

**Nation-states, National Minorities**  
**and the *Draft Treaty***

*Michel Seymour*  
Department of philosophy  
Université de Montréal  
[michel.seymour@umontreal.ca](mailto:michel.seymour@umontreal.ca)  
<http://www.philo.umontreal.ca/prof/michel.seymour.html>

### **Introduction**

In this paper, I wish to investigate the prospects of adopting in the European constitution provisions designed for peoples without states and for other national minorities, that is, for contiguous diasporas (extensions of a neighbouring national majority) and for non contiguous diasporas (immigrant communities). It is often said that there are three generations of rights. The fundamental basic (civic and political) rights and liberties form the first generation. Then comes the second generation of social and economic rights. And finally, cultural rights form the third generation. What can be said in favor of the *Draft Treaty* establishing a Constitution for Europe, as far as cultural rights are concerned ? In the *Draft Treaty*, the European union (EU) is taking into consideration the first and up to a certain point the second generations of rights, but are they seriously taking into consideration the third generation?

International law is beginning to welcome supranational humanitarian intervention to protect the fundamental rights and liberties of individuals, but it is not yet prepared to intervene to protect the collective rights of peoples without states (vz. Chechnya, Tibet, Kurdistan). We seem to be willing to let sovereign states do what they like on these matters. In this paper, I want to claim that the EU is no exception to that rule. I want to argue that the prospects of establishing a

Convention among European States concerning minority nations and other national minorities are rather dim. The reason is, as I will want to show, that the EU is still very much dominated by the traditional homogeneous nation-state model. Some have suggested that the European Union is already becoming a federation (others refer to it as a «federation of nation-states»), but even with its so-called «constitution» and the arrival of ten new countries (Poland, Tcheck Republic, Slovaquia, Hungary, Slovenia, Lituania, Latvia, Estonia, Cyprus (Greek) and Malt), the new EU remains for the most part an economic union of countries who tend to adopt policies that serve to enforce the homogeneous nation-state model, and this is so even if these countries are also related to each other by some federal links.

### **Nationalism VS Federalism ?**

This may perhaps seem paradoxical: how can we be both favorable to the traditional nation-state model and to federalism for Europe? The resolution of the paradox is fairly easy. First, Europe is not really becoming yet a true federation. It remains for the most part a collection of nation-states held together by very loose federative and confederative links. Second, it is in the interest of those who want to preserve the homogeneous nation-state model to try to convince everyone that the EU has already achieved the passage to a postnational era and that it has already gone beyond the traditional nation-state model. It is in their interest to pay lip service to federalism, and to declare that what is now being achieved already amounts to federalism and to the abandonment of the nation-state model, because it means that they do not have to lose a lot more sovereignty in order to be able to declare that they have moved beyond the nation-state model. In other words, they remain essentially attached to the nation-state model and yet, they are ideologically favorable to federalism as such, and this rhetorical stance precisely serves to preserve their allegiance to the traditional nation-state. The crux of my argument is that in Europe, nationalism still has a bad press. So no one wants to be caught arguing strongly for

nation-building policies. One has to be discreet on these issues, but also be emphatic and enthusiastic about federalism in the EU. And it is important for European nation-states to exaggerate their postnational achievements, because it relieves them from the obligation to make additional sacrifice of their own sovereignty.

I would be so bold as to claim, for instance, that in France, hailing the virtues of federalism at the European level serves the same performative function as the defense of «republican» values at the domestic level. Just as a reference to republican ideals serves at home to conceal the existence of French nation-building policies, a reference to federalism for Europe serves the purpose of concealing the maintenance of the traditional nation-state model. If they are successful in their rhetorical performance, they will be able to avoid self-criticism and be able in this way to secure at home their allegiance to the traditional nation-state model. It is true that the EU is more and more engaged in supranational institutions: the European Parliament, the European Commission, the European Council, the Council of Ministers, and the Central Bank but, if I'm right, the exaggerations concerning the federalist features of Europe can only be inversely proportional to the inability to criticize the traditional nation-state model. By convincing everyone that its actual achievements already amount to true federalism, they are able to paint the picture of a society of peoples that cannot be blamed for preserving the features of the traditional nation-state model. They are, in this way, entitled to be self-indulgent towards each other even if, as a matter of fact, their political organization still very much preserves at the national level some crucial features of the traditional nation-state model.

The European union remains to a very large extent a union of states eager to preserve their own sovereignty. Nothing reveals this fact more clearly than the treatment of minority nations and other national minorities within their borders. The profound reluctance of European nation-states

toward the internal self-determination of minority nations (or peoples without states) and other national minorities can seemingly be officially justified by a desire to control internal nationalism, but it remains itself as a matter of fact intimately related to nation-building policies and it is thus itself nationalist in spirit.

This criticism is chiefly directed at France and Germany, the two leading partners in the European construction. These two countries do not seem to be so much concerned about their own sovereignty and are explicitly favorable to a more intense integration within Europe, but at the same time they seem to be faithful to the traditional nation-state model at the domestic level. Germany is a federation, but the federal state is still very much an homogeneous nation-state as result of decades living with a naturalization policy that was ethnocentric. France exemplifies perhaps the clearest example of the traditional nation-state. It is officially a Republic of citizens, but it is at the same time engaged in a nationalist endeavour.

Both countries are more than ever committed to republican ideals in the pure tradition of the nation-state, and both countries are not favorable to politics of recognition for their own minorities. Therefore, how could they be at the same time so favorable to supranational institutions ? Once again, the paradox may be resolved in a fairly straightforward way. If France and Germany are so enthusiastic about the Union, it is perhaps because they know that they will be able to preserve a profound influence over the fate of the Union. With a respective population of 59,6 millions and 82,4 millions, France and Germany together represent 31% of the total European Union (now representing 453 millions with the addition of ten new countries). Under the new «constitution», a EU policy would not be implemented unless it were supported by a majority of countries representing more than 60% of the total population of Europe. Assuming that they very often would adopt views that are in their mutual interests, France and Germany

would only need the support of a single country like Italy (56,3), Poland (38,6) or Spain (41,1), to prevent the adoption of a policy. If as expected they were to find themselves on many issues to be on the same wavelenght, they would almost be benefitting from a veto as long as they are able to gather just a few allies. And Germany would be the country that really benefits the most of such a quasi veto. It would not need to remain faithful to France. It could also join forces with Italy and Poland, or Poland and Spain, or Spain and Italy in order to block any policy.

As I said, my criticism of the idea that the EU has already entered a postnational era and has already become a federation is chiefly directed at France and Germany, the two leading partners in the European construction. It is not, for instance, directed at countries like Belgium who practice at home something that comes close to being a true *de jure* multinational kind of federalism. The multinational character of Belgium is profoundly reflected in its institutions. Belgium is also a very small country and, for that reason, accepting qualified majorities at the EU level is for Belgium an important loss of sovereignty.

It is also particularly instructive to contrast at the example of Great Britain. It is true that by refusing a common European currency, Great Britain has proved until now to be an insular society, and for that reason alone, we may be critical of the British policies regarding the Union. Another reason for criticizing Great Britain is its supportive role toward the USA in the war waged against Irak. But I also want to argue, at the same time, that Great Britain has shown a surprisingly honest and ambivalent attitude toward the issues of sovereignty and supranationality. Great Britain is explicitly concerned about preserving its own sovereignty when confronted to European integration, while simultaneously being more open minded than many other countries at the local level toward multiculturalism and the devolution of powers for its minority nations. Indeed, Great Britain is eager to reject federalism at the level of Europe, but it

is paradoxically engaged internally in a devolution process and politics of recognition for its own national minorities. There is a reason for this twofold attitude. The more you accept to show an open minded approach toward devolution, multiculturalism and politics of recognition, the more you have to be explicit about the limits of those policies and determine to what extent the state may still be considered as sovereign. If the state is internally putting its own sovereignty into question, it is forced to argue explicitly at the same time in favor of maintaining some sovereignty. It becomes quite jealous of the remaining features of sovereignty that it has, and this is why it is critical of any federalist tendencies at the level of Europe. If on the other hand, the state does not have an open minded attitude toward national minorities at home, it is then never arguing explicitly for its own sovereignty and its nation building policies never need to become explicit and visible. They only need to be effective and it is better if they remain invisible. The same attitude then applies at the supranational level. It is important for such a state to make sure that the main prerogatives of the nation-state are not in jeopardy, but this need not be made explicit. On the contrary, they must remain implicit and up to a certain point invisible. What must be visible and explicit is an endorsement of supranational institutions.

I for one find the sincere hesitation of Great Britain toward supranationality much more transparent than the assurance shown by France and Germany.

### **The *Draft Treaty* : what's in it for nation states ?**

Let us first remove wrong impressions about the *Draft Treaty*. Some see the *Draft Treaty* as a sure indication of a federalist orientation taken by the Union. But one may entertain doubts about this so called «federalist» character. First, it would be a «federation» without a federated state, because there is still a strong presence of member states in the European Council, in the Council of Ministers and in the European commission. Another problematic aspect is that the

*Draft Treaty* has been presented as a constitution. But this so called «constitution» is as a matter of fact just a treaty. Also quite revealing is the fact that the Union has exclusive jurisdiction over only a very small number of issues : monetary policy, common commercial policy, customs union, and conservation of marine biological resources. Finally, with a budget approximating 1,2% of the GDP of each member state, we can hardly be speaking of strong supranational institutions.

It is also very important to notice the implicit presence of the nation-states of Europe in the structure of the Union, as it is described in the *Draft Treaty*. Nation-states are represented by the European Council and by the Council of Ministers. Now, the Presidency of the Commission will be elected by the Parliament, but on proposal of the European Council. (art. 26) The Union Minister for Foreign Affairs will be appointed by the European Council. (art 27) The members of the court of justice will be appointed by member states. (art 28) Article 33 states that proposals made by the Commission must be adopted jointly by the E-parliament and the Council of Ministers. Article 57 states that entrance into the Union must be unanimously accepted by all the countries. And the *Draft Treaty* itself must be accepted by all 25 countries. All this serves to show that the Union preserves to a very large extent the features of a confederation of nation-states. It is true that the rule of qualified majority requiring the approval of a majority of states representing 60% of the population is as a matter of fact a loss of sovereignty for member states. But this is more clearly so for small countries and much less so for large countries. And as suggested above, these rules almost amount to a veto for large countries like Germany, France and Italy, as long as they are able to agree with each other.

Another reason to doubt the so called abandonment of the nation-state model in favour of a supranational federalist model is the past behavior of the two main actors in the EU : France and

Germany. Germany raised its interest rates in the early 90s in order to finance its reunification. This created pressures on other European countries and made it difficult for them to keep up with the constraints imposed upon all members in order to adopt a single currency. One could say that at that time, Germany gave more importance to its own nation building policies than to European construction. Has this attitude been different in the last few years ? France and Germany have broken the stability pact with a deficit reaching more than 5% of their GDP. The Stability and Growth Pact have been effectively suspended through the reluctance of France and Germany to accept the recommendations of the European Central Bank and the Commission that urged them to manage their budget deficits to below 3% of GDP. There has to be some form of fiscal regulation and discipline in the Eurozone for it to operate, and it must be granted that France and Germany have failed in this regard. I surely do not want to blame them for doing so, but I want to underline the fact that these two countries continue to be very much concerned about their own sovereignty.

### **The *Draft Treaty* : what's in it for national minorities ?**

Let me now concentrate on the provisions (or lack of provisions) in the *Draft Treaty* concerning the cultural rights of national minorities. This is an important question, because if the member states are willing to abandon the traditional nation-state model, they should be willing to do so not only from above but also from below : they should be willing not only to cede part of their sovereignty to supranational institutions, but also be willing to allow for more self-determination in favor of their own minority nations and other national minorities. They should be willing to abide by common constitutional principles concerning the protection of national minorities. Many intellectuals and political leaders announce the end of the nation-state, and hail the virtues of post national identities. But are the countries of Europe engaged into such a postnational era? It is not enough to be willing to implement a Charter of fundamental rights of the Union, as seen in

Part II of the *Draft Treaty*. An important test must surely be whether the *Draft Treaty* contains measures ensuring the protections of national minorities. It is my contention that if european countries were truly engaged in the application of politics of recognition toward their national minorities, they would also be forced to make explicit the need to preserve a newly defined version of the nation-state model, one that can accommodate ethnocultural differences with politics of recognition. My conjecture is also is that they are not willing to do so, and that it is precisely for that reason that they try to convince everyone that, as it now stands, european countries have already reached a postnational consciousness and have already established federal institutions.

So what's in it for minorities in the *Draft Treaty*? In Part 1 which concerns the definition and objectives of the union, art. 3 stipulates that the Union «will promote the well being of its peoples, respect its rich cultural and linguistic diversity and foster mutual respect among its peoples». But these provisions relate to peoples as a whole within each european countries. What about their national minorities ? In the Preamble of the Charter of fundamental rights of the Union contained in Part II, one reads that the Union «places the individual at the heart of its activities, by establishing the citizenship of the union and by creating an area of freedom, security and justice.» It is then added that «the Union contributes to the preservation and to the development of these common values while respecting the diversity of cultures and traditions of the peoples of Europe as well as the national identities of the Member states.» Once again, no reference is made to national minorities and their rights. We are told that the Union reaffirms the European Convention for the protection of Human rights and fundamental freedoms and social charters, but nowhere do we find a reference to the cultural rights of national minorities. The only clause that could vaguely be interpreted as having implications for national minorities is Art II-22 in which it is said that «the Union shall respect cultural, religious and linguistic diversity.» One

must admit that this meager result is also at the same time quite mediocre.

### **In Search of Protections for National Minorities**

No reference is made in the *Draft Treaty* to the *Framework Convention for the Protection of National Minorities* (what has become known as the "Framework Convention") adopted in

Strasbourg, on February 1<sup>st</sup>, 1995. This convention entered into force on January 2, 1998. The reason why we don't see a reference to it in the *Draft Treaty* is perhaps because countries like France failed to sign and ratify the document. Other countries like Belgium, Luxembourg, Netherlands, Portugal, Latvia and Greece signed it but did not yet ratify it.

The main recommendations of *The European Charter for Regional or Minority Languages*, adopted in Strasbourg, on November 5, 1992 could also have been entrenched in the *Draft Treaty*. The *European Charter* stipulates for instance: «Considering that the protection of the historical regional or minority languages of Europe, some of which are in danger of eventual extinction, contributes to the maintenance and development of Europe's cultural wealth and traditions; Realising that the protection and promotion of regional or minority languages in the different countries and regions of Europe represent an important contribution to the building of a Europe based on the principles of democracy and cultural diversity within the framework of national sovereignty and territorial integrity,» and then it asserts in Art. 7 fundamental objectives and principles such as «the recognition of the regional or minority languages as an expression of cultural wealth. »

The *European Charter* is unique in that it is the only international Convention specifically intended to protect lesser used languages. Unfortunately, the French Constitutional Council

ruled against its ratification. France signed it in May 1999, but the Constitutional Council ruled that some of the general provisions contained in the *European Charter* were contrary to certain fundamental principles enshrined in the Constitution, and that its ratification would therefore require a constitutional amendment. It is interesting to look at the reasons invoked by the Constitutional Council. The Council invokes Article 1 of the French Constitution. According to that article, "France shall be an indivisible, secular, democratic and social Republic. It shall ensure the equality of all citizens before the law, without distinction of origin, race or religion. It shall respect all beliefs". The principle that the French people is one, and that no section of it may claim to exercise national sovereignty, is also of constitutional status. «In the light of these fundamental principles», says the Council, «no collective rights can be recognised as inhering in any group defined by community of origin, culture, language or belief. »

The Council also invokes Article 2 of the Constitution, whereby "the language of the Republic shall be French". «By virtue of these provisions», writes the Council, «public-law corporations and private-law entities supplying a public service are obliged to use French; private individuals can claim no right, in their relations with government departments or public authorities, to use any language other than French, nor must they be compelled to do so. »

It may be worth saying something about Quebec in passing, since we are of course very familiar with such clauses asserting the importance of French. But in Quebec, French is seen as a *common public language* and not as the only public language. English and aboriginal languages are also public languages. The State financially supports a parallel system of education for Anglo-Quebecers. There are primary and secondary high schools, colleges and universities in which English is the main language. There is an English schoolboard. The State also supports hospitals and social services in English. So the situation in Quebec has nothing to do with what

is going on in France. Quebec is an example of a society that institutionnaly recognizes its own profound cultural diversity.

Returning to our main discussion, it is also important to note that the Council takes issue with the fourth paragrah of the preamble in the *European Charter* in which it is claimed that “the right to use a regional or minority language in private and public life is an inalienable right”. It explicitely mentions also Article 7(1) of the *European Charter* where it is stipulated that “the Parties shall base their policies, legislation and practice on the ... objectives and principles” set out in that Article; these objectives and principles include in particular “the respect of the geographical area of each regional or minority language in order to ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of the language in question ...” and “the facilitation and/or encouragement of the use of regional or minority languages, in speech and writing, in public and private life”; moreover, by Article 7(4) “the Parties shall take into consideration the needs and wishes expressed by the groups which use such languages” by establishing “bodies, if necessary, for the purpose of advising the authorities” on these matters.

«Taken together», the Council states, «these provisions of the *European Charter for Regional or Minority Languages*, in that they confer specific rights on “groups” of speakers of regional or minority languages within “territories” in which these languages are used, undermine the constitutional principles of the indivisibility of the Republic, equality before the law and the unicity of the French people. » I find this an amazing statement, for it explicitly establishes a connection between the rejection of collective rights for national minorities and «the unicity of the French people.» This reveals that there is an important connection between the rejection of collective rights for national minorities and nation-building policies.

The Council also claims that the above mentioned provisions are « contrary to the first paragraph of Article 2 of the Constitution in that they seem to recognise a right to use a language other than French not only in “private life” but also in “public life” – a category in which the *Charter* includes judicial authorities and administrative authorities and public services. » The Council concludes that, consequently, «The European Charter for Regional or Minority Languages contains clauses contrary to the Constitution.»

So one should not be surprised to note the absence of any collective linguistic or cultural rights to national minorities in the *Draft Treaty*. France would never have signed a treaty in which such policies would have been entrenched.

### **Internal Self-Determination**

Until now, I have indicated that France has not been willing to sign and ratify the *Framework Convention for the Protection of National Minorities* and not willing to ratify *The European Charter for Regional or Minority Languages*. In both cases, one can safely assume that it has been reluctant to do so on the basis of the preservation of the unicity of the French people. As we have just seen, this justification is explicitly invoked by the Constitutional Council against the *European Charter*. And I claim that this explains the absence of reference to those documents in the *Draft Treaty*. I now wish to end this paper with a final argument that can be invoked in support of the claim that the nation-state model is still very much alive and well in Europe. I wish to consider the self-determination of peoples without states. In the *Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations*, adopted at the United Nations in 1970, one finds an important clause that invokes both the right to internal self-determination of peoples without states and the principle of territorial integrity of the state. It is a provision that takes explicitly into

consideration the main concerns of sovereign states while at the same time allowing for internal self-determination for their constitutive peoples. It does not announce the end of the nation-state, but neither does it preserve the traditional homogeneous nation-state model, because it states that peoples without states have a right to self-determination. Furthermore, the *Declaration on friendly relations between states* establishes a connection between the failure to preserve the internal self-determination of peoples without states and important motivations for secession. Here is the crucial passage :

«Nothing in the foregoing paragraphs shall be construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States conducting themselves in compliance with the principle of equal rights and self-determination of peoples as described above and thus possessed of a government representing the whole people belonging to the territory without distinction as to race, creed or colour.»

This UN document is important because it specifies conditions for secession that have nothing to do with colonization or oppression. It spells out three conditions for unilateral secession : violation of human rights, lack of representation in the political institutions of the encompassing state and, more importantly, violation of internal self-determination. This last notion means that peoples without state should be able to secure their economic, social, cultural and political development, and also be able to «determine its own political status» within the encompassing state. The territorial integrity of the state is fundamental, but it could legitimately be questioned if the state failed to secure the internal self-determination of its peoples. One could imagine turning this *Declaration* into a Convention within a European Constitution and a European Court

responsible to enforce it.

To take once again the example of France, could we say that it is committed to applying the principle of internal self-determination ? Is it for instance favorably disposed to recognize the internal self-determination of the Corsican people ? In 1991, the French Government tried to recognize the existence of the Corsican people in the *Act on the statute of the territorial unit of Corsica*. In section I of the Act, it is stipulated that “The French Republic guarantees to the Corsican people, a living historical and cultural community and part of the French people, the rights to the preservation of its cultural identity and the defence of its economic and social specific interests. These rights that flow from its island status shall be exercised in respect for national unity within the framework of the Constitution, the laws of the Republic and this statute.” This was for France an extraordinary step in the direction of a new and revised version of the nation-state model. But the constitutional council ruled against that bill. In reference to Section 1 of the *Act* , the Council criticizes the French Government for recognizing the existence of a Corsican people. Another attempt was made in 2001 to implement measures meant to secure more self-government to the Corsican people. It was called the *Corsica Act*. And the same kind of reaction from the Council was registered in 2002. In both rulings, the Council reasserted the principles of the unicity of the French people.

Once again we have to acknowledge the fact France is not willing to abandon the traditional homogeneous nation-state model. This alone explains the silence of the *Draft Treaty* concerning the self-determination of minority nations. The paradox is that it is also in France that we hear very often the announcement that the nation-state is dead and gone. If I am right, the example of France proves beyond the shadow of a doubt that it is alive and well and kicking its national

minorities like never before.

Here also, this invites a comparison with Quebec. The political recognition of aboriginal peoples is something that we can now almost take for granted in Quebec. We achieved a «peace among braves» with the Cree people that was extended to the Inuits. We also were able to sign a framework for an agreement with four bands comprising most of the Innu population living on the north east coast of Quebec. The agreement establishes self-government for the Innus, and does so without abolishing their ancestral rights. This is a unique agreement and most probably the most progressive achievement in the world at the moment. Quebec seems able to accept the existence of peoples within its own people. Aboriginal populations within Quebec may if they wish become nations within a Quebec nation.

## **Conclusion**

It is often said that an important test for a given sovereign state is its capacity to accommodate its minorities. We might also use the test to determine whether a given state is able to move away from the traditional homogeneous nation-state model to a version that is more adapted to our contemporary global era. Are nation-states able to become polyethnic by adopting policies of multiculturalism that are accompanied by measures securing the integration of immigrant groups? Are nation-states able to become pluricultural by adopting institutional measures for some national minorities that enable them to speak their language in public, learn their language at school and benefit from public institutions in which their language is mostly spoken? Are sovereign states able to become truly multinational by allowing minority nations to have internal self-determination and be able to determine their political status within the encompassing state? Our era is perhaps not one announcing the end of the nation-state as such. It is one announcing

the end of the traditional homogeneous nation-state, that is, one that is unable to adopt politics of recognition for contiguous diasporas and non contiguous diasporas. It is an era announcing that the nation-state cannot be the only model of political organization, for we must also give room to *de jure* multinational states, that is, states in which minority nations are formally recognized and in which the encompassing state fully acknowledges the institutional consequences of such a recognition. And we must also of course allow for supranational institutions like the EU. In my view, these alternative models must all be welcomed. But we should not believe those who announce the end of nation-states, for this is still nowadays a rhetorical and hypocritical claim that paradoxically serves most of the time to preserve and conceal outdated forms of nationalism.

By contrast, Quebec offers an example of a society that is increasingly becoming polyethnic (with 40 000 immigrants each year), pluricultural (with the presence of a linguistic minority of Anglo-Quebecers) and multinational (with the recognition of eleven aboriginal nations on its territory). Moreover, most Quebecers have attempted to adapt themselves to the Canadian federation. They only wanted Canada to recognize the existence of a Quebec people and to accept the institutional consequences of such a recognition. However, until now Quebecers have been unable to convince Canadians to do so. On the contrary, the vast majority of Canadians now reject the idea of two founding peoples and are indifferent to constitutional reform. Such attempts at reform were intensified in the last forty years and they have all failed. For the time being, Quebecers still prefer with a close margin (52%) to remain within the Canadian federation. They simply want to enjoy their political and fiscal autonomy within the federation. But at the same time, Canadians are engaged in a nation-building policy that threatens the status quo. They have imposed a new constitutional order against the will of Quebec. They have adopted the *Framework on Social Union* that allows the federal government to intervene

systematically in provincial jurisdictions. And they have created a fiscal imbalance, whereby the revenues of the federal government are increasing more than the costs involved in their own jurisdictions, while the revenues of the provinces are not following up the increase of the costs involved in dealing with their own jurisdictions. In short, the Framework threatens the political autonomy of Quebec and the fiscal imbalance threatens the fiscal autonomy of Quebec.

So the situation is thus somewhat ironic. Canada is increasingly losing the traits of a federal system, while Europeans claims to be going in the direction of federal institutions while refusing to abandon the nation-state model. One sees the danger of a complete misunderstanding on the part of Europeans concerning the political situation of Quebec. Some Europeans perceive the national aspirations of Quebec as outdated but they do so without ever having experienced a loss of sovereignty in favor of a multinational federation. They denounce Quebec nationalism, but they do not realize that they have been and are still acting much more under the spell of an outdated form of nationalism. They do not realize that Quebec is forced out of the Canadian federation because of the inability of Canadians to accommodate the national aspirations of Quebec in a true multinational federation.

We can of course eventually welcome the emergence of a «federation» in Europe. But it will most probably be a federation of «nation-states». So Europeans should welcome Quebec nationalism as modern, progressive and open minded. When Quebecers are considering alternative models such as sovereignty in a political and economic union with Canada, they are in fact following up to a certain point the path of Europe. There will never be a need for federal supranational institutions for Canada and a sovereign Quebec. But nevertheless, the similarities with Europe will perhaps be more important than the differences.

