:16), this common denominator raises questions and some important contradictions which are at the heart of its democratic deficit discussed here. The most basic of them is that liberalism in its many shapes and forms is individualistically oriented and democracy is a collective phenomenon. This potential contradiction creates for liberals a number of dilemmas, in which those normally at the more conservative side of liberalism emphasize individuality while those in the opposing faction emphasize democratic values and pluralism.

4.2 The liberal democratic nation state and its minorities

As the younger sister of the nation state, liberal democracy inherited from its elder sister a peculiar type of insensitivity towards the collective representation of cultural minorities. Minorities is a relational term and only exist in relation to dominant majorities (mostly titular nations). While minorities of different kinds and sorts existed since the genesis of the nation-state, and while the international court of Human Rights has consistently protected minorities against discrimination, there are very few examples if any, of sanctions when these rights are violated. In the case of the European Union, while there are mechanisms in place to protect minorities these demand “respect” and “protection” but there are no sanctions for a failure to protect (Ahmed: 2010:281). Bührmann (2014:23) argues that it is only in 1978 in a lawsuit in California that the term “diversity” was
explicitly used to compensate minorities that suffered racial discrimination. While this inattention might sound surprising, it is directly related to liberal democracy’s aim to consolidate homogeneous demos through which the key principle of individual rights reigns supreme. In this way, liberal democracy can sustain its goal of an unrestricted equality between citizens while achieving a plurality of different and contrasting goals. This is what Charles Taylor (2003:198) calls “procedural liberalism”, a meticulously egalitarian procedure that provides the space for achieving a plurality of goals. But for this egalitarian procedure, political inequality is the dangerous enemy. In the discouraging conflation of equality with sameness, not only as Charles Taylor argues (ibid) there is more than a touch or ethnocentrism, but more ominously, difference is besmirched as inequality, and, individual equality is elevated into the cornerstone of the collective identity of all citizens (Todorov: 1999:46). The ensuing minority alienation has a long history that goes back to the origins of the liberal democratic nation state, to the French Revolution and to origins of English liberalism. It is one that until recently remained hidden under the seductive rhetoric of nation building and of liberal modernization.

In the last few decades, some branches of feminism and multiculturalism began to problematize the liberal ideal of a procedural egalitarian citizenship, mounting in this way, a challenge to the universal abstractions of liberal democracy. A feminism that is nurtured in a one liberal democratic national sovereignty could be oppressive to other women that are not part of it. Here, liberal democracy stands accused of decontextualizing gender oppression by focusing on abstract choices and possibilities that misrecognize the specificity of gender positions. (Stansilulis: 1999:183, Evans: 2006:475-6). Carole Pateman’s (1988) seminal work on the gendered character of liberal contractarian theory was followed by a concerted feminist questioning of the essence of the individual at the centre of liberal democratic theory. The individual constructed by liberal democracy pretends to be to be universal: nationless, sexless, classless, disembodied, and is taken to represent an abstract, generalized model of humanity. But feminists began to argue that the liberal individual is derived from a precise cultural model, becoming a gendered, culturally particular, historically embodied person (Friend:2004). This idea influences well beyond feminism to constitute an important source of inspiration for contemporary multiculturalism.

Likewise, egalitarian, liberal democratic national sovereignty began to some extent, to be considered as oppressive to outsiders of the dominant national community, or, what I prefer to call the Titular Nation2. The original cultural specificity of liberal equality and individual equality of

2 The term "titular nation" is taken from the terminology of the former Soviet Union, but it is applicable to most liberal democratic nation states. It refers to the governing ethno-national community usually the
opportunity is hidden behind a veil of universalism, and as such it misrecognises cultural diversity. The idea of a “benign neglect” of minority cultures is far from benign, it ignores that minorities in liberal nation states often face disadvantages that majorities do not face (Kymlicka: 1995:110).

Liberal democratic neutrality is therefore considered false. (Parekh: 1993, Taylor: 2003, Tully: 1995). Malik: (2014:3) in a suggestive article, proposes Minority Legal Orders to remedy the inequalities of liberal democracies. For many feminists and multiculturalists, the egalitarian universalizing abstractions of liberal democracy are intolerant. Kymlicka (1995:130) argues that minority demands raise a deep challenge to the architecture of the liberal democratic nation state. The accusation is of an arbitrary equality and of institutional and representative misrecognition of diversity. In a more radical fashion, Leslie G. Carr (1997) published "Colour-Blind Racism", a polemical and influential attack on colour blind notions of equality prevailing among liberals in the US. Differences that affect women and to a lesser extent, minority communities, require that egalitarian liberal citizenship be alleviated with some remedial group rights, such as differential rights for women, and to a lesser extent, some group rights to minority communities (Axtmann: 1996:115). Here we begin to find how the normative ideal of democratic inclusion begins to challenge and bring to the open the blind spots of liberal democracy. Non-territorial autonomy (NTA) is one of a variety of expressions of this democratic challenge. It will be discussed here because it offers an alternative in the form of minority representation, one that challenges the tyranny of the majority reflected in the liberal ideal of sole individual representation or one person one vote, to enhance the democratic representation of dispersed minorities.

However these challenges face considerable difficulties. In the contemporary world, there are very few, if at all, who dare to criticise such an overriding political system which in the most powerful states has become both hegemonic and synonymous with fair governance. With some very few exceptions, liberal democracy is exercised in the context of most “Western” nation-states, and these states uncritically submit to the limitations of the liberal modality of governance. Historically, liberal democracy and the nation state are intimately related (Keating: 1992) even if they are not identical. While accepting the important progressive and egalitarian achievements of liberal democracy, this paper will argue that this regime hides behind its bonhomie and desire for real fairness, a recurrent form of democratic deficit that enshrines under the guise of majority rule, the collective autocracy of the “titular nation”. This takes the form of a disguised and sweet dictatorship of the majority that endorses the celebration of individual rights, freedom of expression and individualism, and even the relative protection of minorities, but that at the same time, imposes severe limits to the possibilities

majority of the population, typically after which the state is named. The term is used in this way in Linz & Stepan:1996:25
of minority community representation (Kymlicka & Strehle: 1999:75). Instead, liberal democracy prefers the assimilation of cultural minorities into forms of governance based upon majority rule which offer minority members participation as individual citizens, this is, assimilation with democracy as compensation. But this leads to an apparent contradiction of liberal democracy; the advocacy of individual equality and representation while negating the collective representation of its minority communities.

As a consequence of the democratic deficit that results from the liberal antipathy to collective minority representation, the democratic ideal acts as a subversive catalyst for change. Among others, unrelated demands for NTA emerge among territorially dispersed minority communities in an attempt to supersede the democratic deficit of individually oriented liberal democracies. Conversely, when non-territorial collective representation of dispersed minority communities is incorporated into liberal democratic forms of governance, it expands the democratic value of the model, providing for more plural, inclusive, stable and representative modality of governance.

THE SECURITIZATION OF MINORITIES IN LIBERAL DEMOCRATIC IN NATION-STATES

The national state claims to treat all citizens as equal members of the nation, this fair principle only serves to disguise the tyranny of one group over another. The nation must be, all its citizens must be, animated with the same spirit. Differences are divisive and therefore treasonable.

Nation-state liberal democracies have a tendency to to conflate territorial-national self-determination with popular sovereignty in the guise of majority rule (Brilmayer :1991:179-80). The ultimate authority, the sovereign, is the body of citizens incarnated in the collective identity of the titular nation. However, this incarnation is mediated by a particular hegemonic discursive interpretation. To make this clear, the titular nation, while crammed with a cultural baggage, is empty on political content, becoming in this way an arena for struggle between opposing ideological interpretations that aim to build hegemonic blocs as “true” representatives of the nation. This is why generic forms of nationalism are neither “left” nor are “right”. In contrast, concrete forms of nationalism are interpretations of the above mentioned cultural baggage through an ideological lens that could be classified among other things, as “left” or “right”. In either way, this characteristic of the sovereign nation compromises democratic representation because of its propensity to conflate ethnos with demos. Sériot: (1997:49) uncovers an important point. The contradictory conflation of ethnos with demos is not a circumstantial occurrence, but occurs in the peculiar characteristic of the term “the people”, which is from start engraved by the apparently inconsistent duality ethnos-demos:
We can then propose a classification scale with a bi-polar opposition between two extreme points, from a strong unanimity (on the basis of language, ethnicity or religion, that is to say hypertrophy principle of ethnos) to a broader consideration of the social division (the principle of demos). But this opposition is neither cultural nor ontological: the term the people points to the same referent, but built through a space of different features (My own translation).3

In other words, “the sovereign people” is neither a civic nor an ethnic concept, but a mixed construction of both elements that creates a monistic identity from which ethnic and civic dimensions cannot be easily disentangled. If liberal democratic nation states were culturally homogeneous this will not be a problem. But there is almost always more than one nation or ethnic group in a sovereign territorial space, and minority ethnic groups and nations find it difficult to be collectively represented through the monist nationalism of the liberal democratic nation state’s titular nation. In the manner above, the liberal democratic nation state has a democratic deficit in its failure to allow for the symbolic and political collective representation of minority communities that are part of the body of citizens.

National Self Determination (NSD), as recorded in international law and enshrined in UN resolutions, and, as argued in many liberal democratic theories is the principle that nations have the right to freely choose their sovereign international political status with no external compulsion or external interference. In this doctrine, nationhood and territorial sovereignty are linked, for nations are a constitutive element of the configuration of nation states. It need not be so, and it was not so before Modernity. The above is not the only way to understand national self-determination, and even less so, one peculiar way to understand democracy. However, by virtue of being hegemonic, this interpretation is the most common and the most dangerous for minorities. It has the proclivity to sacrifice cultural minorities in the High Altar of nation building, to securitize cultural communities though the conflation of ethnos with demos. This is by no means a recent development, but one that goes back to earliest modern expressions of republican egalitarianism, and is in more than one way, a constitutive failure of the modern liberal democratic nation state. Consider the statements of radical Jacobins:

*The language of a free people (or sovereign people) must be one and the same for all. (...) Federalism and superstition speak low Breton, emigration and hatred of the Republic speaks German, the counter-revolution speaks Italian and fanaticism speaks Basque. Let’s break these unfortunate and mistaken instruments (...)*

*Among the ancient languages, Welsh<sic> (Cymraeg), Gascon, Celtic, Visigoths, Phoenicians or Oriental that provide certain subtleties for communicating with various citizens and countries that make up the territory of the Republic, we have*

3 *On peut alors proposer une échelle de classification avec une opposition bi-polaire entre deux points extrêmes, depuis un fort unanimisme (sur la base de la langue, de l’ethnicité ou de la religion, c’est-à-dire une hypertrophie du principe de ethnos) jusqu’à une large prise en compte de la division sociale (le principe du demos). Mais cette opposition n’est ni ontologique ni culturelle : si dans les deux cas le mot peuple désigne symboliquement le même référent, il le construit dans un espace de propriétés distinct. (Sériot: 1997:49)*
observed (and reports from representatives that are in line with those of various agents sent to departments) that the said Breton, Basque language, German and Italian languages have perpetuated the reign of fanaticism and superstition, ensured the domination of priests, nobles and practitioners, prevented the revolution from reaching nine major departments, and may be to the advantage of the enemies of France. (My own translation)\(^4\)

Here you have a splendid *avant la lettre* example of securitization of minorities, two hundred and ten years before the term was coined! Securitization is not a contemporary innovation as many International Relations users of securitization argue, but a by-product of the historical conflation of nations, popular sovereignty and territorial states. In whatever way one defines national-popular sovereignty, it is a concept dependent upon the definition of cultural-territorial boundaries, which inexorably creates outsiders and cultural insiders.

To be sure, this argument is not a peculiarity of French Republicanism, far from it. It is also present in the works of the founding father of Anglo liberalism. Consider John Stuart Mill well known assertion that:

*Free institutions are next to impossible in a country made up of different nationalities. . . . Among people without fellow-feeling, especially if they speak different languages, the united public opinion, necessary to the working of representative government cannot exist* (Mill: 1862/1976).

For this reason, the securitization of minorities is not a contemporary situation brought about by the so called “war on terror” but a constitutive deficiency of the nation state, particularly in its liberal democratic variance. This deficiency generated what Michael Mann (2005) calls in an important work, “The Dark Side of Democracy”; its propensity for ethnic cleansing. I will here immediately qualify Mann’s generalisation of the process he so eloquently and incisively describes with one important consideration. Ethnic cleansing is not the dark side of democracy, for the later has forms that roundly escape this cruel imposition – Democracy must NOT be exclusively conflated with popular sovereignty and liberal democratic representative democracy in nation states. What Mann refers to is the dark side of the sovereign, popular democratic nation state, and the likely by-product of the exercise of national (territorial) self-determination in areas of mixed populations. In these cases, when two or more national communities reside in the same territorial space, when it is not


La langue d’un peuple libre doit être une et la même pour tous. (...) Le fédéralisme et la superstition parlent bas-breton; l’émigration et la haine de la république parlent allemand; la contre-révolution parle italien et le fanatisme parle basque. Brisons ces instruments de dommage et d’erreur(...) Parmi les idiomes anciens, welches, gascons, celtiques, wisigoths, phocéens ou orientaux, qui forment quelques nuances dans les communications des divers citoyens et des pays formant le territoire de la République, nous avons observé (et les rapports des représentants se réunissent sur ce point avec ceux des divers agents envoyés dans les départements) que l’idiome appelé bas-breton, l’idiome basque, les langues allemande et italienne ont perpétué le règne du fanatisme et de la superstition, assuré la domination des prêtres, des nobles et des praticiens, empêché la révolution de pénétrer dans neuf départements importants, et peuvent favoriser les ennemis de la France.
possible to territorially disentangle one from the other, popular national sovereignty and territorial national self-determination becomes a zero sum game. The gain of one is unavoidably, the loss of the other. For this reason, ethno-national conflicts in mixed areas are bloody, extremely violent and protracted, for full victory and nation state for one means the expulsion or destruction of the other.

From here, and fortunately in a much less extreme fashion, resemblances notwithstanding, out of the concurrence of French Republicanism and English Liberalism, the model of a democratically sovereign multicultural state over which one (titular) nation exercises its right to self-determination, became the imprint of the modern process of liberal democratic national emancipation. It was used in the colonial settler states of the Americas and Oceania to politically preserve and protect the newly created colonial settler nations in lands illegitimately taken from indigenous peoples, who were then subjected to ethnic cleansing and genocide. Whatever other reasons are invoked; most of the European inspired nation states of the Americas and Oceania were born under the original sin of genocide and ethnic cleansing. When the equally of all citizens is conflated with the equality for all members of the nation under the guise of an egalitarian liberal democracy in nascent colonial settler societies, these societies are, as Michael Mann argues, at their most murderous, for they create a community of insiders that must destroy their local outsiders (which often outnumber the new nation), if the new born liberal nation-state is to expand and survive.

In whatever way one understands liberal democratic national-popular sovereignty, the demos is always entangled with residues of the ethnos, and as such defines mechanisms of inclusion and exclusion, mechanisms that by virtue of its inescapable national dimension, are to some extent cultural. Sovereignty is thus the prerogative of a titular nation, and this sits uncomfortably with normative claims of democracy and liberalism. This is convincingly shown in an example by Paul Stratham (2003:165) in relation to the debate over asylum seekers: he claims that the issue of asylum:

...<O>pens up a particular contradiction within liberal nation-states: it puts the universal principle that they should respect and protect human rights by offering asylum to aliens fleeing persecution in direct competition with the principle that they should primarily serve the interests of the national community of people from whom sovereignty derives—a group with a self-image of common descent and ethnicity enshrined in a shared nationhood.

When understood in the manner above, the doctrines of popular nation-state sovereignty and national self-determination are monistic, and are neither pluralist nor inclusive. It is important to note here that the conflation of ethnos with demos might not be in some circumstances dangerous: in the form of collective rights and community representation for example. Like in many deadly
explosives, in isolation the ingredients are harmless; even it could be argued that in the case of collective rights, the conflation of ethnos with demos might offer a positive contribution to the expansion of democracy to alienated or subordinated communities. The argument here is that the formula becomes unstable and dynamite like when it incorporates ethnos as the foundation for the single demos, and as an equivalent to popular territorial sovereignty in a single monist mixture. In this explosive mix, national self-determination and territorial sovereignty legitimises the governance of only a minority of nations, the titular ones. It threatens others with disappearance in most cases through forceful assimilation, or thankfully in a small number of cases, through ethnic cleansing and genocide. In this way, this type of sovereign self-determination contradicts liberal democratic, universally egalitarian values that laid the original foundation of its principles. Fortunately, this established doctrine of national self-determination is being frontally challenged by the demands of territorial minorities, first and foremost indigenous peoples, both territorially scattered and concentrated, and in this way, they, (the territorial minorities) act as facilitators for an historical paradigm shift taking place on the meaning of national self-determination, and whose importance goes well beyond self-determination demands and revises well established notions in democratic theory.

4.3 The centralist atomist principle and the limits of liberal democracies

Otto Bauer, (1907/2000) argues that the liberal democratic state is an imperfect democracy because it is organised according to the 'centralist-atomist' principle. In the genesis of the modern nation state, Bauer argues, one of its most important characteristics, its centralisation of power, was initially developed by absolutism. This centralisation was completed in a democratic manner, through the abolition of guilds, estates, and other segmental organizations. This had the effect of reducing recognised political players to their smallest parts, Bauer call these “atoms”, i.e. to single individual citizens. For Otto Bauer and Karl Renner, a constitutional jurist, the legal representative order in liberal democracies knows only two units: On the one hand, the sovereignty of the state and on the other, the sovereignty of the individual citizen.

Constitutionally, in nation state liberal democracies, there are two recognised sovereign politico-juridical entities, the atomised citizen and the collective totality. This logic is also applicable to federal territorial states with some adjustments to cater for the division of competences between the central state and the provinces. In both cases, the juridical political entities are atomised individuals and the sovereign will of the undivided collective. This is what Bauer calls the centralist-atomist structure of modern liberal democratic nation-states. This organizational characteristic expels all intermediate communitarian players from the arena of representative politics.
While there can be no doubt in Bauer’s mind that in some important cases this lead to the expansion of democracy through the irrevocable abolition of sectarian political privilege, in the form of castes, feudal guilds, landlords, etc. It simultaneously threw the new born democratic baby through the bath water, for it impoverished the quality of the nascent democracy. This is because it also abolished and made impossible mechanisms of representation of different, territorially scattered national and ethnic minorities which are left at the mercy of governmental bureaucracies and worse, of the tyranny of the majority; a less than adequate form of democracy.

The citizens of the modern state are nationally identified with the state through residence and citizenship, irrespectively of ethnic and national affiliations (Ra’an: 1991). Most states represented in the UN are thus seen as nation-states whether or not they are ethnically or nationally homogeneous. In the liberal democratic nation-state the cultural practice of the dominant nation (the “titular nation” or if you prefer, the official ethnicity of the state) is disguised by a procedural practice that claims neutrality but is derived from the cultural and historical experiences of the dominant national community.

Following the logic of this argument, atomistic states, however much consideration they might show for individual and democratic rights, and however equalitarian their practices, are averse to recognising collective representation mechanisms for its cultural minorities. These demands are effectively suppressed with what are apparently “democratic instruments”, via the tyranny of the majority. In a very paradoxical way, this situation makes de-facto, but not de-jure multination states in a position of instability, for there are no actionable legal mechanisms to represent national minorities. Both, majorities and minorities are faced with an increasingly difficult dilemma: coercively assimilate cultural minorities through the lure of democratization, or to alternatively split the de-facto multination state along national lines. Both strategies have been tried with calamitous results.

4.4 NTA as a democratic alternative

NTA is not a specific model for the incorporation of minorities or dispersed communities, nor does it have a common prescription or line of action. It is a generic form of collective rights and collective representation which aims to share sovereignty between different communities. The modality develops forms of community representation across non territorial lines, allowing for minority communities to be collectively represented in governance, while sharing a territorial space with other communities that are equally represented. The idea emerges to remedy the limitations of the atomist-centralist characteristic of liberal democracies by which modalities of representation are
only individually based. It expands democracy and enhances pluralism through the participation hitherto estranged minorities and cultural groups. The principal advantage of NTA models is that they incorporate modalities of governance that can take place while the self-determining communities reside in shared territorial spaces, obviating in this way what is often a lethal competition for exclusive territorial sovereignty. I have developed this argument in detail elsewhere (Nimni: 2013:1-24), so I will only present the argument here schematically.

NTA includes an mixture of different arrangements such as Consociationalism and National Cultural Autonomy, but also forms of representation that de-territorialize self-determination, as in the case of indigenous communities, the juridical autonomy of religious communities, or in the practice of many forms of religious and/or multicultural forms of representation, as the recognition of the Jewish Beth Din in the United Kingdom and the proposal from the former Archbishop of Canterbury, Dr Rowan Williams (2008: 268-70) to incorporate aspects of Sharia Law into British law (Nimni 2014). Models of non-territorial autonomy are incessantly evolving in different forms and shapes, becoming an important tool for the effective participation of minorities in public life, as advocated by the ‘The Lund Recommendations on the Effective Participation of National Minorities in Public Life’ (1999; also Nimni 2010).

The difficulty in comprehending the characteristics of NTA results from the fact that it seems counterintuitive to understand mechanisms of community representation outside the framework of the accepted universal vision of one citizen one vote modality of liberal democratic nation states. This state-centric view recognizes national communities only as a collection of imagined communities inherently limited and sovereign (Anderson 1991: 6), which are furthermore legitimized by territorial states. In view of this hegemonic manner of thinking, to understand non-territorial minority governance, requires a leap of imagination, to be counterintuitive and challenge the supremacy of the state-centric paradigm. For minority nationalisms to remain viable in a world overcrowded by nation states, they have to be oriented to forms of national self-determination that can provide satisfaction to their representation needs, without dismember existing states.

Furthermore, the cultural configuration of nation states in the contemporary world severely tests the eighteenth century template of cultural unity as a tool for state centralisation. It is not cultural unity that is the distinguishing mark of most contemporary nation states, but the opposite, a de-facto cultural and religious diversity that challenges the de jure model of the cultural unity of the liberal democratic nation state. Liberal theorists assume that the protection of the rights of individuals is sufficient to protect minority rights and ensure justice in culturally diverse societies. As
argued above, traditional liberal thinking supports the ideal that a set of neutral political and social rights, based purely on individual needs, is sufficient to guarantee equality.

Unfortunately, this is not the case. A majority in a liberal democratic state can block the inclusion or influence of a cultural minority without abandoning the individual civil and political rights of minority members. The majority can monopolize important powers, even those affecting the cultural survival of the minority community such as language, education and development. This intrusion is an injustice, but if individual members of the minority community are recognised right to free speech, to campaign for their point of view, and to petition the government, the rights of these individuals are not considered violated (Kymlicka & Straehle: 1999:75). Likewise, in a one person one vote system, cultural minorities by virtue of numbers, do not have electorally much influence. Consider for example Indigenous peoples. They have in most cases been the victims of colonization by settler liberal democracies. The victims of conquest and destruction of ancestral lands by settler colonialism and those who have been made marginal minorities in their homelands have a unique claim for self-governance, community rights and the recognition of their cultural heritage (Leanne: 2004). Yet, many colonial settler societies are established liberal democracies (US, Canada, Australia, and Argentina, to cite a few), the principles of individual human rights are not sufficient to recognize the need for collective enfranchisement of indigenous peoples. To prevent these injustices, traditional human rights principles need to be supplemented with communal minority rights which in majority of cases require forms of non-territorial autonomous representation for indigenous and other dispersed minority communities. (Bonner & James: 2011: 22).

4.5 Non-Territorial Autonomy and its multiplicity of forms

Non-territorial autonomy operates in different and varied forms. The common denominator is the challenge to the hegemony of territorial sovereignty and the creation of modalities of community political representation for minority and territorially scattered communities. As the democratic deficits of the liberal democratic nation state model are slowly uncovered, NTA models emerge independently in different parts of the world, triggered by similar problems, but without necessarily being aware of each other, and without cross-referencing experiences. In this way, modalities of NTA acquire slowly but surely the form of a bottom-up incremental paradigm shift in areas of minority representation, national self-determination and democratic governance. In what follows, a few old and new examples of NTA models will be schematically presented.

4.5.1 National cultural autonomy
The National Cultural Autonomy (NCA) model is often presented as the symbol of NTA, but this is only partially correct. It is one important model in the trajectory of NTA, but it is not the only one, nor does it exhaust all aspects of NTA. NCA has its origins in the final days of the Habsburg Empire. It was an ingenious attempt by the intellectual elite of the Austrian Socialist Party to convert the Austrian side of the Habsburg Empire from a disorderly union of different nationalities brought together by coercion of into a democratic federation of nationalities in all nationalities fell adequately represented. Austria was at that time an advanced industrial parliamentary dual monarchy, operating in accordance to the standards of representative democracies of the day (Nimni 2001 p. xxii-xxiii). The NCA model was bold and innovative for its time. In sharp contrast to prevailing forms of national autonomy through territorial governance, the NCA model attempted to protect the Austrian part of the empire from disintegration into nation states. The central idea was that autonomous cultural communities could create mechanisms of political representation on a non-territorial basis, as most of them shared their residential areas with others. The idea was to create a democratic multination state in which the political representation of the national communities inhabiting the Austrian Empire is exercised by national corporations on a non-territorial basis. In this context, the idea of majorities and minorities ceases to have its explosive meaning, for even if there were only small number of members of national community in a particular region, the numerical relation was not important because they were collectively represented across the territory of the multination state. It was above all an attempt to bring fresh solutions to the nationalities problem that dogged central Europe. (Hiden and Smith 2006: 387).

In contemporary terms, a model has some similarities to NCA was introduced in the Brussels-Capital Region (Van Parijs 2000: 246) because of the impossibility of separating two national communities in an urban environment (Dirk and Swyngedouw 2003: 127-30). But except for Van Parijs, the similarities with NCA are hardly mentioned. In sharp contrast; the Russian State Duma also adopted a Russian Federal Law on National Cultural Autonomy in 1996, explicitly referring to the Austrian model and to Karl Renner. But unfortunately, the resulting Russian model has little resemblance to Bauer and Renner’s original NCA model (Bowring 2005: 191-206).

The NCA model suggests that the multinational state be managed in a parallel two tier system, with participating national communities endowed with a collective persona, in the form of legally guaranteed autonomous corporations. The idea is that members of each national body, whatever their area of residence, form a single public body or association endowed with legal personality and collective rights (Nimni 1999: 296-7). The model was never implemented in Austria, but it was for a
time implemented in the Baltic states during the inter war period. For a detailed recent discussion, see Smith and Hiden (2012).

4.5.2 Consociationalism

Consociationalism is, for better or worse, the best known of the NTA modalities. It presents a clear alternative to the tyranny of the majority provoked by the liberal democratic one person one vote system, and it has been used with some success to manage conflict. The term was popularized by Arend Lijphart (1977), but was significantly enhanced by John McGarry and Brendan O’Leary in a series of seminal works on conflict resolution in Northern Ireland (Taylor 2009; O’Leary 2005; McGarry 2006) and recently on human rights and power sharing (McCrudden and O’Leary 2013). Consociationalism is a more centralised, elite based model than NCA, and it is structured around the principles of a grand coalition across conflicting cultural divides, mutual veto on matters vital for the continuity of the minority communities, proportionality in representation and the segmental autonomy of each community. In Northern Ireland the representation is electoral in accordance with the one person one vote system in accordance with the D’Hondt method, but the government coalitions require separate community support. In fact each of the two blocs has veto powers. As with NCA, the aim is to engage in a process of power sharing in which all participant communities feel as represented partners. The idea is to make government more responsive to the participation of minorities and to offer alternative outcomes to territorial nationalism and secession. The model has been applied with success in Northern Ireland, leading to the pacification of the country and showing the way towards the long term resolution of what was an intractable conflict. In this regard, it has served as an example for many similar conflicts elsewhere.

4.5.3 The Ottoman Millet System

The millet system was an autocratic regime of minority community governance which bore similarities to the previous two models, but keeping in mind the crucial difference that the millet system until the 1860s was not organized according to democratic principles, but instead vested all power and authority with the religious leader of the minority community. The Ottoman millet system nevertheless exhibited remarkable tolerance and recognition of the autonomy of minority communities and their way of life. In a paradoxical way, because the Ottoman Empire was an autocratic system, it did not require assimilation to create a community of equals, but required instead loyalty and submission to the authority of the Sublime Porte (Bab-ı Ali), the Ottoman site of government. Once the submission and loyalty was assured, the minorities were left to manage their own affairs with minimal interference from the Ottoman authorities. The model in its original, pre-
1860s, Ottoman form is not suitable for democratic societies. Yet, if could be democratized and run in accordance to established principles of human rights, it could be a very valuable addition to the contemporary expansion of models of non-territorial autonomy, particularly in Islamic societies. In a recent thought provoking article Tas (2014: 523) argues that the democratization of the model together with the incorporation of modalities of territorial autonomy into a hybrid system which he calls TANTA (Territorial Autonomy and Non Territorial Autonomy).

Interestingly, and showing the lack of European alternatives on non-territorial minority autonomy, the millet system has caught the imagination of many contemporary political theorists concerned with minority rights and the recognition of difference. Nuri Yurdusev argues that the Ottoman Empire granted more minority autonomy than many of the known empires (Yurdusev 2004: 20). It recognized forms of institutional diversity and created a political and social environment for the reproduction of diverse cultures. It allowed for forms of limited diversity and stability in ways that are rarely combined in the contemporary societies. Bhikhu Parekh argues that despite its important shortcomings, the millet system had great virtues including ‘a remarkable record of religious toleration that puts Western Europe to shame’ (Parekh 2009: 205). Several authors, including Sarah Abrevaya Stern, argue that the Ottoman Jewish community thrived under the millet system, enjoying forms of protection not extended to minorities under Christian rule. Non-Muslims were allowed to maintain their own courts and institutions and evolved into corporate structures as a result. Stern further argues that as far as Jews were concerned, the success of the millet system was reflected in the ‘virtual absence of anti-Semitism from the Ottoman landscape’ (Stern 2005: 55), something that cannot be said about Christian Europe. The noted political philosopher Michael Walzer considers that the autonomous arrangements of the millet system represent the most stable regime of toleration known in world history. Walzer claims that ‘the rulers recognised the value of group autonomy, and this recognition has worked effectively for group survival’ (Walzer 2004: 177).

However, Will Kymlicka argues that while the millet system was generally tolerant of group differences, it was not a liberal society, for it did not tolerate individual dissent within its constituent communities (Kymlicka 1992: 36).

As said, the Ottoman Millet was undemocratic and authoritarian as it vested power on religious authorities. But at the same time, it did not demand assimilation to the titular nation and afforded more tolerance and protection to minorities than current republican and majoritarian democracies. Unlike the nation state, the logic of ethnic assimilation was not the dominant logic of Ottoman politics (Yeğen: 2009: 557).

4.5.4 The plurinational state of Bolivia
A recent promising example of non-territorial autonomy is the constitutional order in the Plurinational state of Bolivia. Here indigenous groups and intellectuals created a plurinational state project to support indigenous non-territorial self-determination. This is now inscribed in the Bolivian constitution of 2009 (Radhuber: 2012:167). Latin American indigenous movements, and in particular, the new constitutional arrangements in Bolivia refer to ‘plurinationalism’ in formulating demands for indigenous communities’ rights, and for the transformation of what thus far is a nation-state into a plurinational state, granting collective rights to the commonwealth of indigenous communities that inhabit it (Gustafson 2009: 987).

The Bolivian constitution defines the state as ‘plurinational and communitarian’ as it recognizes the collective rights of its indigenous nations. The definition of the Plurinational state implies the recognition of a ‘commonwealth of demoï’ and the meaning of this will be discussed below in the European context. This recognition grants indigenous communities collective rights and the status of collective personae. In this regard, article 2 of the constitution states that ‘Given the existence of pre-colonial indigenous nations and peoples and their ancestral connection over its territories, the self-determination of these communities is hereby recognized in the framework of the unity of the state’ (Bonifaz 2010: 22). Article 11 of the constitution states that its aim is to establish a “participative, representative and communitarian’ democracy” (Schilling-Vacaflor: 2011: 4). The constitution also defines the people of Bolivia as: ‘the totality of Bolivians, the indigenous nations and peoples, the intercultural and afro-Bolivian communities which constitute together the Bolivian people’. Here we have a definition of the people which is markedly different from the homogenizing view of the traditional nation state. It presents the plurality of rural communities and mixed race urban groups (mestizos), as well as the afro-Bolivian communities. The emphasis is then in the unity of the Bolivian people in the plurality of community representation (Sologuren 2009). The linguistic diversity of the plurinational state of Bolivia is also an important marker of both unity and diversity. While the language of the colonizers, (Castilian-Spanish with the incorporation of words and grammatical constructions from other vernacular languages) remains both, the lingua franca and the language of sections of the elite, Quechua, Aymara and Guarani and other minor indigenous languages remain spoken languages, creating circumstances in which individuals are bilingual and even trilingual. The constitution guarantees in Article 5 the rights of all citizens to address the government in their vernacular languages.

The result of this creative modality of non-territorial autonomy is that indigenous self-determination is not building separate entities set apart from the rest of society; rather, the call is for multi-level governance, allowing for a degree of indigenous self-determination but also participation in state-
sanctioned systems of governance. In other words, the indigenous movements seek not just separation but also inclusion (Perreault and Green 2013: 53).

4.5.5 La Paix des Braves

An example NTA as an agreement between two stateless nations sharing the same territorial space is the 2001 agreement between the nation of Québec (la nation québécoise) and the Cree indigenous nation” or La Paix des Braves (‘The Peace of the Braves’, reminiscent of the 1701 peace treaty between the French settlers and the indigenous Iroquois). After much bickering and disagreements between settlers and indigenous people (First nations), the formal agreement between the Cree and Québécois nations was signed between the government of Québec, and the Grand Council of the Crees. The agreement was negotiated by the Premier of Québec Bernard Landry and Grand Chief of the Crees Ted Moses. The Agreement provided for the sharing of revenues and joint management by the Cree and the Québécois, of mining, forestry and hydroelectric resources on traditional Cree lands in Québec. It aimed at developing more equitable Cree participation in employment, forestry and revenue in natural resource industries in Northern Québec. The preamble of the Agreement recognizes the treaty as a symbolic "nation to nation" agreement between the Cree and the Québécois, two stateless nations.

La Paix des Braves recognized the ancestral rights of indigenous peoples to their lands, and, subject to Cree agreement, allowed Hydro-Québec to exploit hydroelectric resources in exchange for a financial settlement to be given collectively to the indigenous Cree Nation. The agreement from the point of view of the government of Quebec brought considerable advantages to the Cree nation in the fields of development of education, social and sanitary issues, and tourism. The benefits are nevertheless debated in the literature. Sceptics argue that while the agreement brought significant benefits to some sections of the Cree nation, it could not transcend entirely the colonial relations between the two peoples. (Felt 2010:124-128). The agreement is important because it shows the possibilities of cooperation between stateless nations inhabiting the same territory, and allowed for what Nootens (2004) calls the “unnailing of democracy” from the tyranny of the nation state and its inflexible frontiers, allowing the formation of a constitutional legal and democratic multinational association between stateless nations that share the same territory.

4.6 The transformation of democratic theory- from the nation state demos to a commonwealth of demoi

5 The examples above are just a small sample. The Sami parliaments in Scandinavian Countries, as well as modalities for minority autonomy in Hungary and Serbia, as well as the myriad of different forms of indigenous autonomy in different parts of the world are also pertinent examples.
Since their development in the eighteen to the early twentieth century, democratic theories took for granted the insertion of political democracy within institution of the nation state. More often than not, they took this assertion at face value without explanation or justification. Recently, and as a result of the newly recognised democratic shortcomings in the practice of democracy, important arguments and objections are beginning to emerge in the area of international political theory, questioning if the nation state can be the exclusive locus of democratic activity. In what I have described elsewhere as a Kuhnian Paradigm shift (Nimni: 2009), the emerging approaches are ambitiously addressing long neglected issues, such as whether it is possible to realize democracy beyond the skeleton of the nation state and in particular, if national self-determination should only mean the creation of separate states. Further important questions emerging are what kind of democracy may exist outside the domain of the nation state, and how different might its foundations be, and what institutions and practices will reform or replace the regime of the contemporary nation-state.

Initially, contemporary advocates of cosmopolitanism began to challenge the insertion of democratic theory within the framework of the nation state. David Held (2006:307-9) for example, advocates in a number of important works, a model of cosmopolitan democracy that transcends the borders of the nation state, and that assumes the entrenchment of a cluster of rights and obligations enshrined within the constitutions of parliaments and assemblies, as well as various regional bodies such as the European Union, with a global parliament and an interconnected legal system. The argument in Held’s work is for broad conception pluralism within single fully inclusive demos.

While this approach can be commended for its departure from the domination of the nation state formation, it leaves intact the problem of community representation and the recognition of collective democratic subjects, the core of democratic demands of indigenous peoples and scattered minority communities. Taking the argument on an important and decisive a step further, James Bohman (2005: 297-8) argues, that a form of radical plural democracy requires deeper transformations of democracy away from the morphology of the nation state. He further argues that the conditions exist for democratization beyond the limits of the nation-state, and that this expansion is not only possible, but necessary for the renewal of democratic theory. Bohman argues that democracy must function across rather than simply beyond borders. The renewed democratic theory must not demolish cultural differences, as in the early republican model of the nation state, which was not only one of nation building, but simultaneously one of nation destroying (Connor : 1972). This means that democracy must now become a democracy of the demoi, a plural and diverse conglomerate of democratic communities and constituencies. This is not only to change the
institutional structure of the nation state, but also a change in the political subject that sustains the democratic formation, from a unified constituency to a plurality of diverse constituencies, from ‘a people’ to ‘peoples’. In other words, Bohman brings the debate about the expansion of democracy to the recognition of the collective rights and collective personae of the constituent communities or demos (Bohman:2007:13).

Bohman argument speaks to the needs and demands of indigenous peoples and territorial minorities, it that it eliminates the key stumbling block for the communitarian political participation of these communities: territorial sovereignty as a condition for collective community participation. This argument is crucially important for the emancipation of territorial minorities because it distinguishes this approach to democracy from cosmopolitan arguments that imagine a single institutional skeleton of authority, a kind of a global state. Even more so, its comprehensive understanding of democratic values is sharply different from those who link global democracy to what could be defined as a minimalist approach, a kind of compelling human rights legal apparatus existing above the nation-state, only limiting its sovereignty when it transgresses the agreed framework of human rights. This last approach is of no use for minority communities, for as argued earlier, majoritarian democracies can transgress the rights of cultural minorities without violating an individualist definition of democratic rights.

To develop democracy beyond the borders of the nation state is important but it is not sufficient to overcome the pluralist deficit of the modern nation state. It is self-defeating to maintain the faulty configuration of the nation state, only to expand it to a gigantic world cosmopolitan constituency. Instead of perceiving democracy as cosmopolitan (non-national and cultural), democracy as the domain of single demos, democratic theory must break with this residue of the nation state and understand democracy not as a single body but as a plurality of constituent democracies. In this way, it becomes inter-national and inter-cultural, operating not beyond borders but across borders. This is not negating but affirming the democratic value of the collective governance of nations and cultural communities, and, creating democratic models that incorporate self-determining constituent autonomous communities with recognised rights for effective collective representation.

Democracy must be organised in more than one unit in order to satisfy demands for recognition that result from the logic of pluralist democratic governance. In this, global democracy cannot be some analogical world of individuals enjoying equal rights which inevitably leads to misrecognition of minorities and the corresponding tyranny of the majority. Instead global democracy must be seen as a plurality of demos (demoi) within a federal arrangement instead of a state inspired conception of single demos (Requejo: 2004:26). In other words, democracy must be implemented in a
Commonwealth of Demoi, understanding by that a highly interconnected world, where territories are shared between differing demoi and territorial polities cannot be the basis for exclusive sovereignties.

4.7 The European Union as a commonwealth of Demoicracies

\textit{Whether cosmopolitan or national, many democratic theories suffer nowadays from a territorial bias that prevents them from accounting properly for the new democratic reality in Europe (Besson: 2006:182)}

The growth of governance beyond nation states is arguably an important political development. Transnational organizations have been in recent years challenged on normative grounds for their lack of democracy in the form of various democratic deficits (Bexell, Tallberg & Uhlin: 210:81-2). This criticism is particularly salient with regards to the European Union, with the infamous “democratic deficit” supported by friends and foes of European integration. This requires an urgent reconceptualization of the modus operandi of the European Union away from comparisons with nation state. Here the recent writings of Francis Cheneval and Kalypso Nicolaïdis is are leading the way for a conceptualisation of the European Union away from analogies of the nation state.

Cheneval and Schimmelfennig (2013), argue that it is mistaken to discuss the European Union and its democratic deficit with democratic analogies from the nation state (they use the term states-people). To replace analogies with the nation state, they use, following Bohman, the term ‘demoicracy’, to signify a polity of multiple demoi as the appropriate characterization of the European Union. Following this argument, any normative evaluation of democracy in the European Union must start from the premise that it is an institution with many demoi and not a nation state, in other words a demoicracy. This argument is important and constructive, for it helps to establish the foundational differences between the EU and nation states. We can then move away from the architecture of the nation state, and since the democratic terminology associated with the nation state has become so hegemonic, it is imperative, as Cheneval and Schimmelfennig do, to borrow Bohman’s argument to break out of analogies with the nation state. For these authors, demoicracy represents an intermediary level between nation-state and international politics. This is a key first step to move away from the architecture of the nation state while discussing European democracy.

Yet, the European Union demoicracy cannot be composed exclusively by states-people as its collective constituents, for European states have different cultural minorities and nations whose identity is different from the titular nation of the state. Consider for example the Turkish permanent residents in Germany. They are culturally different from the titular nation of the Federal Republic of Germany, as explicitly defined in ethnic terms in the German constitution, and in terms of their
numbers, they are more numerous than the citizens of several European Union states. In democratic terms, the case for their collective representation in the EU democracy is compelling.

Nicolaidis (2013: 352) follows a similar line of argument. She defines ‘demoicracy’ as ‘a Union of peoples, understood both as states and as citizens, who govern together but not as one’. However, there are in Europe many that are not states neither citizens who are nevertheless are peoples. At the same time, there is promise and innovation in the argument for like Cheneval, she argues that demoicracy as a normative concept is best understood distinct from both national and supranational versions of single demos polities. She further argues that the concept of ‘demoicracy’ can serve both as an analytical lens for the European Union and as a normative benchmark. Consequently, the normative discussion must follow different lines of argumentation from the ones utilised to evaluate democracy in nation states. Here also, the union of states and citizens has not yet entirely escaped the morphology of the nation state. For that it is necessary to include as components of the community of demoi, intermediate categories, such as ethnic and national minorities, and dispersed communities that are culturally different from their respective titular nations in the context of the nation state.

The discussion of demoicracy in the European Union is at its infancy and carries promise. It opens the way for a long overdue disentangling of democracy form the straitjacket of the nation state. It is refreshing and thought provoking, but it has to be considered an initial step, as a first attempt to conceptualise the term. To solidify the concept of demoicracy, it becomes imperative to understand more precisely the characteristics of the participant demoi, and to enhance democratic mechanisms of inter-national and inter-cultural representation. Here Demoicracy and modalities of non-territorial autonomy are following converging paths. We might reach the moment when European institutions learn from the practices of indigenous peoples and other territorially scattered minorities. A Commonwealth of Demoi holds the promise of expanding democracy through the incorporation of territorial and non-territorial representation of minority communities, something that the ideals of popular sovereignty and national self-determination have failed to do for the liberal democratic nation state model. In the meantime the democratic deficit of the nation state continues to hold up democratic values, forcing democrats into unpalatable contradictions.

4.8 Conclusion: NTA, Demoicracy and the democratic deficit of the liberal democratic nation state.

Liberal democracies where designed to function and sustain the environment of nation states. They remain the most desirable political systems because they privilege individual rights and protect the
freedoms they grant to individual citizens. Yet, as this chapter shows, liberal democracies have not
done well in protecting and representing the growing number of minority communities that live in
their midst. At the same time, the protect and nourish the dominant culture of the state. This is,
unquestionably a democratic deficit. If the world would have been neatly divided into mono-cultural
nation states, then nation state liberal democracy would have been the near perfect system of
governance. Yet, not only this is NOT the case, but to sustain this delusion is a dangerous fantasy.
Particularly if nation states where born out the idea that that they will assimilate minorities with
democracy as compensation, then self-governance is granted to some and not to others, all of whom
are ostensibly, equal citizens. Here we have a neat violation of the egalitarian principles that sustain
liberal democracy. In a world that clamours for the recognition of difference this is, to say the least,
unfair. Rather than a perfect match between the state and the titular nation of the state, the
contemporary reality of liberal democratic nation states is of diversity and cultural pluralism and not
cultural monism. While de jure nation-states, Liberal democratic nation states are de facto
plurinational and pluri-ethnic, debunking the normative ideal of one nation in one state and
exercising without wanting to, a sweet tyranny of the majority over their minority communities.

As shown above the atomist centralist system of governance, while eliminating privilege, also
eliminated the possibility of the political representation of minority communities under the
universalization of one person one vote. Individuals that adhere to the cultural mores of the titular
nation do well under these circumstances. But those loyal citizens that feel that their personal
identity is manifested in adherence minority communities could feel alienated. Their communities
cannot find a way to be represented simply because they are numerical minorities, thus the tyranny
of the majority rules.

It is here that the democratic credentials of nation state liberal democracies are incomplete.
Following this failure, different mechanisms of community incorporation begin to emerge. First was
the wave of early feminism that argued that the contractarian characteristics of liberal democracy
undermine the full incorporation of women because these contractarian characteristics were
designed to fulfil the life cycle of men. Remedial mechanisms to incorporate women as equals were
suggested. In an incremental move, multiculturalism followed similar lines of argumentation by
arguing that minority cultures also require some form of recognition of their differentia specifica,
arguing that the liberal democratic nation state levels all citizens into equal and homologous
quantities in a domain that citizens are neither equal nor homologous. Here, to restore the equality
of minorities, patterns of recognition of difference are required.
Feminism and multiculturalism embraced the idea that the recognition of difference is a mechanism to expand democracy; as an important device to ensure equality of opportunities between citizens of liberal democracies. Following this, dispersed minorities within nation states began to take the argument one step further and demand not only recognition, but representation, an essential ingredient of democratic governance. In particular, indigenous peoples displaced by colonial settler societies began to demand national self-determination that did entail territorial sovereignty because they were made into minorities in their own ancestral lands. Even if these demands were strongly connected to their ancestral lands, ethnoscapes central to their identity, indigenous demands were not for absolute control over their ancestral lands. Here different types and forms of NTA began to emerge, in different places and times, unconnected and often even not knowing of each other. Others, such as dispersed national communities in monistic states began to expand democratic principles by demanding forms of representation in existing structures of governance. NTA becomes then a modality for multi community governance, and not a specific model for the incorporation of minorities or dispersed communities. It is rather a mechanism for the allocation of collective rights and representation to territorially dispersed minorities that find it impossible to build autonomous territorial regions of their own. This is also why NTA does not provide a prescription or a common line of action. It is a demand for the expansion of the key democratic value of community representation to overcome the monistic limitations of the nation state. It includes National Cultural Autonomy and Consociationalism, as well as incipient forms of dispersed community representation. NTA is thus a generic form of collective rights and collective representation which aims to expand democracy by sharing sovereignty between different communities.

Democracy emerges as a contemporary neologism that demands deeper transformations of democracy away from the morphology of the nation state. It further argues that there is a need for democratization beyond the limits of the nation-state, and that this expansion is necessary for the renewal of democratic theory. This renewed democratic theory must not demolish cultural differences, as in the early liberal democratic model of the nation state, but crucially, democracy must now also become a democracy of the demoi, a plural and diverse conglomerate of democratic communities and constituencies.

This argument is then applied to the evaluation of the EU. Any evaluation of democracy in the European Union must start from the premise that it is an institution with many demoi and not a nation state. Therefore its democratic deficit is not commensurable with the democratic deficit of the nation state.
Here, Demoicracy and NTA are fellow travellers, travelling along converging paths, aiming at the expansion of democratic values beyond the architecture of the nation state and the limitations of an individualistically oriented liberal democracy.

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