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DEBATING WITHIN LIBERAL NATIONALISM:
THE LINGUISTIC DISPUTES IN CATALONIA AND FLANDERS

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This is to certify that the work contained within is entirely my own work. No part of this thesis has been submitted for any other degree or professional qualification

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Abstract

This thesis addresses the following question: do proponents and opponents in the linguistic disputes in Catalonia and Flanders prioritise individual or group-oriented rights? The dispute in Catalonia is about the use of languages in the Catalan education system, while the dispute in Flanders is about the linguistic regime in certain municipalities around Brussels. Crucially, both are made of competing normative-laden political arguments. Drawing on interviews and document analysis, the thesis situates the conflicting political arguments within the scholarship on the compatibility between liberalism and nationalism. The central argument of the thesis is that the Catalan and Flemish linguistic disputes occur within liberal nationalism. Proponents in Catalonia and Flanders argue in a form of liberal nationalism that is more nationalist than liberal, although the nationalist dimension is more explicit in Catalonia; opponents in Flanders combine liberal nationalism with classical liberalism; and opponents in Catalonia argue in a form of classical liberalism that relies on liberal nationalist elements. In short, the four positions in the two debates participate in different forms and to different degrees in liberal nationalism. The findings suggest that nationalism is an important factor in making sense of the paradox that the normative consensus on political liberalism does not translate into political consensus in these specific cases.

It is hoped that the findings of this thesis will make two main contributions. The first is an explanatory contribution to improve the understanding of the Catalan and Flemish linguistic disputes: the disputes are not between liberals and nationalists, but between liberal nationalists. The second is a theory-building contribution to refine the theoretical debate about individual and group-specific rights: liberal nationalist scholars run the risk of being unable to account for the national attachments many people experience in 'the real world' if, in their efforts to build acceptable liberal theories, they circumscribe their defence of national membership to its instrumental role for individual autonomy. In addition, their conceptualisation of nations as bounded and homogeneous seems to be built upon flimsy empirical grounds.

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Table of Contents

Abstract	I
Acknowledgements	II
Table of Contents	IV
List of Tables	VII
List of Figures	VII
Introduction	1
Main Argument	4
Structure of the Thesis	5
Chapter 1. Research Design	8
1.1 The Coming Together of Normative and Empirical Work	8
1.2 Research Design	11
1.2.1 Research Question, Expectations, and Research Strategy	11
1.2.2 Case Selection and Comparative Method	15
1.2.3 Research Sources and Research Methods	17
1.2.3.1 Research Sources	17
1.2.3.2 Research Methods	18
1.3. Conclusion	22
Chapter 2. The Compatibility between Individual and Group-Specific Rights	23
2.1 Classical Liberalism	25
2.1.1 Equal Individuals	26
2.1.2 Individual Liberty	29
2.1.3 Limited and Neutral State	30
2.1.4 Egalitarian Liberalism	32
2.2 The Communitarian Critique	35
2.2.1 Ontological issues	37
2.2.2 Advocacy issues	40
2.3 Liberal Nationalism	44
2.3.1 The Autonomy Argument	47
2.4 Concluding Remarks	53

Chapter 3. Nationalism and Linguistic Justice	56
3.1 Language in Nationalism Studies	57
3.1.1 Benedict Anderson	61
3.1.2 Ernest Gellner	64
3.2 Language in the Field of Linguistic Justice	66
3.2.1 The Territoriality vs. Personality Debate	72
3.3 Conclusion	76
Chapter 4. Language and Nationalism in Catalonia and Flanders in Historical Perspective	79
4.1 Miroslav Hroch's Three Phases in the Development of Nations	80
4.2 Phase A: The Emergence of Cultural Movements	81
4.3 Phase B: The Increasing Importance of Politics	87
4.4 Phase C: The Diverging Paths of the two Movements	96
4.5 The Set-up of the Linguistic Facilities and the Immersion System	101
4.6 Conclusion	106
Chapter 5. The Competing Political Arguments in Catalonia	109
5.1 The Catalan Conjunction Model	110
5.2 Three Recent Linguistic Controversies	112
5.3 'Liberalism vs. Nationalism': The Mobilisation against the System	115
5.4 The Political Arguments for the Catalan Conjunction Model	122
5.4.1 Core Concept 1: Social Cohesion	124
5.4.2 Core Concept 2: Catalonia's own language or common language	128
5.5 The Political Arguments against the Catalan Conjunction Model	131
5.5.1 Core Concept 1: Constitutional Rights	134
5.5.2 Core Concept 2: Indoctrination	134
5.5.3 Core Concept 3: Discrimination	137
5.6 Concluding Remarks	138
Chapter 6. The Competing Political Arguments in Flanders	141
6.1 The Flemish Periphery and the System of Linguistic Facilities	142
6.1.1 The Flemish Periphery	142
6.1.2 The Six Municipalities with Linguistic Facilities	147
6.2 Three Recent Linguistic Controversies	150

6.2.1 The Split-up of the Electoral District of Brussels-Halle-Vilvoorde (BHV)	151
6.2.2 The Non-appointment of the Mayors of Kraainem, Linkebeek, and Wezembeek-Oppem by the Flemish Government	155
6.2.3 The Non-ratification of the Framework Convention for the Protection of National Minorities (FCNM) by the Belgian state	157
6.3 The Political Mobilisation in Defence of French-speakers in Brussels and the Flemish Periphery	159
6.4. The Political Arguments for the Monolingual Territoriality Principle	165
6.4.1 Core Concept: Integration	170
6.5 The Political Arguments against the Monolingual Territoriality Principle	174
6.5.1 Core Concept: Discrimination	179
6.6 Concluding Remarks	182
Chapter 7. Mapping the Political Arguments:	
Debating within Liberal Nationalism	185
7.1 Mapping the Political Arguments in Catalonia and Flanders	186
7.1.1 The Political Arguments for the Catalan Conjunction Model	186
7.1.2 The Political Arguments against the Catalan Conjunction Model	191
7.1.3 The Political Arguments for the Monolingual Territoriality Principle	197
7.1.4 The Political Arguments against the Monolingual Territoriality Principle	202
7.2 The Affinity between the Academic and Political Arguments	206
7.2.1 Testing the Expectations	206
7.2.2 Discussion	207
7.2.2.1 Contextual factors	208
7.2.2.3 Theoretical Factors	210
7.3 Conclusion	212
Conclusion	214
Ten Summary Theses	219
Limitations of the Research	224
Thinking Ahead: Further Research	226
References	228
Appendix	239
Index of Interviews	239
Index of Documents	241

List of Tables

Table 1.2 Interviews	18
Table 1.2 Guide for semi-structured interviews in Catalonia	20
Table 1.3 Guide for semi-structured interviews in Flanders	20
Table 1.4 Documents	20
Table 2.1 The Conceptual Framework of the Thesis	25
Table 2.2 Core Values of Classical Liberalism	25
Table 2.3 Core Values of the Communitarian Critique	36
Table 3.1 Romantics and Nationalism Scholars on Language and Nation	58
Table 5.1. Core Concepts in the Arguments for the Conjunction Model	122
Table 5.2. Core Concepts in the Arguments against the Conjunction Model	131

List of Figures

Figure 2.1 Liberal Nationalism in the Liberal-Communitarian Debate	44
Figure 3.1 Main Positions in the Field of Linguistic Justice	68
Figure 6.1. The 19 Municipalities of the Flemish Periphery	143
Figure 6.2. The Electoral District of BHV	151

Introduction

We live in a part of the world where liberalism and nationalism are ubiquitous, and this raises both conceptual and real-world challenges. Is liberalism, which provides a worldview at the centre of which is the individual, really compatible with nationalism, with its focus on national groups? Liberal democracies are meant to put liberal principles into practice, but which principles exactly and what happens when the political community is a nationally contested space? These are some of the relevant issues that this thesis addresses by examining the linguistic disputes in Catalonia and Flanders. These disputes are made of normative political arguments about whether linguistic laws are acceptable or reprehensible, and they capture some of the enduring challenges and puzzles that stem from the pervasiveness of liberalism and nationalism in the world in which we live.

The dispute in Catalonia is mostly ‘educational’: aimed at social cohesion and immigrant integration, the ‘conjunction model’ uses Catalan as the only language of instruction in publically funded schools and it is seen as illiberal by some political actors. They argue that the model infringes their right to be educated also in Castilian, which is a co-official language in Catalonia. They add that it indoctrinates students into Catalan nationalism, and that it discriminates against students whose first language is Castilian. Differently, the dispute in Flanders is mostly ‘territorial’: in the Flemish Periphery of Brussels there is a mismatch between the language regime (monolingual Dutch with linguistic facilities for French-speakers in six towns) and language use (mostly French-speaking). The strict application of the monolingual territoriality principle by Flemish authorities aims at achieving the integration of newcomers, protecting in passing the territorial integrity of Flanders and the status of Dutch as the language of the Flemish public sphere. However, some French-speaking political actors argue that strict territoriality discriminates politically and economically against French-speakers, and that the border between Flanders and the officially bilingual Brussels-Capital Region should be redrawn in order to protect their linguistic rights.

As the reader can appreciate, the fundamental tension in the two linguistic disputes is between the willingness of regional authorities to integrate newcomers, on the one hand, and the discriminatory consequences of integrationist policies for the rights of Castilian-speakers and French-speakers, on the other. This brings us to the fundamental similarity that makes the comparison possible: Catalonia and Flanders are sub-state nations with normative-laden linguistic disputes. Political decentralisation gave them autonomy to legislate on linguistic matters, they engaged in the linguistic protection and promotion of the ‘autochthonous’ language (often as part of a wider aim to develop their own nation-building project), and debates emerged about how they treat their own linguistic diversity (specifically, how they treat speakers of the language that is dominant in the rest of the state). The politicisation of languages, combined with the enduring empirical reality of linguistic diversity, set the context for the emergence of linguistic disputes. But Catalonia and Flanders are not similar in all their attributes, and one of the main differences lies in the type of linguistic dispute. The distinction between ‘educational’ and ‘territorial’ is a short-hand way of encapsulating the variation between the cases, but it should not be understood literally, as the Catalan education policy is implemented in a specific territory and the territoriality principle in Flanders affects education policy.

This thesis explores the linguistic disputes in Catalonia and Flanders with the following specific aim: to map the competing political arguments within normative political theory about the compatibility between liberalism and nationalism. Indeed, the research question that this thesis addresses is the following: do proponents and opponents in the linguistic disputes in Catalonia and Flanders prioritise individual or group-specific rights? To answer this question, I draw on scholarship regarding the compatibility of individual and group-specific rights, and on primary sources obtained through semi-structured interviews and document analysis of parliamentary debates and other political documents from Catalonia and Flanders. A central feature of this research is thus the combination of normative studies and empirical research. Simply stated, the basic idea is the following: we see disputes ‘on the ground’ which comprise normative issues and which are made up of essentially normative political arguments (although they also make use of empirical evidence); these normative issues playing out in the ‘real world’ are in some way connected to the longstanding

academic debate about liberalism and nationalism, which is in turn an abstraction generated as a response to real-world dilemmas; and there are gains to be made by examining the precise correspondence between academic and political arguments.

Specifically, through the combination of normative studies and empirical research, this thesis seeks to make two contributions. The first is an *explanatory* contribution to the understanding of the linguistic disputes in Catalonia and Flanders. Are they the result of a clash between incommensurable values? Do liberal and nationalist motivations intersect in these debates, and if so in what way? This first contribution stems from a concern with real-life problems, and the underlying assumption is that normative principles can be useful in organising observable normative arguments in a way that facilitates analysis and contributes to explanation. The second contribution that this thesis seeks to make is *theory-building* to shed light on the ability of the academic debate on individual and group-specific rights, which was mostly held in Quebec, to ‘travel’ and account for other contexts. Specifically, the thesis focuses on the usefulness of my conceptual lenses, which are made of the distinction between classical liberalism, the communitarian critique, and liberal nationalism, reduced to a set of principles in competition. These positions quintessentially capture the main competing logics in the academic debate. The underlying assumption here is that analytically rigorous theoretical endeavour need not be comprised, but rather might be enhanced, by giving due consideration to the complexities that arise in real, non-ideal societies. The use of evidence from empirical research does not attempt to replace one theory with another, but to offer an assessment of the capacity of these ideal theories to account for real-world circumstances.

This thesis originates from two main sources. The first is an intellectual puzzle: why does high-level normative consensus on political liberalism not translate into political consensus? There is broad agreement, evident in Catalonia and Flanders, that the values that should underlie a legitimate polity are the norms of liberal democracies. Yet, this normative agreement at the theoretical level about rights and values coexists with normative disagreement ‘on the ground’ about what, specifically, those very rights and values might be. I found this rather puzzling, and

this spurred in me both a theoretical interest in the nature of political liberalism and an empirical interest in making sense of what animates the linguistic disputes in Catalonia and Flanders.

This thesis also originates from a personal interest in, and sentimental attachment to, the case of Catalonia. Being Catalan myself, I was raised in a context where conflicting nation-building projects interplay with linguistic disputes and debates over cultural and political rights. Issues of language and nationality are pressing for many Catalans, and public and scholarly discussions on these matters are common. Perhaps if I had been socialised in a place where the congruence between state and nation is less problematised, or in one with a more limited politicisation of language issues, this thesis would address an entirely different topic. I do not mean this in a deterministic sense, but I want to stress that my interest in issues of nationalism and liberalism stems in part from Catalonia's conflictual relations with the Spanish central institutions, in which nationalism plays a significant role, and from the Catalan linguistic dispute, in which opponents of the 'conjunction model' make their case in explicitly liberal, anti-nationalist terms.

Main Argument

The central argument of the thesis is that the Catalan and Flemish linguistic disputes occur within liberal nationalism. Simply stated, liberal nationalism is a strand of political liberal theory that stresses the importance of membership to national groups for individuals. The findings suggest that the four positions in the two debates rely in different forms and to different degrees on liberal nationalism. Specifically:

- The positions defending the Catalan 'conjunction model' and the strict application of the monolingual territoriality principle in Flanders prioritise group-specific rights. The emphasis is on national interests such as social cohesion and immigrant integration. The set of arguments articulating these positions falls fundamentally within liberal nationalism, but not perfectly, because the political arguments are more nationalist than the dominant liberal nationalist position in the literature. This is more explicit in Catalonia but it is true in both cases. There are also recurrent notions which are susceptible of

communitarian interpretations, such as ‘Catalonia’s own language’ and ‘the protection of the Flemish character’.

- The position opposing the monolingual territoriality principle in Flanders combines individual and group-oriented rights. This is so because the emphasis on the protection of individual rights against discriminatory policies is combined with demands of group-specific rights for French-speakers in Flanders, presented as a national minority. Thus, this position displays both elements that fall within classical liberalism and within liberal nationalism.
- Finally, the position opposing the Catalan ‘conjunction model’ displays basically the vocabulary of classical liberalism, which relies in turn on elements that fall under liberal nationalism. This is so because the case for parents’ right to choose the language of instruction of their children, and the accusations of nationalist indoctrination, draw on constitutional precepts that reinforce the rights of Castilian-speakers and Spain as the only nation of reference.

The findings of the thesis draw attention to the challenges that the uneasy relationship between liberalism and nationalism generates. In providing a diagnostic of the disputes in Catalonia and Flanders, this thesis could be of interest to scholars grappling with the phenomenon of linguistic disputes in political communities with competing national projects. More generally, the critical assessment of normative debates around individual and group-specific rights, and its connection with ‘real cases’, hopes to be of interest to scholars working on the issue of liberal minority rights in plurinational democracies, especially in the overlap between political theory and nationalism studies.

Structure of the Thesis

This thesis is structured in the following way:

Chapter 1 explains the **research design**. It elaborates on the benefits of combining normative and empirical work for understanding the linguistic disputes and for

theory-building; it explains the research question and strategy; and it justifies the case selection and the adoption of the comparative method.

Chapter 2 presents the main **conceptual framework**, drawing on the debate in normative political theory about the compatibility between individual and group-specific rights. It organises the basic core sets of principles in competition between three positions: classical liberalism, the communitarian critique, and liberal nationalism; and it critically examines the strengths and weaknesses of the different positions, ultimately siding in a critical manner with liberal nationalism.

Chapter 3 lays out different and **complementary conceptual lenses**, zooming in on language and examining scholarship in nationalism studies and linguistic justice. The chapter contrasts the role of language for nationhood according to Romantic thinkers and nationalism scholars; it examines the main positions in the field of linguistic justice within contemporary political theory; and it draws connections between the two scholarships, eventually suggesting that they can be seen as complementary in some ways.

Chapter 4 compares the **historical context** in which the Catalan and Flemish linguistic disputes are located. Linguistic disputes do not emerge ex nihilo, nor do they not exist in a vacuum. The chapter uses Miroslav Hroch's three-phase scheme for a conceptual and systematic comparison, and it focuses on the development of the linguistic and nationalist mobilisations and the emergence of the two linguistic disputes. The chapter draws attention to the significance of the differences between the two cases that occurred in Phase C.

Chapter 5 lays out **the competing political arguments in Catalonia** about the use of languages in the Catalan education system. The focus is on how political actors justify their position in the linguistic dispute, and the chapter provides a conceptual disaggregation of the conflicting political arguments. The chapter does not discuss the empirical validity of the arguments, focusing instead on their normative dimension. It also provides an explanation of the 'conjunction model', the most recent linguistic controversies, and the progressive mobilisation against the system.

Chapter 6 examines **the competing political arguments in Flanders** about the Flemish Periphery, with a focus on the six communes with linguistic facilities for French-speakers. Following the same structure and purpose as in chapter five, it disaggregates conceptually the conflicting political arguments. This is preceded by an explanation of the Flemish Periphery and the system of linguistic facilities, the most recent linguistic controversies, and the progressive French-speaking mobilisation against the system.

Chapter 7 consists in **the mapping of the political arguments** in relation to the academic literature on individual and group-specific rights. The chapter answers the research question of the thesis, tests the expectations or hypothesis set out at the beginning of the project, and conjectures as to the theoretical and contextual factors that might explain why political actors make their cases the way they do.

In summary, this thesis explores the normative dimension of the linguistic disputes in Catalonia and Flanders. To do so, it maps the competing political arguments in light of academic debates about liberalism and nationalism. The thesis emphasises context, exploring abstract principles as they are embedded in the particular Catalan and Flemish circumstances. A core argument that emerges out of this approach is that liberal nationalism provides a useful framework for interpreting the disputes, but with some caveats. The data presented highlights a complex situation that is not perfectly captured by theoretical arguments. Specifically, I shall argue that the political arguments are more nationalist and less liberal than the academic arguments. The findings draw attention to the relationship between abstract principles and the subtleties of specific contexts, and to the fact that shared normative principles have different implications in different places.

Chapter 1. Research Design

1.1 The Coming Together of Normative and Empirical Work

Social sciences have tended to define a sharp distinction between normative and empirical research. The basic distinction is that empirical research ‘addresses events and political phenomena that we observe in the real world; questions about what *is*’, while normative research ‘addresses ideas and thoughts and questions about what should or *ought to be*’ (Halperin and Heath 2012: 4 – see also Ch3). The two levels of analysis are seen as incompatible, even incommensurable, because empirical work eschews normative questions and normative work is not concerned with empirical realities. The former is about facts, the latter is about values. The former is descriptive, the second is evaluative.

This view is grounded in an over-rigid understanding of the two. Gerring and Yesnowitz argue that ‘the two modes of analysis should be distinguished from one another but are also necessarily implicated in one another’ (2006: 119). They stress that the selection of a topic in empirical political science presumes a judgment of moral importance, and they argue that political science should be tied to normative concerns to be relevant to practical and public concerns¹. Similarly, there have been calls for (and from) political theorists² to work in a way that is both driven by real world problems and empirically informed (Green and Shapiro 1994, Isaac 1995, Ball 1995, Shapiro 2002). For example, Isaac forcefully argued that political theorists must begin ‘to acknowledge this world as a source of intellectual and practical problems, to engage in it in all of its empirical and historical messiness, to demonstrate that our categories help to illuminate this political reality and even, dare I say it, to improve it’ (1995: 645-646). The underlying idea in these calls for a rapprochement is that there are gains to be made for both sides, especially in terms of relevance, by combining ‘the insights of political theory with observations as to the

¹ This links with Flyvbjerg’s defence of more *phronesis* in social and political science (2001, 2004). Specifically, it connects with his point that, to arrive at social and political sciences that *matter*, ‘we must address problems that matter to groups in the local, national and global communities in which we live, and we must do it in ways that matter; we must focus on issues of context, values, and power (...)’ (2004: 413).

² In this thesis, political theory is understood either as the analysis of great works in political philosophy or the construction of new works of normative political arguments. Thus, normative work is understood as one of the ways of doing political theory.

contingencies of practical politics’ (Stears 2001: 216). In short, ‘while we must be sensitive to the difference between normative and empirical questions and statements, we must also recognise that they are not independent of each other, and that there are costs in keeping them separate’ (Halperin and Heath 2012: 74).

Normative and empirical work is coming together through the ‘normative turn’³ in the social sciences (Bauböck 2008a) and the ‘contextual approach’ to political theory (Carens 2004). Nowadays there is a greater realisation of the normative assumptions built into empirical categories (such as the dichotomy between civic and ethnic nations – see Yack 2012: Ch1) and, especially, there is more willingness to link normative principles to real cases. Will Kymlicka, a key political theorist in the conceptual framework of this thesis, is both an example and an instigator of the contextual approach to political theory. It is worth quoting him at length:

‘My aim (...) is to examine critically some of the standard ways of discussing issues of nationhood and ethnocultural diversity in Western democracies. (...) I hope that this sort of theorizing is helpful to people. I know that many philosophers will want a more high-level abstract theory that starts from first premises about the nature of reason, knowledge, and personhood. Some policy-makers will want lower-level practical applications and case studies. But I’m not qualified to do the latter, and have doubts about the usefulness of the former. So *I have focused instead on a mid-level analysis of moral arguments and public discourse. I believe that’s a worthwhile project, and can shed light, not only on issues of minority rights, but also on the nature of liberalism as a political tradition, particularly its notions of individualism, autonomy, equality, political community, and national identity*’ (2001: 8-9 – my emphasis).

The turning point in the rapprochement between normative and empirical work was John Rawls’ *A Theory of Justice* (1971) (Bauböck 2008a; Gunnell 1983, cited in Smith 2003). This is so because it oriented political theory towards the task of justifying or criticising liberal political institutions. The initial reaction to the book among political theorists was focused on philosophical considerations (such as the communitarian critique examined in the next chapter). However, in the 1990s there

³ It is important to note that the ‘normative turn’ is actually a *return*. Bauböck points out that nearly all important works in political theory combined normative and empirical claims until the rise of positivism in the social sciences in the 20th century. But, as Maiz (2010) notes, the term ‘return’ is not fully accurate either, because normative political theory was never really absent, as we realise if we think for example of the work of Hannah Arendt and Isaiah Berlin.

was an institutional and contextual turn in normative work that led to a greater concern with examining and comparing actual institutional arrangements in liberal democracies. Kymlicka's remark above is an example of this. These new normative theories are inspired by Rawls' ground-breaking institutional focus, but at the same time they focus heavily on moving beyond the perceived limitations of his theory.

The coming together of normative and empirical work has resulted in a relevant endeavour for this thesis: the attempts to assess linguistic laws normatively (Branchadell 1997, Kymlicka 1998, Costa 2003, Miley 2006: 363-410, Vergés 2008 and 2013: 61-99). This has typically been done by analysing whether contested linguistic laws are 'liberal' or 'illiberal', which reflects the broad consensus in favour of liberal democracy⁴. The risk in assessing whether or not linguistic laws are liberal is to disregard that political liberalism is an umbrella term and that contested linguistic laws can typically be defended or rejected in at least one of the many strands of liberal thinking. The fact that a given law can be simultaneously liberal and illiberal, depending on what form of liberalism we embrace, does not take us very far. For this reason I suspect that the academic focus on *rights* might be misconceived and that a more useful approach is to examine *claims*. This is the approach I adopt in this thesis.

The 'contextual turn' in political theory and the 'normative turn' in the social sciences can help to make two contributions. The first is an explanatory contribution to better understand the linguistic disputes. This is so because 'the contribution of political theory to political debates is not to settle disputes, but to clarify arguments and to highlight the values involved in political choices' (Bauböck 2008a: 40). Patten (2008) makes a similar point, noting that normative principles can be useful to organise observed policies under different headings in a way that facilitates analysis. I would add 'observed arguments' here: Swift and White rightly note that 'anybody who argues for any policy is taking a normative position, whether she realizes it or not' (2008: 50). We know that normative problems cannot be resolved through inference from empirical evidence, while empirical problems cannot be resolved

⁴ In my view, it is plausible to claim that political liberalism has become dominant in many parts of the world, but certain self-indulgent narratives created 'within' liberalism seem to be invalid. It is a fact that the institutions and practices of liberal states often fail to live up to liberal principles.

through conceptual analysis⁵. However, we can use normative theory to refine our understanding of political disputes such as those in Catalonia and Flanders.

Specifically, the linguistic disputes in Catalonia and Flanders comprise very clearly overlapping normative issues such as the liberal limits of linguistic laws and the relationship between language and nation. In turn, political arguments are themselves essentially normative and make use of empirical evidence. When the research content is clearly embedded within normative issues, the rapprochement between normative and empirical work is especially useful in making sense of the contestation. This rapprochement cannot contribute to problem-solving (I agree with Grant (2002) that knowledge alone is not sufficient to settle political disagreements), but it can contribute to explanation.

The second contribution that the coming together of normative and empirical work helps to make is theory-building. Crucially, it prevents normative reasoning from building valid syllogisms on unfounded premises and from steering its own path away from actual linguistic disputes (De Schutter 2007: 1-3). Indeed, ‘one danger of abstract theoretical language is that it can create a world of its own, disconnected from reality’, and while theories are always undetermined to some degree, there is value in examining them ‘in light of their concrete implications for policies, practices, and institutions’ (Carens 2004: 119). Contextualising normative theory also relaxes the ambitious aim of applying universal criteria to varied circumstances and contexts, showing awareness that the meaning and use of concepts varies contextually (Flyvbjerg 2001: 38-49).

1.2 Research Design

1.2.1 Research Question, Expectations, and Research Strategy

This thesis addresses the following research question:

Do proponents and opponents in the linguistic disputes in Catalonia and Flanders prioritise individual or group-specific rights?

⁵ This would incur in the famous ‘Is-Ought problem’ articulated by David Hume, who noticed that there is a difference between descriptive and prescriptive statements and that it is not obviously clear how we can draw the latter from the former.

The unit of analysis in this thesis are the competing political arguments about the Catalan conjunction model in education and the Flemish Periphery of Brussels⁶, respectively. The focus on the Catalan education system and the Flemish Periphery is not to deny that there are other instances of linguistic dispute in the two cases, but to highlight that these two are the most salient. The aim is to examine how the political arguments resemble the academic arguments about the individual and the collective mobilised in the literature. The level of analysis at which explanations are postulated to work is the micro-level, on the assumption that this tells us something broader about the phenomenon of linguistic disputes in political communities with competing national projects.

The focus of this thesis is on the way political actors⁷ make their normative-laden cases in the two linguistic disputes. The aim is to interpret and structure their arguments using the literature on the compatibility between individual and group-specific rights. The underlying presupposition is that this exercise can serve to shed light on the nature of the dispute and to refine theory. The basic assumption in this investigation is that ‘there is value in paying attention to the actual moral judgements we make, to the typical normative language we use, to the principles we invoke, to the kinds of things we identify as worth arguing about, and to the specific claims we put forward when we talk about justice or freedom in ordinary life’ (Carens 2004: 120).

This is not to deny that political actors very often use concepts in vague, imprecise ways. Swift and White rightly note that politicians ‘sometimes like it when it’s unclear what words mean, because then they can gloss over disagreements and appear to be on everybody’s side’ (2008: 64). They also note that politicians’ interest in abstract ideas (such as community and liberty) is typically short term and

⁶ The name of this area is also contested. Flemish political actors usually refer to it as ‘the Flemish Periphery of Flanders’, but most French-speaking politicians see it as ‘the Brussels Periphery’. The different names reflect of course the competing political views, with the Flemish view emphasising that the area is Flemish territory and the French-speaking view suggesting that in reality it is part of, or at least it is similar to, the Brussels Capital Region. I am aware that the term I use in this thesis to refer to this area is not neutral.

⁷ In this thesis, ‘political actors’ refers to three non-exclusive categories: (1) politicians at the government level, (2) politicians who are members of parliament, and (3) leaders and spokespersons of civil society organisations. They are all individual actors participating in the public life and creating discourse or policies on linguistic matters.

strategic. And they stress that politicians are concerned to stick to the party line and to simple messages, so ‘they will not follow ideas to the point where they get complicated or controversial’ (ibid). All this is largely uncontroversial. The point is that this does *not* refute that normative principles underlie political positions, and that there is value in examining these positions in depth to better understand what they really stand for. Politicians act as opinion leaders and play a key role in articulating the normative-laden linguistic disputes examined in this thesis; they are therefore social agents that deserve close attention. And conceptual vagueness or inconsistencies in everyday political debate may be interesting analytical points rather than something to be dismissed too easily. In addition, my broad category of ‘political actors’ includes but is not limited to politicians, comprising for example leaders of civil society organisations and cultural activists, who by and large do not suffer from the party pressures and argumentative restrictions mentioned above.

This thesis does not have hypotheses in a strict sense, but it does have starting expectations. The term ‘hypothesis’ is not particularly suitable here given the nature of this research project. The notion is generally used in studies that seek to establish causal relationships between variables in the usual sense, implying that each has an independent effect that can be identified by controlling for the others. For the purposes of this research I prefer the term ‘expectation’, which conveys a more flexible understanding of research premises and of the relationship between theoretical premises and empirical data.

E1: Political actors that advocate Catalan and Flemish linguistic rights will express themselves in the vocabulary of liberal nationalism, whereas those opposing the same will express themselves in the vocabulary of classical liberalism.

The reason for this is pragmatic. Liberal nationalism, with its emphasis on the importance of cultural membership for individual well-being, offers suitable normative conditions for small language speakers⁸ to argue for the protection of their language. Classical liberalism, with its emphasis on the individual and its

⁸ I prefer the term ‘small language speakers’ over the most common ‘minority language speakers’ because the latter is inadequate to refer to Dutch-speakers in Flanders, who are a demographic majority in Belgium.

uneasiness with collectively defined goals, goes along with the position of critics with the Catalan and Flemish linguistic policies. I do not expect a great deal of openly communitarian arguments due to the general discredit of collectivism after the Second World War. All this is not intended as reductionist or socially determinative. What it points out is that linguistic controversies need to be examined in relation to the context in which they are embedded, and that there are conditions under which some claims are more likely to exist than others.

E2: The conflict is not between classical liberalism and liberal nationalism, but between competing forms of liberal nationalism.

This second expectation suggests that the use of the vocabulary of individual rights might be, in reality, a way of framing and subscribing to a particular group identity. Although the opposing political actors will claim the right to express themselves in town halls in French or to be educated in Castilian⁹ in Catalonia in the vocabulary of individual rights (hence it might ‘look like’ classical liberalism), the justification for these individual rights claims will come from a worldview that draws a close connection between individual identity and belonging to a cultural and national group (that is to say, a worldview that falls under liberal nationalism).

The research strategy to answer the research question and to assess the validity of the two expectations is the following. I examine the competing political arguments in Catalonia and Flanders through the lens of the academic debate about the compatibility of individual and group-specific rights. This academic debate quintessentially captures the main competing logics in the linguistic disputes, which are about the liberal acceptability of linguistic laws in two sub-state nations. To operationalise this rich debate, I provide a conceptual framework which captures the three main views in the literature and the related basic core sets of normative principles in competition. These three views are classical liberalism, the communitarian critique, and liberal nationalism. The three positions are taken as a short-hand way to approach the debates on the ground. They are simplified ideal

⁹ In this thesis, and indeed in political and everyday language in Spain, Castilian is used as a synonym of Spanish. Castilian is the dialect of Spanish originating from Castile (central Spain) which has become the standard European Spanish.

types of rival approaches in the literature, and I do not see them as hard categories or fixed labels.

I have not aimed to ‘apply’ theory in a strong sense, but to approach empirical disputes about language with ‘soft’ conceptual lenses in order to establish plausible connections between theory and data. ‘Applying’ theory runs the serious risk of forcing data to fit the conceptual frame, which would provide a contrived and inaccurate picture because the ‘real world’ is always richer than what ideal types can capture. Methodologically, that would be problematic: taken to the extreme, I would be ‘finding’ examples of, say, classical liberalism because I would be looking for them. Shapiro eloquently argues against ‘contrived theory-laden descriptions’ because ‘theory should not blind the researcher reference to the independent existence of the phenomenon under study’ (2002: 601-602). So, rather than setting up absolutes and imposing them in the arguments, my aim has been to be open-ended. The emphasis was not on starting with producing a grid through deductive reasoning and then appraising the cases against it, but rather on starting with basic principles in competition and seeing how they work out in context, accepting that principles may be in conflict and that different cases may combine principles in different forms. After careful interpretation, I situated the accounts provided by political actors in the conceptual framework.

1.2.2 Case Selection and Comparative Method

Catalonia and Flanders are two interesting cases to examine because they are comparable but contrasting cases of linguistic disputes. They are comparable because they share fundamental similarities. The most important, which makes the comparison possible in the first place, is that they are sub-state nations with normative-laden linguistic disputes. There are other similarities that make this comparison plausible. The two cases are placed in European liberal democracies, where potential infringements of rights are deemed to be important. Their nationalist movements have been historically built upon language, and therefore a link between language and nationalism is in place. In addition, there are specific similarities in the articulation of the linguistic disputes. In both cases, the opposition to linguistic policies is articulated normatively by minority political actors in Catalonia and

Flanders who represent in turn the largest linguistic group in the rest of the state. Also in both cases, the contested policies are the result of a preoccupation for social cohesion that arose, initially, due to processes of internal immigration (that is, of newcomers arriving from other parts of Spain and Belgium). Finally, in both cases the language of the sub-state nation is not an international one (Catalan, Dutch) while the other language is (Castilian, French)¹⁰.

At the same time, the two cases differ on a number of grounds. The most important difference is the type of linguistic dispute: the dispute in Catalonia is mostly ‘educational’, while the dispute in Flanders is mostly ‘territorial’. The institutional regulation of language and the sociolinguistic compositions are also different: Catalonia is officially bilingual and linguistically more mixed, while Flanders is officially monolingual and linguistically more homogeneous. In fact, the dispute in Flanders emerges in the Flemish Periphery, the only place where French-speakers outnumber Dutch-speakers. The cases also differ on the level of authority with regard to language: the Flemish government has full legislative powers on the linguistic regime of the Flemish Periphery, while in Catalonia education is mostly devolved but partly shared with the Spanish government. Linguistically, they differ on the proximity between languages, which is one of the elements in structures of incentives to learn the smaller language: Catalan and Castilian belong to the same linguistic family while Dutch and French do not.

Catalonia and Flanders are thus not similar in all their attributes, but they share fundamental similarities regarding the topic of this thesis. The similarities make the comparison plausible, and the differences make it interesting. They allow me to explore whether the case for language rights is made using different normative principles when there is variation in the type of linguistic disputes, and in pertinent institutional, political, and linguistic factors. They also allow me to assess the usefulness of the conceptual framework (which is built upon debates mostly held in Quebec) in different contexts. At a more general level, the comparison is interesting because it is original. There is an obvious comparison to be made between Catalonia

¹⁰ This is important because it affects instrumental considerations and structures of incentives to learn the smaller language, fosters a sense of cultural insecurity, and becomes a complementary argument for giving a preferential treatment for the smaller language.

and Flanders when it comes to language and nationalism, and yet the cases have not been compared so far. Instead, the ‘Holy Trinity’ in the literature comparing minority nationalism has been the one formed by Catalonia, Scotland, and Quebec.

There is finally the related issue of generalisation. The findings in this thesis cannot be universally generalised, because the exact relationship between the political and the academic arguments will vary from case to case, reflecting varied contexts and circumstances. Nor is this a purely idiographic approach, applying to the two cases only. The results of this thesis have a more general relevance and speak to other cases of linguistic disputes in political communities with competing national projects, such as Quebec and the Baltic states. There is a set of problems and puzzles which arises in some shape or form in different parts of the world, and which concerns the liberal limits of linguistic laws and the relationship between language and nationalism. Examining this wider issue in the specific cases of Catalonia and Flanders hopes to shed light on the nature of such problems and puzzles.

1.2.3 Research Sources and Research Methods

1.2.3.1 Research Sources

The first research source is *theoretical-normative* and comprises debates within scholarships about the compatibility between individual and group-specific rights (chapter two) and linguistic justice (chapter three). I operationalise the principles of the first debate and I use them as the conceptual framework to map the competing political arguments on language in Catalonia and Flanders. I draw on the second debate to complement and ‘widen’ the theoretical lenses provided by the first debate.

The second research source is *historical-political* and comprises scholarship by historians and political scientists on the evolution of linguistic and nationalist mobilisation in Catalonia and Flanders (chapter four). The disputes that are the topic of this thesis, the different form they adopt today, and the emergence of national projects built around language, are all historical contingencies. I draw on secondary sources to explore similarities and differences in the trajectories of the two movements and to identify critical junctures.

The third research source is *political-empirical* and comprises primary sources obtained through semi-structured interviews and document analysis of parliamentary debates and political documents in Catalonia and Belgium. These are the two main research methods that I have used in this thesis.

1.2.3.2 Research Methods

Semi-structured interviews, with their less formal structure, permit a discussion focused on the justification of the positions adopted in the debate. The interviews were open-ended to allow interviewees to express their arguments using their own terms and concepts, rather than imposing mine. I conducted 17 interviews in Catalonia during three stays between January 2012 and December 2014. In Belgium, I conducted 26 interviews during one stay as a visiting researcher at the Spiral research centre of the Université de Liège between April and July 2013. In both cases, I used snowballing with specialised scholars to carefully select the interviewees, and, more generally, to refine my understanding of the empirics of the cases¹¹.

Table 1.2 Interviews

Categories of Political Actors interviewed	Number of interviews in Catalonia	Number of interviews in Flanders
Government level	2	11
Members of parliament	7	12
Leaders of civil society organisations	8	3
Total	17	26

The main aim in the selection of interviewees was to grasp a pluralistic picture of the different views articulating the linguistic disputes. To this effect, MPs of all political parties with representation in the Catalan and Flemish parliaments were interviewed, and in the Flemish case this was complemented with interviews to

¹¹ This is especially true for the fieldwork in Belgium, as this was the case that I was initially less familiar with. It included meetings with the following social and political scientists: Professor Marc Jacmain, Dr Rudi Janssens, Dr Min Reuchamps, Professor Philippe Van Parijs, Dr Hugues Renard, Professor Pierre Verjans, Professor Els Witte, and the researchers at the Spiral Centre of the Université de Liège. In Catalonia, snowballing included meetings with sociolinguists Dr Albert Branchadell, Dr Ignasi Vila, and Dr Xavier Vila i Moreno.

French-speaking MPs in the Brussels and Federal parliaments. I am however aware that this thesis over represents the political actors for whom the linguistic issue is important. This is so because they are the ones who contribute the most to the articulation of the disputes, acting as opinion leaders who have an impact on public opinion. This over representation is attenuated with the interviews to MPs of all political parties and with the analysis of parliamentary debates, because both include variation not only about the justifying arguments, but also about how important actors consider the language rights issue.

The second aim was to avoid reducing political actors' views to politicians' views, as civil society also plays an important role in the articulation in the disputes, especially in Catalonia. To this effect, I interviewed civil society groups for and against the conjunction model in education, including parents' organisations and cultural institutions. It is clear, however, that the views of politicians at the government level were especially interesting, since they are the ones implementing the contested policies. This is particularly true in Flanders: the dispute takes place at the local level, and therefore I interviewed the mayors of the six facility communes, as well as the mayors of four comparable communes without facilities (this explains the higher number of interviews to Flemish local politicians in table 1.1). More generally, the asymmetry in the number of interviews for each category between the two cases is explained by the particularities of each case. This is especially true for politicians at the government level and for civil society leaders, while I aimed to keep the number of interviewed MPs in the two places relatively constant.

The interviews were open-ended and lacked formal structure, but I had in mind the rough guide of questions in boxes 1.1 and 1.2. The questions were general enough to allow interviewees to use their own terms, and at the same time they focused on the justification of their position in the debate, which permitted to ask follow-up questions based on their answers.

Table 1.2 Guide for semi-structured interviews in Catalonia

- What is your general opinion about the Catalan conjunction model in education, often known as immersion system?
- How does one justify giving Catalan a preferential treatment in the education system? [to defenders of the system]
- Do you think that the system infringes rights? In what sense?
- What do you make of the argument that...[reference to arguments opposing the interviewee's position]

Table 1.3 Guide for semi-structured interviews in Flanders

- What is your general opinion about the system of linguistic facilities?
- Every once in a while the media reports episodes of linguistic tensions in the six facility communes. In your view, what is motivating these controversies?
- The linguistic situation in the Brussels Periphery/Flemish Periphery is usually framed in terms of personality and territoriality. What is your view on this?
- What do you make of the argument that...[references to arguments opposing the interviewee's position]

The second research method that I used in this thesis was *document analysis* of selected parliamentary debates and publications by political actors involved in the articulation of the linguistic disputes. This permitted me in turn to triangulate the responses from the interviews, matching them with what political actors say in other contexts.

Table 1.4 Documents

Categories of Documents	Documents in Catalonia	Documents in Flanders
Parliamentary debates	13	4
Political documents	8	7
Total	21	11

The parliamentary debates were selected carefully and under the guidance of the *Direcció d'Estudis Parlamentaris* of the Catalan Parliament, and the *Service Archives et Documentation* of the Chamber of Representatives of the Belgian Federal Parliament. They helped me navigate through the vast number of potentially pertinent documents. The time span of the selected material is 2008-2014. Most Catalan parliamentary debates focus on the discussion and passing of the 2009 Catalan Law of Education, while most Belgian parliamentary debates focus on the discussion and passing of the split of the Brussels-Halle-Vilvoorde electoral district, in the wider context of the debate about the sixth state reform.

I also made use of political documents, a broad category by which I mean party documents (such as press releases, blog entries, and leaflets about the linguistic issue), government reports, and publications by civil society groups (such as manifestos and press articles). Party manifestos are usual sources in similar research projects, but I decided to make reduced use of them because the arguments about linguistic issues were generally too rigid. They captured the position of the party on the linguistic issue, but the justification was in general underdeveloped. Drawing on semi-structured interviews and other types of documents provided greater room for examining more elaborated forms of the political arguments in competition.

I would like to conclude this section with a brief explanation of why I did not make use of qualitative data analysis computer programmes. My initial intention was to use N-Vivo, which is a very useful programme to sort and organise information, especially when the researcher deals with a considerable amount of data. However, the amount of empirical data I deal with in this thesis is relatively modest, so a programme to organise the information was not indispensable. In addition, and perhaps most importantly, I found the fragmentation of data that the programme encourages more counter-productive than beneficial in my task of examining and interpreting political arguments. The intellectual and conceptualising process to transform data into meaningful findings ultimately depends on the researcher's interpretative skills, and I found it more fruitful to interpret the data without relying on a qualitative data analysis computer programme.

1.3. Conclusion

This chapter has presented the research question of this thesis: do proponents and opponents in the linguistic disputes in Catalonia and Flanders prioritise individual or group-specific rights? It has also described the research strategy to operationalise the key concepts and to answer the research question: first, I elaborated a conceptual framework which captured the three main positions in the literature and the basic core sets of normative principles in competition. Second, I interpreted carefully the data collected in semi-structured interviews and document analysis, placing it historically and contextually. Finally, I examined the correspondence between the political arguments mobilised on the ground and the arguments mobilised in the literature. The chapter has also justified the case selection and the adoption of the comparative method, and it has elaborated on the benefits of combining normative and empirical work for understanding the linguistic disputes and for theory-building in scholarship on individual and group-specific rights.

In the next chapter, I develop the conceptual framework of the thesis.

Chapter 2. The Compatibility between Individual and Group-Specific Rights

This chapter presents the theoretical framework of the thesis. Drawing from the liberal-communitarian debate of the 1980s and 1990s around theories of justice, and from the more contemporary debates about minority rights, I structure the main competing logics in three positions: classical liberalism, the communitarian critique, and liberal nationalism.

This structure is a contrivance of what in reality is a rich and complex intellectual dispute. The dispute comprises a spectrum between full-blown philosophical systems and partly political doctrines, includes fractures over the nature of society and the nature of the self, and carries a high degree of terminological and conceptual confusion. The simplified threefold distinction presented here is nonetheless useful to operationalise the key concepts in order to answer the research question. If this chapter is to serve as the basis for the conceptual examination of political arguments, the intellectual dispute must be restricted to basic core sets of principles in competition.

The liberal-communitarian debate emerged in the 1980s, when scholars such as Michael Sandel (1982) and Charles Taylor (1985), among others, criticised the ‘insensitivity’ of John Rawls’s theory of justice to the importance of communities and cultures for individuals. Sandel challenged the ontological assumption that individuals are socially disembodied and suggested that individuals are not prior to their ends but constituted by them. Taylor made the point that the community is in fact constitutive of the individual’s self-interpretation and problematised basic features of the classical liberal view of collective life, such as the notion of a ‘difference-blind social space’.

Things have moved on since the height of that debate. The dichotomy between liberal and communitarian views has been criticised on numerous grounds (see Caney 1992, Walzer 1990, Taylor 1994), and a liberal culturalist¹² consensus has

¹² Kymlicka defines liberal culturalism as ‘the view that liberal-democratic states should not only uphold the familiar set of common civil and political rights of citizenship which are protected in all liberal democracies; they must also adopt various group-specific rights or policies which are intended to recognize and accommodate the distinctive identities and needs of ethnocultural groups’ (2001: 42).

emerged in the literature suggesting that the two can be reconciled under certain conditions. The main scholar in forging this rapprochement has been Will Kymlicka (1989, 1995, 1998, 2001). This ‘third way’ has contributed to the acceptance of schemes of minority rights and group protections in liberal democracies, and the focus of the academic debate has shifted to applying these schemes to specific issues such as language (Kymlicka and Patten 2003), to contexts other than Western democracies (Kymlicka and Opalski 2002, Kymlicka and Pfössl 2014), and to considering the effects of liberal multiculturalist policies (Kymlicka 2007 – especially Ch5). But consensus is not unanimity: in reaction to the liberal culturalist wave, some liberal theorists have argued that classical understandings of political liberalism are perfectly adequate for thinking about the claims of cultural and national minorities (Barry 2001). In addition, it is important to note that the liberal culturalist consensus exists at the academic level only. Old concerns about ‘identity politics’, and old juxtapositions between ‘liberals’ and ‘nationalists’, have not gone away in disputes on the ground. This is the reason why it is necessary to consider the classical liberal and the communitarian positions in this chapter.

The structure of the chapter is as follows. Table 2 summarises the conceptual framework of the thesis, and the rest of the chapter unpacks each position. First, I identify four related themes in classical political liberalism and I link them to their hostility towards group-specific rights. Second, I present the two main aspects of the communitarian critique to classical liberalism, making the point that this approach was more a critical reaction to certain liberal features than a systematic alternative to classical liberalism. Third, I present liberal nationalism, which I see as a qualified critique to classical liberalism that rethinks core liberal values and incorporates distinct communitarian views. I conclude the chapter summarising the key issues that derive from the discussion.

Liberal nationalism is a sub-type of liberal culturalism seeking to explain the link between liberal democracy and nationhood by stressing the importance of membership to national groups. In this chapter I focus on liberal nationalism because it suits more precisely the case studies of the thesis. Catalonia and Flanders are two sub-state nations, and the relevance of the Catalan and Dutch languages is mediated by their construction as national identity markers.

Table 2.1 The Conceptual Framework of the Thesis

Categories	Classical Liberalism	Communitarian critique	Liberal Nationalism
Moral Ontology	Equal Individuals	‘Encumbered’ individuals	Contextual individuals
Core Value	Individual liberty	Participation in social life	Individual autonomy
Core Unit	Limited and neutral state	Community	Minority-accommodating state
Advocacy Position	Egalitarian liberalism: primacy of rights and equal treatment	Cultural survival is a collective goal which (sometimes) has priority over equal treatment	‘Liberal’ protection and accommodation of all national groups in the state

2.1 Classical Liberalism

My main argument in this section is that classical liberal thinkers defend the idea that *individuals* are of first importance and of equal moral worth, that each individual must have *liberty* (typically in a negative sense), and that this requires a *limited and neutral state*. It is also possible to identify hostility to forms of group-specific rights on ontological, ‘practical’, and political grounds. The classical liberal position opposes the idea of equal outcomes defined over groups, and defends that justice requires that individuals be treated equally through a framework of egalitarian liberal laws.

Table 2.2 Core Values of Classical Liberalism

Categories	<i>Classical Liberalism</i>
Moral Ontology	Equal Individuals
Core Political Value	Individual liberty
Core Political Unit	Limited and neutral state
Advocacy Position	Egalitarian liberalism: primacy of rights and equal treatment

Classical liberalism is too often characterised in a superficial manner, thus creating a caricature that is easy to refute by liberal nationalists and communitarians. This is

facilitated by the fact that, typically, classical liberal thinkers did not explicitly address issues such as the importance of cultural membership or the legitimacy of nationalism (J.S. Mill and Lord Acton being two important exceptions). The tendency to caricature classical liberalism is accentuated by the fact that they are today a minority in the literature. I think it is important to take classical liberalism seriously, and for this reason I seek to provide textual support from a number of classical thinkers in order to substantiate my claims. What follows is thus a summary of the defining features of classical political liberal thought that I have identified as most important for our discussion on individual and group-specific rights¹³.

The selection of authors is important because it shapes the kind of conclusions that one will reach. I do not have here the necessary space to do justice to centuries of classical liberal thought, so I have to be selective. I have decided to focus on the work of two ‘modern’ classical liberals: John Rawls and Brian Barry. The first is fundamental because of the great influence of his liberal egalitarian view presented in *A Theory of Justice* (1971), and also because the communitarian critique to liberalism emerged partly as a critique to his theory. The second is very important because he interprets and applies egalitarian liberalism to multiculturalist debates, becoming an exception in the literature. His *Culture and Equality* (2001) allows a somewhat different dialogue between classical liberalism and any form of liberal culturalism, because in that book it is the former that deconstructs the latter. I also consider briefly the work of other important classical liberal thinkers such as Isaiah Berlin and J.S. Mill.

The core values of classical liberalism are the following:

2.1.1 Equal Individuals

In the moral ontology of classical liberalism, individuals are viewed as the ultimate units of moral worth. This theme underlies Rawls’s attempt to construct a viable, alternative theory of justice to classical utilitarianism. In his view, utilitarianism ‘ignores the separateness of persons’ (1971: 27) and fails to recognise

¹³ Other elements, such as the relationship between political and economic liberal ideas, are also important and constitutive of the ‘liberal culture’ (Hearn 2008), but they will not be addressed here due to them being peripheral to the aim of this chapter.

that individuals have ultimate moral status: ‘each person possesses an inviolability founded on justice that even the welfare of society as a whole cannot override’ (ibid: 3). The ‘anomaly’ in classical utilitarianism for Rawls is that it is customary to think of it as individualistic, but in reality it is not: utilitarians treat society as a single organism with its own interests.

The following statement by Mackie captures well this connection between liberalism and methodological individualism that he himself defends and that underpins the centrality in liberal thought of the public-private distinction: ‘[Liberal theory] is indeed individualist in that individual persons are the primary bearers of rights, and the sole bearers of fundamental rights, and one of its chief merits is that, unlike the aggregate goal-based theories, it offers a persistent defence of some interests of each individual’ (Mackie 1984: 171, quoted in Torbisco 2000: 34). This ontological ‘atomism’ (Taylor 1992) is heavily criticised by communitarian authors, and it is also rejected by liberal nationalist thinkers, on the grounds that it is unrealistic and that it misrepresents the relationship between individuals and society – in Kymlicka’s terms, ‘societal cultures’.

Some scholars have suggested that this individualism is rooted in a Kantian conception of the self (Taylor 1994, Requejo 1999, Berlin 2002). They remind us that for Kant there was no higher value than the individual. Individuals are ends in themselves, they are the bearers of rights, and this is so because they are rational beings (capable of reason) and autonomous beings (capable of acting and choosing freely the ends they pursue). This is what makes them human beings in the first place and what gives them a special dignity. It cannot be justified to force individuals to do what they have not consented to in the name of some value higher than themselves *because there is no value higher than themselves*. The reader will note that this doctrine is primarily ethical and scarcely political, but its political implications are clear, paving the way for classical political liberalism.

Specifically, the main idea here is that individuals are of equal moral worth and that they possess separate and unique identities. As a result, they must be treated with equal concern and respect by political authorities. In the words of Ronald Dworkin: ‘the interests of the members of the community matter, and matter equally’ (1983:

24, quoted in Kymlicka 1989: 13). The notion of individual equality derives in the classical political commitment to equal rights and entitlements and to a non-discriminatory idea of citizenship.

This egalitarian logic underpins the very origins of the liberal state, which emerged in part as a response to (and as a result of) the progressive erosion of the ancient regime, founded on the absolute sovereignty of the king and the semi political power of the Church (Bobbio 1990, Manent 1995). The bourgeoisie challenged aristocratic privileges by claiming equal political rights for citizens as such, irrespective of their social and religious backgrounds. It is plain and clear that the actual practice of liberal states and the theoretical work of liberal thinkers often contradict this notion¹⁴, but the point here is simply that a particular understanding of individual equality played a foundational role in liberal political practice. This underlies Brian Barry's egalitarian critique of multiculturalism, and it helps to explain why self-portrayed liberals often accuse defenders of forms of unequal treatment of being 'illiberal'. Importantly, disagreements about what liberal equality actually entails play an important role both in the academic debate and in the linguistic disputes.

Rawls's theory of justice is indeed a liberal-*egalitarian* proposal that aims to make compatible *equal* respect towards all 'reasonable conceptions of the good life' with the fact that *each* citizen can accomplish to the extent possible its own conception of the good life. His first principle of justice is that of equal liberty: 'each person is to have an equal right to the most extensive basic liberty compatible with a similar liberty for others' (1971: 60). These liberties are political and include the right to vote and to be eligible for public office, the freedom of speech and assembly, and the like. His second principle of justice is the difference principle: 'all social primary goods – liberty and opportunity, income and wealth, and the bases of self-respect – are to be distributed equally *unless an equal distribution of any or all of these goods is to the disadvantage of the least favoured*' (ibid: 303 – my emphasis). So for Rawls political

¹⁴ Liberal states traditionally privileged wealthy male citizens, while it is clear that today's liberal states could do a much better job in promoting equality of starting conditions. One can also problematise this egalitarian dimension when reading the work of classical liberals like John Locke, for example, who excluded women from his political analysis, or of J.S. Mill, who defended a system of plural voting in which better educated people would have more of a say. More recently, some classical liberals have accepted exceptions to the principle of equality under forms of 'positive discrimination' or 'affirmative action' as long as they are temporary (Dworkin 1978).

liberties have to be distributed equally among members of society, while wealth and income need not be distributed equally if (and only if) that favours the least well-off of society – e.g. through a strong taxation system.

2.1.2 Individual Liberty

The main idea here is that individual liberty is regarded as a primary political value. The a priori assumption in classical liberal political thought is in favour of individual liberty, and ‘the burden of proof is supposed to be with those who are against liberty, who contend for any restriction or prohibition’ (Mill 2008: 472). This is linked of course to the moral ontology described above: the notion of the independent, Kantian self, not identified by his aims but always capable of standing back to assess and revise them. In the next section we will see that Michael Sandel (1982, 1984) forcefully argued against the classical liberal notion that conceives individuals apart from, and prior to, their purposes and ends. The emphasis on liberty usually derives in (or fosters) a preference for a limited government whose basic task is to protect the liberty of citizens. This is a political preference that would grant individuals the right to choose and pursue their conceptions of the good.

Classical liberals disagree about the exact meaning of liberty. Isaiah Berlin famously distinguished between the positive and the negative concepts of liberty¹⁵. *Negative liberty* concerns the absence of coercion, that is to say, the absence of ‘the deliberate interference of other human being within the area in which I could otherwise act’ (Berlin 2002: 169). It is liberty *from*, and it is an ‘opportunity-concept’: being free is a matter of what we can do, what options are open to us, regardless of whether or not we exercise such options (Taylor 1985). Berlin notes that the argument for the protection of ‘negative’ individual liberty is always substantially the same in liberal thinkers such as Jefferson, Burke, Paine and J.S. Mill: a frontier must be drawn between the area of private life and that of public authority for the individual to develop her personality.

The concept of *positive liberty* concerns the actual capacity to act autonomously, the freedom to lead one prescribed form of life. It is liberty *to*, and it is an ‘exercise-

¹⁵ Previously, Benjamin Constant had made a similar distinction between ‘the liberty of the ancients’ and ‘the liberty of the moderns’.

concept': one is free merely to the degree that one has effectively determined oneself and the shape of one's life (Taylor 1985). The traditional assumption is that classical liberals reject positive liberty (out of a concern about giving governments a license to do whatever it takes in order to promote it), while positive liberty would be the special concern of republicans, socialists, and modern liberals. Interestingly, the assumption is thus that different conceptions of liberty entail different political regimes. This is not the place to discuss this assumption. The point here is simply that there is a disagreement about the exact meaning of the core notion of liberty, and that classical liberals typically defend the negative concept of liberty, worried that positive liberty can result in the violation of individual rights.

2.1.3 Limited and Neutral State

The liberal state is philosophically justified as the result of an agreement between individuals who decide to create a political body that will aim at the achievement of convergent goods and the fulfilment of ends which are primarily individual. This means that 'the justification of political authority ought to start from a foundation of individual rights' (Taylor 1985: 191). This is what the different contractualist traditions in liberal thought have in common. What they differ on is the exact origin of these rights. Where do these rights come from? Are they naturally given (and thus external to, and in a sense independent of, the will of individuals)? This is the case in Locke's theory, in which rights are given by God, an idea that is very much present in the *Virginia Declaration of Rights* (1776) and in the *Declaration of Rights of Man and the Citizen* (1789). Or are these rights agreed on convention, as in Rawls's theory of justice, which is built on the hypothetical situation of the veil of ignorance? The disagreement on what gives individual rights a firm foundation might very well be a permanent puzzle in liberal thought. This can be seen as a substantial difficulty in a theory that is deontological, that is to say, that asserts the primacy of rights.

What is less contested is that there is a preference among classical liberals for a *limited* and *neutral* form of government. On the one hand, Norberto Bobbio (1990) notes that the 'limited government' feature affects two analytically distinct elements: (1) the limits of power, quintessentially captured by the notion of the rule of law; and (2) the limits of the functions of the state, quintessentially captured by the notion

of the minimal state. The state must also be neutral between the different conceptions of the good life espoused by individuals (Dworkin 1978). The individual must be free to pursue her own conception without state interference and, while the government is seen as a vital guarantor of order and stability, it is also perceived as a potential danger of tyranny against the individual. On the other hand, the pretension of state neutrality on cultural matters has been heavily criticised by liberal nationalists, and also by some communitarians, for being implausible in practice and for masking the promotion of majority cultures (for example, through processes of nation-building designed to produce a degree of common identity). Bernard Yack (2012: Ch1) has coined the useful notion of ‘the myth of the civic nation’ to make the point that the *practice* of liberal democracies is not only based on political notions such as choice and solidarity, which is the ideal of liberal *theorists*, but it also includes cultural elements and connections with pre-political identities.

Classical liberals are thus committed to an instrumental idea of government (of social life). It is a ‘procedural’ theory: ‘it sees society as an association of individuals, each of whom has her conception of a good or worthwhile life, and correspondingly, her life plan. The function of society ought to be to facilitate these life plans, as much as possible, and following some principle of equality’ (Taylor 2003: 197). For example, the just Rawlsian society regulates each person’s choice of ends in a way compatible with a similar liberty for all. This formula excludes there being a societally endorsed common *good*, which is something that communitarians criticise. Classical liberals typically say that there is disagreement in society on the nature of the good life, and therefore we should not base the political life on any particular notion of it. Doing so would run the risk of coercion, as individuals would not be able to choose and pursue their own notions of the good. Instead, we should provide a framework of rights that leaves individuals able to choose their conceptions of the purposes of life. However, we will see that Barry’s egalitarian liberalism does not exactly follow this strongly individualist vision.

This excursus into political liberal thought might not be without objection, but it will help clarify the rest of the discussion. The reason is that the classical liberal hostility towards group-specific rights largely derives from these concepts, while the

communitarian and liberal nationalist contributions are fundamentally reactions and attempts to qualify some of these basic liberal principles. If we want to make sense of the academic debate, it is essential to identify first the basic moral and political principles around which the discussion is articulated.

2.1.4 Egalitarian Liberalism

What do classical liberals have to say about group-specific rights? The short answer is: very little. They have typically remained silent about this issue but, through the interpretation of the views described above, it is possible to identify hostility towards them. This opposition has three main sources. The first is *ontological*: individuals have a special dignity and moral agency (they are capable of reason and of acting autonomously) but groups do not, and therefore assigning moral rights to them is problematic. Only individuals have rights, not groups. On this point, Charles Taylor eloquently writes that '[for classical liberals] to think that society consists of something else, over and above these individual choices and actions, is to invoke some strange, mystical entity, a ghostly spirit of the collectivity' (1993: 129-130).

This is a view that has often led to the liberal rejection of sub-state nationalisms, which have been accused of defending 'a more collective or "organic" than individual form of political organization', one that was particularistic and emotional, 'remote from the "rational" principles that are supposed to exist in the liberal Western democracies' (Requejo 1999: 260). In turn, this view has often led to the notion that the nation-state is the default unit of the advance of liberalism, democracy, and modernity itself, with the underlying normative assumption that resistance to the state is a problem and that the integrated national state is the normal state of affairs (Keating 2008: 61-62).

The second source of opposition to group-specific rights is related but more *practical* in nature: to admit that groups are possessors of rights which are not reducible to the interests of its individual members opens the door for members having duties towards the group. Groups could have rights (for example, the right to the survival of their own language) *against* the rights of its individual members. It is not only that the recognition of 'particular cultural identities' is difficult to accept in

principle; it is also seen as practically violating the rights and values of democratic citizenship. The idea is that ‘if one is a liberal who cherishes individual autonomy, then one will oppose minority rights as an unnecessary and dangerous departure from the proper emphasis on the individual’ (Kymlicka 2001: 19).

The third source of opposition is *political*. By this I refer to the belief that generic protections of private life are all that is called for in the way of respect or accommodation of cultural diversity. To illustrate, let me refer to Alan Patten’s description of what in his view is the majority position in the United States: ‘cultural diversity is [seen as] one more source of the differences that are pursued and expressed in the private realms of family, neighbourhood, market, and civil society. The enjoyment of these differences is appropriately safeguarded by the liberties entrenched in the American constitutional tradition. (...) Most Americans would have little sympathy for the idea that public institutions ought officially to protect or accommodate the cultural differences that exist in the country’ (2014: vii). This third source of opposition is fundamentally political because it deals with the legitimate functions of the state (that is, with Bobbio’s second understanding of limited government), drawing on the classical liberal distinction between public and private sphere, and ultimately giving preference to the latter over the former.

As suggested above, the rule that classical liberals have typically remained silent about the issue of group-specific rights has two important exceptions: John Stuart Mill and Lord Acton. Their contributions are especially relevant for this thesis because they wrote about nationalism. They defended opposite views. J.S. Mill wrote the often quoted words that ‘free institutions are next to impossible in a country made up of different nationalities’ (2008: 428). His main argument was that, among large aggregates of people, only a common nationality makes the democratic discussion of public issues possible. Thus, he argued for the congruence of nation and state, although he considered exceptions to this general rule. Lord Acton (2010) turned the argument on its head, separating nationality from statehood and defending the multinational state as the better guarantor of democratic liberty, dynamism, and social progress. For Lord Acton, the theory of one nation–one state, far from making

democracy possible, was a recipe for tyranny and absolutism and the enemy of freedom.

Brian Barry is one of the few classical liberals who decided to engage in this debate through his book *Culture and Equality* (2001), which is an enthusiastic and forceful attempt to defend egalitarian liberalism and to refute the validity of all forms of multiculturalism. Barry's general argument is that the politicisation of cultural differences is a challenge to freedom and equality. For him, the right liberal answer to situations of cultural and national diversity is to provide a framework of egalitarian liberal laws that guarantees the same legal and political rights to all citizens of a given political community. In a nutshell, liberal justice requires equal treatment. Giving priority to cultural demands over individual rights runs the risk of turning human beings into 'mere cyphers, to be mobilized as instruments of a transcendent goal' (2001: 67), beyond the interests of the individual bearers of the culture.

The point of political liberalism is, in Barry's view, *to ensure precisely that people who are different are treated equally*, and that is possible because liberalism can offer a neutral ground on which people of all cultures can meet and coexist. This view is manifest in his definition of a liberal person and liberalism:

'The defining feature of a liberal is, I suggest, that it is someone who holds that there are certain rights against oppression, exploitation and injury to which every single human being is entitled to lay claim, and that *appeals to 'cultural diversity' and pluralism under no circumstances trump the value of basic liberal rights*' (2001: 132-133 - my emphasis)

'The defining feature of liberalism is the principles of equal freedom that underwrite basic liberal institutions: civic equality, freedom of speech and religion, non-discrimination, equal opportunity, and so on.' (2011: 122)

The starting point in Barry's argument is the concern about the protection of the rights of those who wish to pursue individual goals of self-government. Specifically, he focuses on the interests of individuals in being protected against groups to which they belong. He is preoccupied about coercive measures infringed by those who want to protect cultures to those who do not (we will see in section 2.3 that Kymlicka is also concerned about this, which he calls 'internal restrictions'). His

position echoes the classical liberal view that individual freedom sits uneasily with expressions of communal and national goals and loyalties.

Not only that: for Barry, the ‘politics of difference’ (an umbrella term which refers to any form of unequal treatment aimed at minority protection) have strong anti-majoritarian implications and rest on a rejection of the politics of solidarity, according to which citizens belong to a single society and share a common fate. Note that the notion of common fate is a departure from strongly individualist forms of classical liberalism. Barry sees ‘the politics of difference’ as grounded on the romantic nationalist idea that people can flourish only within their ancestral culture, and he criticises the strong emphasis on the culturalisation of groups in the literature, because it ‘inevitably leads to the conclusion that all disadvantage stems from the misrecognition of a group’s culture’ (2001: 308). For him, culture is not the problem, and culture is not the solution.

In my view, the disagreement between Brian Barry and Will Kymlicka is, first and foremost, a philosophical one (concerning competing interpretations about liberal equality and the significance of cultural membership) and, second and related, an advocacy one (on whether the best way to manage cultural diversity is through the distribution of egalitarian liberal laws or through complementary minority rights). This will become apparent in section 2.3. But before that we need to examine the communitarian critique to classical liberalism.

2.2 The Communitarian Critique

Modern-day communitarianism emerged among a number of Anglo-American academics in the 1980s and 1990s in the form of a critical reaction to John Rawls’s *A Theory of Justice* (1971). The main scholars involved in this critique were Michael Sandel (1982, 1984), Alasdair Macintyre (1984), and Charles Taylor¹⁶ (1985, 1992, 1994). They did not offer a grand communitarian theory as a systematic alternative to liberalism, and in fact the communitarian label was pinned on them by others,

¹⁶ The reader could counter that Charles Taylor is considered the ‘father’ of ‘Liberalism 2’ (or Liberal Nationalism) by Walzer (1994), and that he does not qualify as a pure communitarian thinker. I would agree, but I would add that none of these authors actually do. The ‘communitarian critique’ is understood here as a loose category that includes ‘culturalist’ critics of classical liberalism who do not show the concern for liberal constraints that is characteristic of liberal culturalists.

usually critics (Bell 2012). Their criticism of classical liberalism is grounded in an attempt to mitigate the excesses of liberal modernity in the West, with its extreme individualism and its devaluation of community (Torbisco 2000: 25-26). It is thus inevitably shaped by context, by the concrete cases their theories were devised to engage with.

Table 2.3 Core Values of the Communitarian Critique

Categories	The Communitarian Critique
Ontological Issues	<p>The self is ‘encumbered’, at least to some extent, by history, traditions and communities.</p> <p>We commonly recognise moral and political obligations that we cannot trace to an act of consent</p>
Advocacy Issues	<p>Governments do not necessarily have to be neutral regarding conceptions of the good life.</p> <p>We should weight the importance of certain forms of uniform treatment against the importance of cultural survival, and opt sometimes in favour of the latter.</p>

Some authors have suggested that it is misguided to establish a dichotomy between liberalism and communitarianism. Charles Taylor (1989) argues that talking about the ‘liberal-communitarian debate’ creates confusion because two different issues get run together in it: ontological and advocacy matters. The first concern the factors invoked to account for social life and typically divides atomists from holists. The second concern the moral stand or policy one adopts and typically includes a continuum of positions from extreme individualism (giving primacy to individual rights) to extreme communitarianism (giving higher priority to the good of collectivities). Taylor’s point is thus that the label ‘liberal-communitarian debate’ is confusing because it fails to distinguish these two analytically different levels of debate. Although I agree with Taylor that the two are different, I think they are in reality more connected than what he makes us believe, and I will continue using these terms as short-handed ways to make basic conceptual distinctions. Now that Taylor’s terminological critique has been presented to the reader, I believe that the

use of these terms will not cause confusion. What I will do is to follow his distinction between ontological and advocacy issues to structure the presentation of the communitarian position in this section.

2.2.1 Ontological issues

The main idea here is that communitarians criticise the image that John Rawls (identified as the quintessential exponent of classical liberalism) presents of humans as atomistic individuals. They contest the notion that isolated individuals are unbound by any moral ties prior to their choosing them. More generally, they disagree with the Kantian and Rawlsian conception of the person as a free and independent self, capable of choosing her own ends. However, the communitarian position does not seem to replace individuals with communities as the ultimate units of moral worth. What they challenge is not the focus on individuals in itself, but the classical liberal understanding of the relationship between individuals and communities.

If Kant is a central influence in the moral ontology of classical liberalism, Aristotle is a key source of inspiration for the communitarian view. Aristotle defended the idea that the political community is prior to the individual (not in a temporal sense, but regarding individual purposes). The only way to acquire the virtues that constitute the good life, which is what politics is about for Aristotle, is to live in the 'polis'. Living in society is a necessary condition of becoming a moral agent in the full sense of the term: we need to have certain habits inculcated in us and then use our characteristically human capacity for language to engage in deliberation with our fellow citizens about the nature of the good. The institutions of social life are means to the end of cultivating the virtue of the citizens and living a good life. Human dignity and human freedom are not associated here with autonomy, as in Kant's view, but with the good life and the active participation in public affairs.

The Aristotelian influence is particularly manifest in the work of Alistair MacIntyre (1984), who proposes a 'narrative' conception of the self. His basic point is that 'we all approach our circumstances as bearers of a particular social identity. I am someone's son or daughter, a citizen of this or that city. I belong to this clan, that tribe, this nation' (ibid: 204-205). As a result of these social memberships,

individuals inherit expectations and obligations, which constitute the given of one's life, the moral starting point. The self is 'encumbered', at least to some extent, by history, traditions and communities. MacIntyre's 'narrative' account is clearly at odds with the classical liberal idea that 'I am what I myself choose to be'.

Similarly, Michael Sandel's (1982, 1984) main critique to Rawls is that he conceived the individual too narrowly, as not sufficiently bound up with claims of community, history and tradition. For Sandel, the Rawlsian 'deontological' and 'unencumbered' notion of the self is flawed both in its own terms (because in his view it is contradicted by the difference principle) and, more generally, as an account of moral experience. This is the important point for the thesis, by which Sandel means that 'we cannot regard ourselves as independent in this way without great cost to those loyalties and convictions whose moral force consists partly in the fact that living by them is inseparable from understanding ourselves as the particular persons we are – as members of this family or community or nation or people, as bearers of this history, as sons and daughters of that revolution, as citizens of this republic' (1982: 179). In other words, for Sandel the Rawlsian self cannot make sense of our moral experience because it cannot account for certain moral and political obligations of membership, loyalty, solidarity, etc., that we commonly recognise and that we cannot trace to an act of consent.

I find these critiques convincing. It seems to me that we cannot make sense of the linguistic and national contestation that is the subject of this research without bringing in notions of community and belonging in one way or another. It is difficult to see why the dispute would be articulated in the first place if individuals did not recognise moral ties (to a language, to a nation) that cannot be traced to an act of consent (because we cannot chose the linguistic and national context we are born in). The idea that people care about things they have not chosen is a powerful one, and in my view it is the first communitarian contribution on ontological matters that is worth remembering for the purposes of this thesis. Some liberal nationalist scholars, like David Miller (1995: Ch3), have also stressed this point. The second communitarian contribution is that it is problematic to establish a stark distinction

between individuals and communities because, in reality, the two are more connected than what classical liberals make us believe.

At the same time, the communitarian critique can be (and has been) challenged on a number of grounds. I will show in the next section that liberal nationalists have been preoccupied with the ‘illiberal’ potential of certain ways of emphasising collective life. They insist that affirming the importance of community belonging for individuals should not turn into a ‘blank check’ for communities. Liberal nationalists have also argued that liberalism can endorse a sense of community (nationalism) as long as this is seen as an act of consent, thus admitting that we are born in particular communities but adding that we should be able to ‘opt-out’ if we so wish. Classical liberals have typically replied to communitarians that the principles of equality and non-discrimination would be breached if society itself espoused one or another conception of the good life, because in modern pluralist societies there is a wide range of views about what makes a good life. Liberals of all kinds could point to the risk of ‘a radically socialized self that can never “confront” society because it is, from the beginning, entangled in society, itself the embodiment of social values’ (Walzer 1990: 21).

There are two specific challenges that is worth pointing out. The first is that, in practice, individuals inhabit multiple communities and it is necessary to know whether they are all *equally* important, because goods might collide and in that case choices will have to be made. The second is the puzzle that the emphasis on communities does not translate into an interest to examine people’s attachments to nations, or at least to references to nationalism. This lack of explicit attention to nations and nationalism is puzzling. Bernard Yack is also surprised by this fact, which he has captured in the following eloquent remark: ‘how could anyone think of the individuals chanting “U.S.A., U.S.A.” at the Los Angeles Olympics of 1984 as “unencumbered selves,” to use the expression Michael Sandel made popular? (The Russians and East Germans boycotted the games that year, so American spectators got to celebrate their “encumbrances” even more than they usually do on such occasions.) How could social and political theorists talk so much about whether or not American individualists could live without community and yet show no

interest in Americans' intense and noisy attachment to their nation?' (Yack 2012: preface x)

So, the communitarian critique can be charged with some challenges and criticisms, and I am not sure that it would be able to answer them all satisfactorily. But in my view it succeeds in pointing out some of the problems of the classical liberal ontology. And, more centrally for the purposes of this thesis, it presents a view of the human condition that is more suitable than that of classical liberalism to account for linguistic and national disputes.

2.2.2 Advocacy issues

The main idea here is that communitarian authors problematise the classical liberal emphasis on the primacy of rights over the good and the assumption that the principal task of governments is to secure and distribute fairly the resources individuals need to lead freely chosen lives.

It is true that, in terms of advocacy issues, the communitarian position is not as clear as classical liberalism (which tends to defend forms of egalitarian liberalism à la Brian Barry) and liberal nationalism (which stands for the protection and promotion of schemes of minority rights). Here, I will focus on the interesting account provided by Charles Taylor (1994). I do not aim to imply that other writers usually labelled as communitarian would agree with the detail of Taylor's account. Rather, my aim is simply to outline one possible way of advocating an alternative approach to classical liberalism – one which is intellectually strong and has become influential. While it is true that Taylor is a communitarian who does not disown a certain form of liberalism, I have selected his account because he explicitly addresses one of the issues that lay at heart of this chapter: the opportunities and constraints that different forms of political liberalism offer to accommodate cultural demands. And, in doing so, he departs partly (but not completely) from the standard liberal nationalist position, which is characterised by a concern with the liberal limits of policies reducing inter-group inequality.

Charles Taylor (1994) accuses classical liberalism (which he terms 'liberalism of equal rights', 'procedural liberalism' and 'difference-blind liberalism') of being

inhospitable to difference because in his view it cannot accommodate what the members of ‘distinct societies’ really aspire to, which is survival. He sees classical liberalism as too rigid in its insistence on the uniform application of rules and rights. He also sees it as suspicious of collective goals, which is at odds with demands for cultural survival, in itself a collective goal. Taylor sees Dworkin’s essay *Liberalism* as the quintessential example of ‘difference-blind liberalism’, that is to say, of ‘those who take the view that individual rights must always come first, and, along with non-discrimination provisions, must take precedence over collective goals’ (1994: 56). In that short paper, Dworkin defends the familiar view that a liberal society is one that as a society adopts no particular substantive view about the ends of life. Instead, a liberal society is united around a strong procedural commitment to treat people with equal respect. For Taylor the claim that ‘difference-blind’ liberalism can offer a neutral ground on which people of all cultures can meet and coexist is implausible, because ‘blind’ liberalisms are themselves the reflection of particular cultures, ‘a particularism masquerading as the universal’ (ibid: 44).

Taylor proposes an alternative form of liberalism that ‘weights the importance of certain forms of uniform treatment against the importance of cultural survival, and opts sometimes in favor of the latter’ (ibid: 61). The main idea is that for Taylor a society with strong collective goals can be liberal, which he illustrates with a reference to Quebec. The criteria to distinguish liberal from illiberal societies is not whether they have collective goals, but whether they respect diversity and treat minorities fairly, including those who do not share public definitions of the good. This reasoning brings Taylor very close to the liberal nationalist position, showing why it is difficult to label his proposal. But, at the same time, Taylor’s argument appears to go beyond the typical Kymlickean liberal nationalist approach, which defends policies designed for cultural survival on the grounds that individuals need their national culture to be autonomous. For Taylor this view is also unable to capture the full thrust of these policies, which involves making sure that there is a community of people now *and in the future* that will continue to identify as (in the case of Quebec) French-speakers. In short, my view about how Taylor’s view compares with the typical Kymlickean argument is that the former puts greater

emphasis on the notion of belonging than the latter, who focuses on the instrumental importance of culture for individual choice and autonomy¹⁷.

I find two main merits and two main problems in Taylor's account. The first merit is that it lucidly captures what in my view is a fundamental issue underpinning this academic debate: the tension between demands for uniform treatment and demands for cultural survival (or at least minority protection), which often require unequal treatment (that is, preferential treatment for the minority culture). This links back to the issue of what liberal equality entails, identified in the previous section as one of the main disputes in the debate. Taylor is thinking about Quebec, but this tension is also present in the disputes in Catalonia and the Flemish Periphery, where the language of the territory coexists (and many aim that it survives) with another language that is more 'international' in a challenging context of significant immigration. His point connects with a basic moral intuition that I share, namely that the result of treating unequal things equally is generally to reify an asymmetric relationship between cultures, languages, and nations.

Indeed, this 'clash of moral intuitions' is fundamental in the linguistic disputes examined in this thesis. For some political actors, the right thing to do is to treat individuals (or, more accurately, citizens of a given state) the same way. These rights, which are 'difference-blind' (Taylor 1994) to avoid the forms of discrimination and privilege that political liberalism emerged against, have traditionally been the minimum normative foundations that underpin the public sphere of liberal democracies. However, other political actors have a different view. For them, the right thing to do is, broadly speaking, to protect minority cultures and minority nations, which is a goal that more often than not will require unequal treatment, something that is not seen in itself as 'illiberal'. They agree that every individual has an equal moral status and should be treated by the government with equal respect, but they disagree that equal respect and equal treatment are the same thing. This is a view defended by a number of liberal nationalist scholars, and it is a

¹⁷ This is the general idea but, as we will see in section 2.3, Kymlicka sometimes shifts to more nationalist versions of liberal nationalism. For example, he suggests that a liberal nationalist conception of national identity 'perhaps' includes 'expressing a commitment to the long-term survival of the nation' (2001: 42). This blurs the separation line between the communitarian critique and liberal culturalism.

view that I find convincing. So my point here is that I find merit in Taylor's lucid analysis of this 'clash of moral intuitions', which I see as a crucial tension between classical liberalism and liberal culturalism in general.

The second merit in Taylor's account for our purposes is that he (in my view, correctly) questions the classical liberal notion of the neutral state. He points out that no state can operate effectively without committing itself and its citizens to some substantive goods, something that other communitarians also pointed out, and that most liberal nationalists are at pains to stress. In fact, as Patten (2014) notes, a leading rationale in certain of Kymlicka's formulations is to offset the nation-building efforts of state's national majorities. This criticism to the classical liberal notion of the neutral state has become somewhat a commonplace in the literature, but Taylor was one of the first authors to articulate it in the debate.

My main criticism to Taylor's view is that he fails to specify *when* we should give priority to uniform treatment and *when* we should give priority to cultural survival. This is an important question that he leaves unanswered. Even if we accept that the answer must be particularised to each society's tradition and culture, disagreements are likely to arise, precisely because some will see any departure from equal treatment as 'illiberal', while others will see any adoption of uniform principles and rights as a 'trap' that systematically favours the strongest cultural or national group.

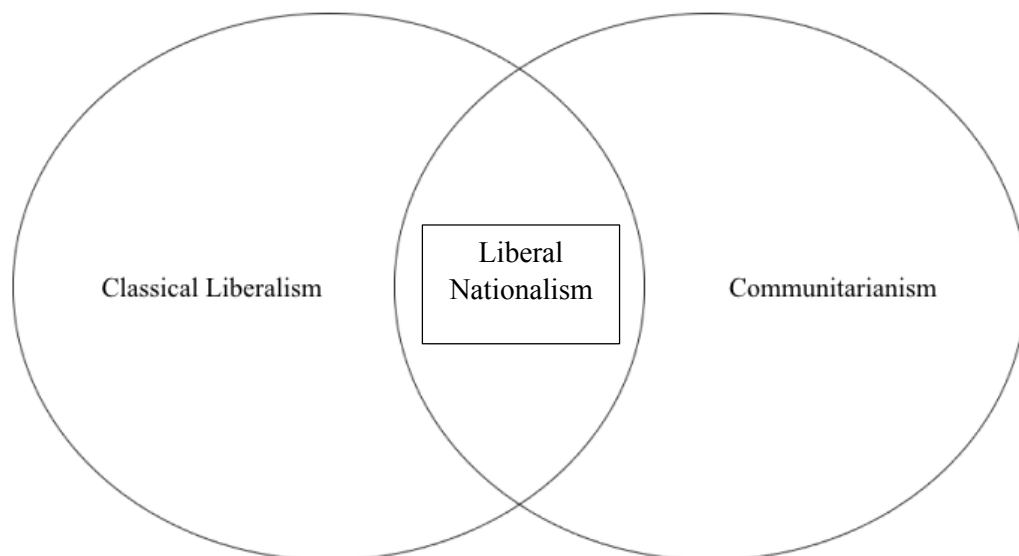
My second criticism is that Taylor does not explore the potential normative dangers of policies aiming at cultural survival. For example, there would be a clear risk for individual liberty in embracing the idea that long-term survival is something that has to be ensured as a matter of right. This would be the idea that, in certain circumstances, one generation can place duties on the shoulders of its descendants *regardless of the will of the latter*. I agree with Lewis (2013) that cultural minorities ought to have the option to preserve their culture if they want, but that they have no duty to do so. A greater elaboration on whether a right of cultural survival exists, or on the contrary survival should be framed only as an outcome facilitated by steps promoting the prospects of minority cultures, would have been welcomed.

Be that as it may, Taylor does a remarkable job in capturing the powerful idea that what many minorities aspire to is survival. This goal might seem obvious to the reader, but it is often left aside by many liberal nationalists (due to its illiberal potential, I suspect). But what exactly is liberal nationalism?

2.3 Liberal Nationalism

I see liberal nationalism as an attempt to reconcile core classical liberal values with the notion that groups are in many ways important for individuals. Liberal nationalism is a sub-type of the more general liberal culturalism, which, crudely, suggests that it is possible to embrace group-specific rights from a liberal perspective, but that there are normative limits to this endeavour.

Figure 2.1 Liberal Nationalism in the Liberal-Communitarian Debate



Specifically, liberal nationalism is a form of liberal culturalism that seeks to explain the link between liberal democracy and nationhood by stressing the importance of membership to national groups (seen as cultural groups) for individual autonomy (Kymlicka 1989, 1995; Miller 1995; Tamir 1993). This leads liberal nationalists to argue that ‘it is a legitimate function of the state to protect and promote the national cultures and languages of the nations within its borders. This can be done by creating public institutions which operate in these national languages; using national symbols in public life (e.g. flag, anthem, public

holidays); and allowing self-government for national groups on issues that are crucial to the reproduction of their language and culture (e.g. schemes of federalism or consociationalism to enable national minorities to exercise self-government)' (Kymlicka 2001: 39). Note that liberal nationalism calls for recognition and accommodation of *both majority and minority* national cultures and languages that fall within the boundaries of the state.

Thus, liberal nationalists suggest that the liberal commitment to individual freedom can be extended to generate a commitment to the viability and flourishing of national cultures, but they put 'liberal' limits to this endeavour. While classical liberals typically argue for the protection of basic individual rights and liberties, liberal nationalists counter that liberals cannot be indifferent to the survival of national cultures, given that they are not indifferent to ensuring the conditions for autonomous individual choice. As Patten notes, 'the liberal nationalist claim is that some people will suffer a loss of freedom unless culturally nationalist policies are adopted because they will lack meaningful options' (1999: 12).

Liberal nationalism differs from illiberal forms of nationalism in that it distinguishes between the 'good' minority rights, which can be seen as supplementing individual rights, from the 'bad' minority rights that involve restricting individual rights. Liberal nationalists are typically preoccupied with the 'illiberal' potential of certain ways of emphasising collective life, and they usually endorse a sense of community where individuals are able to 'opt-out' if they so wish. In short, what defines a *liberal* nationalism is a set of constraints on nationalism, such as the following five mentioned by Kymlicka (2001: 39-41):

- *Lack of coercion*: liberal nationalism does not attempt to coercively impose a national identity on those who do not share it. Public institutions may be stamped with the markers of a particular national group, but individuals who do not belong to that group are allowed to express and cherish their own national identity.
- *Different views in the public sphere*: liberal nationalism allows political activities challenging the privileging of a national identity (e.g. urging the

adoption of a different official language, or even to seek the secession of a region).

- *Inclusive definition of the national community*: membership in the national group is not restricted to those of a particular race or ethnicity, but it is open to anyone wanting to join the nation.
- *'Thin' conception of national identity*: 'in order to make it possible for people from different ethnocultural backgrounds to become full and equal members of the nation, and in order to allow for the widest possible range of individual diversity and dissent, the terms of admission are relatively thin – e.g. learning the language, participating in common public institutions, and perhaps expressing a commitment to the long-term survival of the nation' (ibid: 40).
- *Rejection of a world of homogeneous nation-states*: liberal nationalism is 'willing to accord public recognition to, and share public space with, those national minorities within a state which consistently and democratically insist upon their national distinctiveness' (ibid: 41), thus accepting the legitimacy of minority nationalisms.

Liberal nationalism may come in stronger and weaker forms. In his comparative study between the *Young Scots' Society* and the *Ligue nationaliste canadienne*, James Kennedy (2013) makes a distinction between two faces of liberal nationalism. On the one hand, '*Liberal nationalism*', which he sees as the dominant conception invoked by *Young Scots*, results from a nationalisation of liberalism, emphasises individualism, and seeks to reconcile the promotion of individual rights and group-specific rights. On the other hand, '*liberal Nationalism*', which he sees as the dominant conception invoked by the *Nationalistes*, results from the liberalisation of nationalism and ultimately puts greater emphasis on the collectivity and group-specific rights. This distinction will be useful in chapter seven to make the point that the typical academic liberal nationalist position falls closer to '*Liberal nationalism*', while many political arguments in Catalonia and Flanders fall closer to '*liberal Nationalism*'.

I will focus in this section on the ground-breaking theory provided by Will Kymlicka, which I regard in this thesis as the typical academic liberal nationalist

position. The spectrum of liberal nationalist approaches is diverse, and I do not aim to imply that they would all agree with the detail of Kymlicka's account¹⁸. Rather, my aim is to outline one possible way of advocating an alternative approach to classical liberalism. I have chosen Kymlicka's for two reasons: first, he is arguably the most important liberal nationalist and the scholar who contributed the most to forging the consensus which currently exists in the literature. Second, his 'autonomy argument' is the dominant in the liberal nationalist literature.

2.3.1 The Autonomy Argument

The first step in Kymlicka's argument is to identify liberalism with the value of individual autonomy, and the second step is to examine the conditions under which individuals can be said to be autonomous. The important move in the argument is that (a societal) culture provides the context in which individual choices about how to live one's life can be made. In fact, not only does the culture provide the options from which the individual chooses, but it infuses them with meaning. So the fundamental feature of Kymlicka's culturalist theory is the connection that he traces between culture and autonomy. What he calls 'societal culture' is a thin form of culture centred on a shared language which is used in a wide range of societal institutions (such as schools and government). He defines it as follows: 'a culture which provides its members with meaningful ways of life across the full range of human activities, including social, educational, religious, recreational, and economic life, encompassing both public and private spheres' (1995: 76).

I shall explore now this connection in greater detail. Cultural structure is recognised as a context of choice that makes various options available and meaningful for the individual: 'freedom involves making choices amongst various options, and our societal culture not only provides these options, but also makes them meaningful to us' (1995: 83). Kymlicka (1989, 1995) argues that the essential interest of individuals is in leading a good life, which requires that we live in accordance with our beliefs and that we be free to examine them in the light of whatever arguments our culture can provide. This account of our essential interest forms the basis of his

¹⁸ For a distinction between intrinsic, cultural, and instrumental arguments among liberal nationalists, see Moore (2003: Ch2-4).

theory. However, the decision about how to lead our life is always a matter of selecting what we believe to be most valuable from the various options available. Since the range of options is determined by our cultural heritage, culture has an instrumental value. Thus, it is the instrumental, not the intrinsic, value of culture which grounds claims for political powers and resources.

Culture is not only connected to autonomy but also to equality of opportunity. Cultural structures diffuse common language and institutions, and equality is in the first instance a matter of equal opportunity to participate in these common institutions. As a result, ensuring freedom and equality for all citizens involves ensuring that they have equal membership in, and access to, the opportunities made available by the societal culture. This culture, whose creation is intimately linked with the process of modernisation and actively supported by the state, tends to be territorially concentrated and based on a shared language. We will see in chapters three and seven that this definition is more appropriate for the Flemish case (with the significant exception of the Flemish Periphery) than for the Catalan case due to the latter's stable bilingualism and more mixed composition.

Kymlicka distinguishes two different broad patterns of cultural minorities, national groups and ethnic groups, and he uses the terms 'multinational' and 'polyethnic' to refer to these two main forms of cultural pluralism. In the first case, which is the one that concerns us the most here, 'cultural diversity arises from the incorporation of previously self-governing, territorially concentrated cultures into a larger state' (2001: 10). National groups are societal cultures, his incorporation in larger states is often involuntary, and they typically wish to maintain themselves as distinct societies alongside the majority culture. Self-government rights are answers to the demands for political autonomy put forward by national groups, and they can enjoy this permanent right to ensure the full and free development of their cultures. Differently, 'polyethnic rights' are responses to demands articulated by voluntary immigrants and can take the form of anti-racism policies and exemptions from the law. They aim to facilitate immigrant integration while retaining some aspects of their culture. Finally, special representation rights are seen as a corollary to self-government rights and are

utilised in order to counterbalance the exclusion that members of disadvantaged groups experience.

In a characteristic liberal nationalist fashion, Kymlicka admits that some forms of minority rights would undermine, rather than support, individual autonomy. As a result, he distinguishes between two kinds of claims that a national group might take. The first are *internal restrictions*, which involve the claim of a group against its own members and intend to protect the group from the destabilizing impact of internal dissent. The second are *external protections*, which involve the claim of a group against the larger society and intend to protect the group from the impact of external decisions. Kymlicka holds that liberals should reject internal restrictions which limit the right of group members to question traditions¹⁹, and they should endorse certain external protections where they promote fairness between groups (1995, 2001). The aim should be to reduce inter-group inequalities while enhancing individual freedom. The key point, once again, is that ‘individual members must be free to question and reject any inherited or previously adopted identity, if they so choose, and have an effective right of exit from any identity group’ (2001: 42).

Kymlicka considers three sorts of arguments to defend the justice of group-differentiated rights for national minorities within a broad liberal framework. The most important is the equality-based argument. He argues that the idea of responding to cultural differences with ‘benign neglect’ is nonsensical because the state unavoidably promotes certain cultural identities, and thereby disadvantages others. Thus, ‘the question is how to ensure that these unavoidable forms of support for particular ethnic and national groups are provided fairly – that is, how to ensure that they do not privilege some groups and disadvantage others’ (Kymlicka, 1995: 115). His basic answer is that some minority rights actually increase equality, and that true equality requires different treatment for different groups. This equality-based argument for group-differentiated rights for national minorities is further strengthened by appeals to history-based arguments and the value of cultural diversity.

¹⁹ He argues that even in the case of illiberal national groups, the aim should be not to assimilate the minority culture, but rather to liberalise it.

Kymlicka puts forward persuasive arguments to defend a liberal theory of minority rights. His attempt to defend the cultural dimension traditionally underlined by communitarians within a liberal framework has become a reference point in the literature. For reasons of space I have limited myself in this section to a brief portrait of the aspects of his work that are most relevant for the purposes of this study, but his contributions to the debate are rich and numerous. I have highlighted the distinction between internal restrictions and external protections because it captures the liberal nationalist concern about the ‘illiberal’ risks of some forms of communitarianism. I have also highlighted the equality-based argument because it is a direct critique to the pretension of state neutrality that characterises classical liberalism. In fact, Kymlicka lucidly sees that claims of minority nationalism are very often claims for cultural preservation in the face of assimilative pressures from the majority. A theme that runs through this chapter is the tension between the defence of ‘benign neglect’ and its denunciation as partiality²⁰.

But there is no such thing as a perfect theory, of course, and one could find a few substantial difficulties in Kymlicka’s explanation. I would like to mention here three objections to his theory, all of which have to do to some extent with his conceptualisation of culture. The first objection is the totalising definition of societal culture (Carens 2000: 69-70), according to which being a member of a culture provides meaningful ways of live through *all* human activities. This seems implausible. I do not think that a Fleming washing the dishes or taking a nap has a different experience than a Catalan because they belong to different societal cultures. One could also make the case that some cultures are too tiny or fractured to provide members with ‘meaningful options across the full range of areas of human life’. In order for his way of treating autonomy and culture to succeed, Kymlicka must show that autonomy is *related* to culture. But in the process he probably overemphasises the importance of a cultural context.

This connects with the second (and related) objection: the picture of cultural groups as homogeneous. As De Schutter rightly notes (2008: 110), Kymlicka criticises

²⁰ There are also statist versions of liberalism nationalism. Miller (1995) argues that a shared national identity is a requirement for a viable and socially fair society. His defence of ‘nationality’ becomes in fact a defence of nation-states.

Rawls for working with a simplified model of the nation-state, where the political community is co-terminous with one cultural community. Kymlicka argues that many societies have become multinational and multilingual, and he builds a political theory for a multinational state. Yet, he ultimately seems to defend that a culture is synonymous with a nation and a people, that is, one in which people live in linguistically unified nations that can be understood as providing contexts of choice that make our life choices and options meaningful to us.

The Catalan case shows the difficulty in delineating the societal culture when more than one language and culture exist (a common empirical situation). In the words of Joan Vergés: ‘two people – from Barcelona, let’s say – could have the exact same ambitions in life and the exact same degree of autonomy regarding the same range of options, and yet, one could speak usually Castilian and the other one usually Catalan. Which meaningful option is offered by the Catalan language that the Castilian language does not offer? Even more, if we assume the [Kymlickean] hypothesis: isn’t it true that, at least in Barcelona, where Castilian is dominant, the Castilian language offers more meaningful options than the Catalan language? (2013: 83 – my translation). The internal complexity of the Catalan case calls into question the view that reifies national groups as bounded and homogeneous.

The third and also related objection is a standard criticism among commentators since the early 1990s (see Margalit and Halbertal 1994). They argue that, although it may be true in some sense that people rely on culture for a context of choice, it does not follow that the culture they rely on has to be *their* culture. By ‘their culture’, I mean here the culture in which they were brought up and with which they identify. It is probably true that Flemings need *a* culture to have a context of choice available, but why does it have to be *the* Flemish culture? So Kymlicka’s culturalist argument provides a reason to recognise and accommodate national cultures, but it does not provide a special reason why any *particular* culture ought to be recognised and accommodated. This is a problem because, from a non-normative but explanatory point of view, it is clear that what nationalists are worried about is the loss of *their* distinctive culture.

I will conclude this section with a word on Kymlicka's view about sub-state nation building. This is important because the disputes which are the topic of this thesis are largely about the 'liberal' limits of linguistic policies in Catalonia and Flanders, where the sub-state governments have engaged in measures of linguistic promotion of the 'autochthonous' language that are partly a way of fostering the sub-state territory's national identity. What does Kymlicka have to say about this? In his view, 'all else being equal, national minorities should have the same tools of nation-building available to them as the majority nation, subject to the same liberal limitations' (2001: 29). Since national majorities use state governments to engage in forms of nation building, sub-state national minorities should have, as a matter of fairness, the right to use the governments of sub-state units for minority nation building. For Kymlicka it is actually positive that Catalonia and Flanders carry out measures of this kind because they can contribute to equality between groups, but the policies are of course subject to the same standards of liberal validity as state policies.

However, Kymlicka seems to make an exception when it comes to policies aiming at the integration of immigrants in minority nations (2001: 286-288). This is pertinent because the contested linguistic laws in Catalonia and Flanders aim precisely at the integration of newcomers. Writing about Quebec, Kymlicka offers a qualified defence of the permissibility of using some 'mildly illiberal' policies (which, incidentally, blurs the separation line between the communitarian critique and liberal culturalism). He suggests that these policies may be required if minority nations are to successfully integrate immigrants, and he argues that, rather than being a display of ethnic nationalism, they 'have been adopted, at least in part, precisely in order to shift Québécois nationalism from an ethnic to a post-ethnic form of nationalism' (2001: 286). Kymlicka is cautious and makes his endorsement of 'limited deviations from liberal norms' dependent on how great the violation of liberal norms would be. However, his general point is clear: in Quebec, mildly illiberal policies have increased the prestige of the French language, creating the conditions under which a post-ethnic form of Québécois identity could emerge.

2.4 Concluding Remarks

In this chapter I have outlined the conceptual framework of the thesis. The framework is about one of the major debates in contemporary political philosophy, that of the relationship between the individual and the community. This debate is a familiar refrain of political life in the contemporary world. The specific focus has been on how the three positions in the debate conceptualise the relationship between individual and group-specific rights. This has been placed in a wider context that examined disagreements over ontology, values, and political units.

I hope to have shown that classical liberals and communitarians disagree about the relationship between the individual and groups. Communitarians criticise that classical liberals conceive individuals too narrowly, as not sufficiently bound up with claims of community, history and tradition. Liberal nationalists adopt this critique and rethink individuals as contextual beings who are partly made up of, and care about, their culture. The three positions also disagree when it comes to the core value and the core unit of their doctrines. These disagreements ground different advocacy positions. Crucial here is the quarrel over what exactly liberal equality entails. Liberal equality à la Brian Barry means equal treatment, and it is a conception of liberalism that retains a grip among many liberals, who typically show hostility towards group-specific rights and ‘the politics of difference’. Communitarians like Charles Taylor and liberal nationalists like Will Kymlicka join forces against this classical liberal view, but they generally do it in different forms: the former emphasise belonging and the collective goal of cultural survival, while the latter put an emphasis on the instrumental role of culture for individual autonomy and typically set liberal constraints on nationalist principles. These are some of the competing interpretations of political liberalism and some of the conflicting claims about culture that make up for this academic debate.

In general, I side with the liberal nationalist position. I find plausible their ontological position of individuals as contextual beings, and I agree with their advocacy position in favour of a minority-accommodating state. I also find merit in the argument that the classical set of common civil and political liberal rights is insufficient to deal with situations of cultural and national pluralism. In particular,

the classical liberal notion of equal treatment clashes with my basic moral intuition (which links with Kymlicka's equality-based argument) that treating unequal things equally results in a reification of asymmetric relationships between cultures, languages, and nations. Liberal nationalism is also particularly aware of the nation-building efforts of many state's national majorities, which have been the national elephant in the room for a long time, and rightly notes that claims of minority nationalism are often claims for cultural preservation in the face of these assimilative pressures (and from challenges derived from immigration). Finally, in my view the liberal nationalist position successfully recognises the importance that linguistic and national identities have to many individuals and to social life, but, unlike the communitarian critique, it typically does so with an eye on the liberal limits of policies aiming at reducing inter-group inequality.

However, the liberal nationalist position is not without problems. For the purposes of this thesis, the following two points are especially relevant. First, in Kymlicka's account there is an excessive identification of a particular language and culture with a given nation. This makes his theory difficult to apply in cases like Catalonia, where two languages – two societal cultures? – coexist. It also raises the issue of whether languages result in the same societal culture for communities such as the Flemings and the Dutch, who share a standard language but little else. The second point is the failure to successfully answer the question of why we should protect *distinctive* cultures, which is a key aspiration of nationalists.

My modest suggestion is that liberal nationalist would do well to consider Taylor's point that what members of 'distinct societies' really aspire to is survival. This aspect is not sufficiently discussed by liberal nationalists, probably due to its illiberal potential (although we have seen that it is touched upon in certain of Kymlicka's formulations). Scholarship in liberal nationalism has focused on creating elaborated theories about the instrumental importance of the national culture for individual autonomy. There is a great deal of merit in this approach, as argued in section 2.2. But it could be refined by paying greater attention to the fundamental issue of belonging to one's own culture, focusing on the moral significance and the normative implications that many individuals draw from this attachment. Belonging, and related

aspirations of national survival and prevalence, underpin many disputes in the contemporary world, and yet they are not fully addressed by the majority position in this academic debate. In other words, it seems to me that liberal nationalist thinkers run the risk of being unable to account for 'real world' national attachments if, in their efforts to build 'acceptable' liberal theories, they circumscribe their defence of national membership to its instrumental role for individual autonomy.

This chapter has presented the main conceptual framework of the thesis. The next chapter adds nuance to it by examining scholarship about language. Specifically, it combines insights from the fields of nationalism studies and linguistic justice.

Chapter 3. Nationalism and Linguistic Justice

This chapter zooms in on language. It examines scholarship in nationalism studies about the role of language for nationhood, and scholarship in linguistic justice about the value of language for individuals. The aim is to provide different and complementary theoretical lenses to the conceptual framework presented in the previous chapter. This chapter is also motivated by the notion that there are gains to be made by both fields if they are made to speak to each other more closely.

The main argument that runs through this chapter is the following. The emerging field about linguistic justice, with its normative tone and its focus on the value of linguistic membership, can be seen as a ‘normative complement’ to the main theories of nationalism. This is so because these theories are generally explanatory and not particularly concerned about the negative consequences of processes of homogenisation for minorities. At the same time, the field of nationalism studies, with its emphasis on the link between individuals and languages through nationalism, can be seen as a ‘national complement’ to the emerging field about linguistic justice. This is so because this field typically grounds the identity value of language on its importance for individual autonomy and dignity, paying little attention to the identity value of politically constructed national languages.

This chapter is structured as follows. First, I examine the role that language plays in two of the most important theories of nationalism, those of Benedict Anderson and Ernest Gellner. These theories, which eschew normative issues, emphasise in different forms that the link between language and nation is contingent. This is a departure from previous approaches by Herder and Fichte, who conceptualised language as a natural part of the character (*Volksgeist*) of the nation. Second, I examine the main answers provided by language justice theorists to the issue of the value of language for individuals. The answers point at a number of identity and non-identity individual interests in language. I draw special attention to the sub-debate about the territoriality and personality principles because it is very pertinent for the case of Flanders. I conclude the chapter itemising the main take away points for the purposes of the thesis.

3.1 Language in Nationalism Studies

This section examines the role that language plays in two key theories of nationalism, those of Benedict Anderson and Ernest Gellner. I draw attention to three main points. The first is that their theories, while different in their reasoning, share the view that the relationship between language and nation is contingent. The second point is that in general – the late Gellner (1998) is an exception – they are not concerned with the normative implications of their explanatory accounts. This allows us to see the linguistic justice field as a ‘normative complement’ to these theories. To clarify, my suggestion is not that these scholars should have adopted a prescriptive approach, but that there are normative consequences that stem from their theories, that these normative consequences are relevant for this thesis, and that they do not address them but language justice theorists do. The third point I draw attention to is that these two theories pay insufficient attention to the actual role of nation-building actors in forging links between language and nation.

Before proceeding, I would like to show how Anderson’s and Gellner’s theories differ from the ones provided by Johann Gottfried von Herder and Johann Gottlieb Fichte. These two authors have been very influential in theorising the link between language and nation. Specifically, Herder’s ideas were very important for Catalan nationalism. Enric Prat de la Riba, a central figure in Catalan nationalist thought, defended in his ‘The Catalan Nationality’ (1906) that language is at the heart of the national spirit of Catalonia, and he quoted directly from Herder to support his thesis. In my view, the fundamental difference between Herder and Fichte and nationalism scholars is that the former see language as a natural part of the nation, while scholarship in nationalism studies elaborates in different forms on the constructed relationship between the two.

Table 3.1 Romantics and Nationalism Scholars on Language and Nation

	Romantics		Nationalism Scholars	
Position	The relationship between language and nation is <i>natural</i>		The relationship between language and nation is <i>contingent</i>	
Authors	J.G. Herder	J.G. Fichte	B. Anderson	E. Gellner
Main Argument	Nations are linguistically determined. All languages and nations are equally valuable	Political borders should follow linguistic borders. Languages may be ranked based on their purity	Language, combined with capitalism and print technology, permits ‘imagining’ nations	Language, mediated by education, answers the needs of modernity via nationalism

Herder (1744-1803) is considered the intellectual father of 19th-century romanticism (De Schutter 2013), and his ‘Treatise upon the Origins of Language’ is often cited. Herder elaborated a language-based conception of nationhood: a nation (or a *Volk*, a people) is a cultural entity with a distinct character and a shared language. The underlying idea is that the national language embodies the nation’s character or spirit and connects present generations with their past. This is understood in an organicist manner: members of the nation think according to the national language they speak, and because thought is dependent on language, the members of a nation are intrinsically connected. This view sees language as an essential part of the nation and as a constitutive element of people’s identity. Language is not the most important element of nationhood, but its very soul. Nations are natural and linguistically determined.

Importantly, Herder expresses equal respect for the world’s languages, which are seen as humanity’s most distinctive and ennobling faculty. For Herder, ‘each language community develops {human rational and spiritual} capacities in its own unique way, thus discovering diverse routes to the moral advancement of humanity’ (Benner 2013: 42). These routes are diverse and equally valuable: no language may be ranked as superior to others because all languages embody legitimate interpretations of the common human experience. Implicit here is that Herder understands humanity as a unity and that he sees language as the means for

expanding human rational and spiritual capacities. Herder's version of cultural nationalism is thus a form of cultural relativism that emphasises the value of diversity. The aura of narrow nationalism that surrounds his work 'does not originate from Herder's own theory but from Herder's reception, especially by 19th-century German nationalists' (De Schutter 2013: 394).

What can be criticised, however, is the organicist and teleological nature of his reasoning. Herder's essentialism is at odds with today's constructivist accounts of nationalism, which argue that language is a contingent (which is not to say unimportant) cultural aspect of many national identities. Perhaps more importantly for this thesis, and as De Schutter (*ibid*) notes, his theory does not allow for conceptualising dual identities, bilingualism or multinational political units, three basic features of Catalonia and Flanders. The expectation that there is a congruence between language, nation and state, rightly criticised by Kedourie in his assessment of Herder's theory (1993: 61-62), is clearly at odds with the reality around us. This expectation links with what De Schutter (2007) calls 'discrete language ideologies', which unrealistically assume that the linguistic world is characterised by monolingualism, by sharp boundaries that neatly juxtapose linguistic groups, and by the fact that members of linguistic communities are undivided with regard to the issue of identity.

Although 'discrete language ideologies' are unhelpful to account for the real world, they retain a grip among many political theorists. In my view, the liberal nationalist position examined in the previous chapter partly participates of this strand of thinking. This is not to say that Kymlicka's theory is Herderian. Kymlicka conceptualises nations as contingent (not natural), and his liberal individualist account is at odds with the idea that national languages embody the nation's character or spirit. What Kymlicka shares with Herder is a culturalist and homogeneous understanding of national groups, one in which language plays a central role. It is in this sense that they both participate in different forms of the 'discrete language ideology', and it is for this reason that they both struggle to account for 'messy' empirical contexts like the Catalan case, characterised by stable bilingualism.

Fichte (1762-1814), a leading figure in idealism and romanticism in Germany (Nomer 2013), similarly described language in his ‘Addresses to the German Nation’ (1808) as the key feature of nations or peoples. He famously wrote that ‘whenever a separate language is found, there a separate nation exists which has the right to take independent charge of its affairs and to govern itself’ (cited in Nomer 2013: 293). Speaking the same language should be the criteria to distinguish one people from another, and also the criteria to create state boundaries. This is so because for Fichte language develops out of the common life of a *Volk*, and it is therefore intimately bound up with the community. The persistence of a language over time is the persistence of a nation over time, and vice versa.

The most important difference with Herder’s view is that Fichte establishes a moral hierarchy among nations based on the extent to which the languages had been corrupted by foreign borrowings. This is not to say that the concept of linguistic purity was not present in Herder’s work (it clearly was), but to point out that for Herder this was not used to rank nations. In addition, Fichte’s nationalism has been accused of ‘chauvinism’ because in his view the Germans are the particular bearers of a universal world-historical mission on the path of human progress. His claims for German superiority, scholars like Mar-Molinero (2000: Ch1) argue, do not allow for the tolerance of diversity advocated in Herder’s writing, and set the stage for radical political notions of identity.

However, some scholars have recently questioned the common view, reinforced by Kedourie in the field of nationalism studies, that ‘Addresses to the German Nation’ declare an ethnic nationalist viewpoint. For example, Keohane (2013) argues that Fichte does not single out the German nation in terms of kinship or blood, and that ‘the privilege bestowed upon the German language is therefore not given due to any intrinsic value – e.g. its distinctive syntax – but simply because it has not been interrupted in its development, and in doing so, has allowed its speakers to have something of their own retained’ (ibid: 321).

In summary, Herder and Fichte establish a natural connection between language and nation. This sits uneasily with the cases of Catalonia and Flanders, and it does so not only because we live in a plurilingual world, but also because the Catalan and Dutch

languages are spoken in different political communities which by and large do not regard themselves as being the same nation. Think for example of Catalonia and Andorra, and Flanders and the Netherlands. The same is true, of course, of the Spanish and French languages. There are good reasons to believe that nations, and their link with languages, are contingent human constructions. This is the approach adopted by the main theorists of nationalism.

3.1.1 Benedict Anderson

Benedict Anderson is one of the most important theorists of nationalism. He gives a prominent role to language in his theory. For Anderson (1991: Ch3), language is an important factor, combined with capitalism and print-technology, to explain the origins of national consciousness. It is the combination of these factors which created the conditions that allow us to 'imagine' nations.

Anderson's key argument is that 'the convergence of capitalism and print technology on the fatal diversity of human language created the possibility of a new form of an imagined community, which in its basic morphology set the stage for the modern nation' (1991: 46). The reasoning is the following: in pre-print Europe the diversity of languages was immense, to the extent that print-capitalism would have remained a capitalism of 'petty proportions' if it had sought to exploit each and every one of the potential oral vernacular market. When the Latin market was saturated, the logic of capitalism made printers think more and more of selling cheap editions in the vernaculars. Book-sellers, also concerned to make a profit, had an interest in exploiting the potentially huge markets represented by the monoglot masses. Capitalism served to 'assemble' related vernaculars, creating mechanically reproduced print-languages capable of dissemination through the market.

The revolutionary vernacularising thrust of capitalism was given further impetus by three factors (ibid: 38-41). The first was the change in the character of Latin itself. The written Latin was becoming increasingly arcane and removed from ecclesiastical and everyday life. The second factor was the impact of Reformation, which in turned owed much of its success to print capitalism. Martin Luther nailed his theses to the chapel door in Wittenberg in German translation, becoming the first best-selling

author so known. According to Anderson, ‘the coalition between Protestantism and print-capitalism, exploiting cheap popular editions, quickly created large new reading publics not least among merchants and women, who typically knew little or no Latin – and simultaneously mobilized them for politico-religious purposes’ (ibid: 40). The third factor was the birth of administrative vernaculars, that is, the slow and uneven spread of particular vernaculars as instruments of administrative centralisation by certain well-positioned would-be absolutist monarchs. The ‘choice’ of language was pragmatic, unlike the self-conscious language policies led by many in the 19th century. They were only languages used by and for officialdoms for their own convenience. Yet, the fact is that some vernaculars were elevated to the status of languages-of-power, competing with Latin, while others were not.

How does this relate to national consciousness? Anderson’s argument is that these print-languages (the vernaculars assembled by capitalism to be disseminated through the market) laid the basis for national consciousness, even though societies had a restricted level of literacy. They did so in three distinct ways. The first and foremost is that print-languages created unified fields of exchange and communication below Latin and above the spoken languages, and beyond and below the elite. This produced an association between linguistic distinctiveness and national culture, to the extent that language was often taken as the root and expression of such culture. ‘This association of linguistic distinctiveness with national culture became so strong that language was often taken as the root, the expression of such culture, even when (as in the case of the Quebecois) that language “belongs” to another people’ (McCrone 1998: 53). To illustrate, consider Anderson’s eloquent explanation:

‘Speakers of the huge variety of Frenches, Englishes and Spanishes who might find it difficult or even impossible to understand one another in conversation, became capable of comprehending one another via print and paper. In the process, they gradually became aware of the hundreds of thousands, even millions, of people in their particular language-field, and at the same time that *only those* hundreds of thousands, or millions, so belonged. These fellow-readers, to whom they were connected through print, formed, in their secular, particular, visible invisibility, the embryo of the nationally imagined community’ (1991: 46).

The basic underlying notion is that communication and identification go in hand. As Paterson et al. point out (2014: 431-432), Anderson ties one's capacity to speak a particular language with one's capacity to identify with those who speak that language (and with any ethnic or national identities with which it is associated). For him, languages are not 'emblems of nation-ness' like flags, costumes, and folk dances. 'Being unable to speak a particular language places immediate restrictions on one's ability to communicate – and, by extension, identify – with the group' (Anderson 1991: 135). This notion is present in the arguments for Catalan and Flemish language rights, which defend that it is through the learning of Catalan and Dutch that newcomers integrate. Specifically, the common argument is that it is through the mastering of the language of the nation that newcomers become fellow nationals. This is understood differently from the Romantic, organicist sense that members of the nation think according to the national language they speak. Yet, it shows that the general idea that language plays an important role for nationhood, far from being the exclusive patrimony of Romantic thinkers, runs deep.

The second way in which print-capitalism laid the basis for national consciousness is that it gave a new fixity to print-languages, which in the long run helped to build the image of antiquity that is central to the subjective idea of the nation. Languages were no longer subject of the idiosyncratic changes of monastic scribes. The third is that print-capitalism created languages-of-power: as mentioned above, certain dialects inevitably were 'closer' to each print-language and dominated their final forms. This differentiation of status between print-languages and the others was a largely unselfconscious process but, once 'there', they could become formal models to be imitated. This third factor partly explains the political struggles by certain sub-state nations to change their subordinate linguistic status. Indeed, the next chapter will show that the history of national mobilisation in Catalonia and Flanders was to an important extent the history of the struggle against unequal linguistic treatment.

Anderson's theory of nationalism is a useful antidote against the view that nations, and their link with languages, are natural. Anderson insists that it would be a mistake to embrace the 'common element in nationalist ideologies which stresses the primordial fatality of *particular* languages and their association with *particular*

territorial units' (ibid: 43 – italics in original). The core idea that runs through his theory of nationalism is that our capacity to think of nations is historically situated, arising as a result of the contingent combination of different factors.

But it is noteworthy for the purposes of this thesis that Anderson does not address the normative consequences that derive from his theory. Specifically, the process of 'assembling' related vernaculars and the creation of languages-of-powers have normative consequences. They can be seen to engender a situation of linguistic injustice as lack of parity of esteem (Van Parijs 2011). We will see in section 3.2 that this means that languages are not treated with equal respect, as a result of which the speakers of those languages are not treated with equal respect. Anderson insists that this process of 'unequalisation' between languages was at first largely unplanned, but the fact remains that processes of linguistic homogenisation create symbolic and practical disadvantages for speakers of vernaculars which are not elevated as languages-of-power. Ernest Gellner takes into account the practical disadvantages in his theory of nationalism.

3.1.2 Ernest Gellner

Ernest Gellner is another key theorist of nationalism. He also gives language an important role in his theory of nationalism. At first glance this may seem less evident than in Anderson's theory because, in Gellner's, this importance is mediated by the concepts of education and modernity. A central idea in Gellner's theory is that the imperatives of modern industrial societies favour and necessitate a certain degree of cultural homogeneity. More specifically, the demands of modern societies in trained personnel and the need for intercommunication across vaster networks create a functional imperative for the diffusion of standardised, context-free languages via education. Modernisation (which he equates with industrialism) requires communication through a common medium: a 'high culture'.

Nationalism (understood as the political principle which holds the territorial congruence of nation and state) is the manifestation of this objective need for homogeneity. It is a product of modernity – more specifically, of the transition to industrialism. Nationalism is 'the general imposition of a *high culture* on society, where previously *low cultures* had taken up the lives of the majority, and in some

cases the totality, of the population' (1983: 29 – italics in original). Thus, nationalism transforms and validates a 'folk culture' into a high national culture (a written vernacular), and seeks a state of its own. It appears as a unifying process seeking political integration through full-scale cultural assimilation. As O'Leary aptly notes, for Gellner 'the nation-state is the equilibrium condition of modernity' (1998: 78). At the same time, in Gellner's work nationalism often refers to conflict and separation. His basic argument is that industrialisation spreads unevenly, and that when there is uneven development combined with cultural difference, this can give rise to nationalism. Disadvantaged groups by processes of homogenisation are blocked from social mobility, and they can use their cultural differences to justify and motivate the goal of national independence.

What are, then, the specific roles of language, education and literacy in Gellner's theory of nationalism? The motor of this process of cultural homogenisation is the education system, which provides a generic training and a shared culture that allows people to be able to move from one occupational position to another. Modernity calls for an educated person, and education is attained in schools. The limits of mobility are hence linguistic and imposed by the state. For this reason, Gellner argues that 'the monopoly of legitimate education is now more important, more central than is the monopoly of legitimate violence' (1983: 34). This is a point that defenders and the opponents of the Catalan conjunction model very much agree with.

Gellner's theory of nationalism, like Anderson's, is a powerful antidote against the view defended by Herder and Fichte, which holds that nations, and their link with languages, are natural²¹. Nations are not natural: Gellner argues that, with the transition to industrialism, nationalism creates nations *where they did not previously exist*. Nor are languages the soul and essence of the nation: to fulfil the needs of modernity, top-down political processes of cultural homogenisation give dominance to some languages over others, and nationalism is the manifestation of the objective need for homogeneity. In Gellner's theory, language plays an important, yet mediated, role. The 'new' political units, the nation-states, are defined by the chosen language, which is disseminated through the education system. At the same time, the

²¹ Although an important difference between the two is that Gellner seems to suggest that things could not have happened otherwise.

unchosen languages may become the raw material around which oppositional nationalisms emerge.

Gellner's theory in *Nations and Nationalism* (1983), like Anderson's, was silent about its normative implications and, more specifically, about the often brutal ways through which homogenisation was achieved. Unlike Anderson, however, he later developed prescriptive hopes for some way in which cultural pluralism could be achieved within a larger political union. In *Language and Solitude* (1998), he seems to suggest that a liberal accommodation of nationalism is possible and desirable, and that under certain conditions homogeneity might not require the assimilation of minorities. In putting forward this suggestion, the late Gellner echoes the preoccupation for minority protection that characterises the different forms of liberal culturalism.

We have seen that both Anderson's and Gellner's theories of nationalism depart from the Romantic understanding of the relationship between language and nation. They propose theories in which the role of language for nationhood is contingent and, in different forms, they give language a prominent role in their accounts. We have also seen that their theories of nationalism are explanatory and eschew normative issues. It is in this sense that the field of linguistic justice can be seen as a 'normative complement' to the main theories of nationalism.

3.2 Language in the Field of Linguistic Justice

The field of linguistic justice within contemporary political philosophy has as a direct antecedent the debate on individual and group-specific rights examined in the previous chapter. Many of the arguments held in that debate, like Kymlicka's emphasis on the role of culture for individual autonomy, are re-emerging as linguistic justice views. Others, like the classical liberal emphasis on state neutrality, are absent because it is impossible for public authorities to be language-free. Finally, some distinct new arguments have emerged, such as the influential Van Parijsian understanding of linguistic justice as equal dignity. In this section, I structure the different views following the contribution made by De Schutter and Robichaud (2015: 88-96). I give special attention to Van Parijs's defence of the territoriality

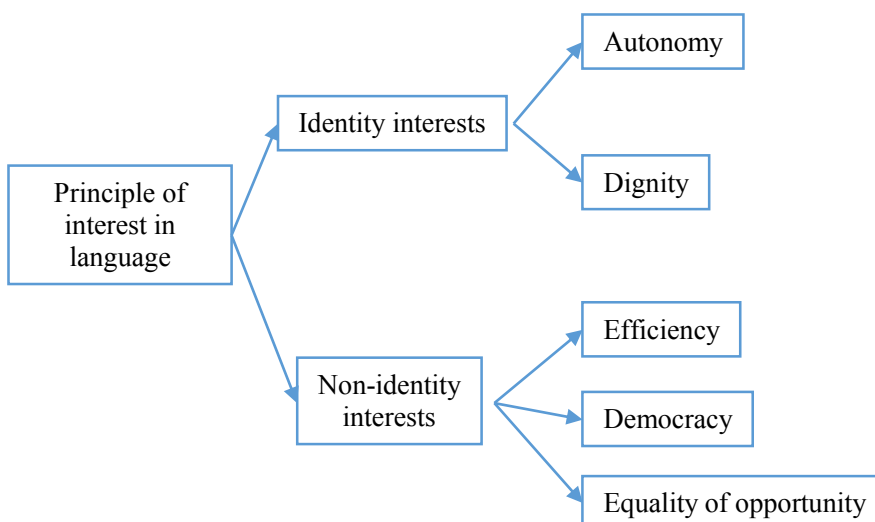
principle and De Schutter's defence of the personality principle. The reason is that the sub-debate about territoriality and personality is pertinent to understand the linguistic disputes in Flanders.

De Schutter (2007: 2-5) points out two characteristics of the field of linguistic justice. The first is that it is a *normative* debate concerned with developing a view of what is the fair political involvement with languages. It is thus not concerned with the study of actual language policies and, as Patten and Kymlicka (2003) point out, there have been relatively few attempts to apply systematically the insights from theories to country-specific controversies over language. De Schutter also notes that, as an immediate result of this normative thrust, political philosophers interested in linguistic justice approach language primarily as an 'object' of their justice-related research. By this he means that 'linguistic justice theorists start with getting clear on normative principles of justice, and then, in a second step, approach the issue of language as one case-study among others' (2007: 3).

The second characteristic of this field is that the most important point of cleavage centres on the answer to the question *what the value of linguistic membership amounts to at a political level*. This is probably unsurprising given the origin of this field, which is the academic debate about the compatibility between individual and group-specific rights. We saw in the previous chapter that this debate involves contested arguments about the importance of cultural membership for individuals. The fact that these debates and the linguistic justice debate have similar protagonists is because some theorists of multiculturalism and nationalism 'have started to shift their attention from "culture" and "nation" in general, to language as a crucial aspect of national and cultural communities' (De Schutter 2007: 5).

The following figure, based on De Schutter and Robichaud (2015: 88-96), shows the main positions that language justice theorists adopt about the issue of the value of linguistic membership. Put differently, these are the answers they give to the question: what are the interests individuals have in language?

Figure 3.1 Main Positions in the Field of Linguistic Justice



There are two broad types of interest in language, according to language justice theorists. The first position, which is the most common in the literature, holds that *individuals have identity interests in language*. This position grounds the view that language policies should recognise the identities associated with a specific language, because ‘people’s identity interests in language are important enough for language policy to take them into account and to accord language rights to language groups’ (ibid: 90). Two identity arguments stand out in the literature. The first is *the autonomy argument*, according to which languages and cultures are ‘contexts of choice’. They are ‘option packages’ that provide individuals with the options available to them and with the means to evaluate such options. This is the typical liberal nationalist argument, defended by Kymlicka and examined in the previous chapter. De Schutter and Robichaud argue that this argument relies on (1) the idea that individuals perceive the world in the linguistic terms passed on to them by their family and people, and (2) the idea that language provides people with the means to fully realise themselves.

The second identity interest is *dignity*. The main idea here is that ‘using someone’s language or affirming its status is a way of promoting that person or that group’s dignity. A language is a source of collective and personal self-respect and dignity’ (ibid: 92). Unlike the autonomy argument, the dignity argument does not have its obvious antecedent in the debate about individual and group-specific rights. Van

Parijs's (2011) influential theory of linguistic justice is grounded precisely on the importance of equal dignity and parity of esteem. He argues that linguistic injustice as lack parity of esteem, which is understood as lack of equal respect for the various languages with which different people identify, can plausibly be claimed to constitute the most fundamental form of linguistic injustice. As shown in the next section, this reasoning leads him to defend a territorially differentiated, coercive language regime. Van Parijs's conception of equality echoes what Charles Taylor refers to as 'the politics of equal dignity', grounded on the notion that all humans are equally worthy of respect (1994: 37-38).

The main merit of Van Parijs's theory, in my view, is that it identifies a dimension of linguistic justice that is generally trickier, more subtle to identify and diagnose than unequal opportunity. Of course, what counts as respect or contempt is sensitive to framing, perception and interpretation in the light of historical precedents, etc. But this should not be an impediment to agree that there is indeed some arrogance involved, some lack of respect in treating with contempt a particular language. In other words, the main merit in Van Parijs's theory lies in detecting that a key dimension in linguistic disputes is symbolic and has to do with the irritation caused by 'linguistic colonial attitudes' (ibid: 139-142).

It seems to me that a third identity argument also deserves attention: the national interest in language. Some languages are constructed through political mobilisation and contingent historical circumstances as national identity markers, and individuals may derive value from them for this reason as well. Shifting directly from individual to language rights, as the dignity argument does, and as language justice theorists tend to do, runs the risk of missing the crucial link that may exist – namely, nationalism, as evidenced by the cases of Catalonia and Flanders and their historical experiences spelled out in the next chapter. The explanation of this shift lies precisely with political liberalism: normative theories about language justice are grounded on moral individualism, as a result of which individual interests are the only morally relevant interests. What matters is that someone has an interest in her language (a dignity interest, for example). It is less relevant whether this interest exists because nations promote them, because it is her mother tongue, etc.

My point here is not that autonomy and dignity interests are always related to nationalism, but that nationalism creates very often a symbolic interest in language. This is not to mean that there is a natural or essential link between language and nation, as the typical Romantic view holds. The link between language and nation is constructed but, like other social constructions, it has the potential of carrying a powerful force. Political communities like the Catalan and the Flemish, and many others, establish certain languages as ‘the language of the country’. Individuals may derive value from, and have interests about, their national language. This is neither purely individual nor communitarian. It is national, and it is the result of political processes of nation-building. It is in this sense that the field of nationalism studies may be seen as a ‘national complement’ to the field of linguistic justice. The underlying notion here is that nationalism is a pervasive factor of the liberal democracies we live in. They routinise, rather than transcend, nationalism (Hearn 2006: Ch7). And language very often plays a role in the (re)construction and demarcation of these liberal democracies.

On the other side of the spectrum, there are language justice theorists who give priority to the non-identity related interests that language may serve. Language is perceived as an instrument of communication rather than identity. The non-identity interests that stand out in the literature, according to De Schutter and Robichaud (2015), are *efficiency*, *democracy*, and *equality of opportunities*. The efficiency argument points out that language barriers represent obstacles to communication and, therefore, to trade. Converging on one shared language reduces communication costs. The democratic argument is that ‘citizens need to understand the language in which the laws are written and stated publicly, and the ideal of a deliberative democracy is easier to realize when citizens speak the same language’ (De Schutter and Robichaud 2015: 94). Daniel Weinstock (2003) combines the efficiency argument with the democratic argument. Barry (2001: 227) also refers to the democratic argument of deliberation through a shared language. The third non-identity interest is equality of opportunities. For example, Thomas Pogge (2003) has spoken out against the possible dangers that come along with introducing bilingual English and Spanish forms of education in the United States. His argument is that the

equality of opportunity interest of Hispanic children overrides the group interest in getting official recognition of Spanish in the US.

I am unconvinced with framing the democratic and the equality of opportunities arguments as non-identity arguments. It is true that both arguments are instrumental and non-identitarian in normative terms, but they are not in empirical terms. Both arguments presuppose an answer to the question: democracy and equality *among whom*? As Bauböck lucidly notes, ‘the boundaries of political communities must be settled first before we can develop a full account of democracy and equality among those who are rightfully subjected to a particular jurisdiction’ (2008b: 275). The definition of the demos is not identity-free, of course, nor is it the selection of the language(s) through which democracy and equality are achieved. Classical liberals like Barry (2001) operate in a strong nation-state framework, equating ‘society’ with state, and ‘language’ with ‘state language’. But empirical evidence shows that sub-state territories like Catalonia and Flanders have developed strong national projects based on language that compete with the majority nationalism of the state. Barry also follows the view that liberal principles and national community are hardly compatible, unless it is in the form of a ‘civic nation’ – which he calls ‘civic nationality’ (2001: 80). But this reproduces the myth of civic nations ‘as voluntary associations for the expression of shared political principles’ (Yack 2012: 29), and it fails to explain why loyalty and attachment are supposed to bind individuals to their particular nation rather than to any other one whose constitution supports the same principles. In short, while I understand that democracy and equality of opportunities are not openly identity arguments, I think it is important to remember that, *in practice*, they are instantiated in national contexts.

It is relevant for the purposes of this thesis that, by and large, the language justice debate takes place *within* political liberalism. Or, more accurately, within moral individualism, which is typical of political liberalism but is also embraced by other strands of thinking (communitarians, republicans, and some socialists). The main positions in the debate, sketched above, take only individuals as the bearer of rights. The moral agents are individuals, not languages. Languages and cultures matter as long as they matter for individuals. And the non-identity interests are also grounded

on what it means for individuals to have a language. All this is very different from what Patten and Kymlicka (2003) call ‘the intrinsic approach’, which argues that languages are morally valuable in themselves, that is, independently of the value their speakers attach to them. I agree with Weinstock that the intrinsic value approach is problematic because it implies that ‘we accept that cultures and languages can have rights *against* their members’ (2003: 256). Typically, however, proponents of the intrinsic argument will side with the identity interest stance, ‘resolving the apparent problem that preserving languages might be opposed to individual interests by claiming that individuals have intrinsic interests in their languages’ (De Schutter 2007: 11).

To summarise, language justice theorists identify a number of identity and non-identity interests in language, which in turn ground different language policy preferences. I have suggested that the national interest in language could be added as a third identity-interest in language, and I have made the point that some of the so called ‘non-identity interests’ in language are necessarily instantiated in national (identity) contexts. The deeper issue here is that, whether we like it or not, nationalism remains a ubiquitous element of the liberal democracies we live in.

Now, there is one specific sub-debate in the field of linguistic justice that is very pertinent for this thesis: the territoriality vs. personality debate. This debate is a recurrent refrain in Belgian politics, and examining it will help us better understand the disputes in the Flemish Periphery of Brussels.

3.2.1 The Territoriality vs. Personality Debate

The field of linguistic justice devotes special attention to the debate about whether the territoriality²² or personality principle should be followed. Philippe Van Parijs and Helder De Schutter are Belgian language justice theorists who agree that individuals have identity interests in language which deserve attention, but they disagree about how these interests are best protected. Van Parijs’s proposal falls

²² There are two main versions of the territoriality principle. The strongest and most well-known is the monolingual version defended by Van Parijs. But there is also a weaker one, which allows for the recognition of a second language under the national one, and it also embraces a dynamic idea according to which rights vary according to the number of speakers, as it happens in Finland.

closer to the ‘Flemish model’: territorial concentration and official monolingualism. De Schutter’s proposal falls closer to the ‘Brussels model’: personal language rights (implemented inevitably in a given territory) and official bilingualism.

Philippe Van Parijs’s *Linguistic Justice for Europe and for the World* (2011) provides the most comprehensive case for the implementation of the (monolingual) territoriality principle. The first step in his argument is to present lack of parity of esteem as the most fundamental form of linguistic injustice. As we saw above, he is concerned with avoiding colonial attitudes and with securing equal respect and equal dignity for language communities. This concern is partly the result of his aim to resolve the normative problems that arise from the diffusion of English as the world’s lingua franca. The second step in his argument is to present a territorially differentiated, coercive linguistic regime as the best way to solve linguistic injustice as lack of parity of esteem. This regime would consist of ‘granting each linguistic community the right to impose its language as the medium of instruction and public communication in some territory, providing it is willing to bear the fair costs of doing so’ (2011: 208), and as long as fundamental liberties are respected (but he does not specify what these fundamental liberties are). In short, Van Parijs’s proposal is institutional monolingualism ‘to make every tongue a Queen’. Flanders (and Wallonia) are empirical examples of the Van Parijsian territoriality principle.

There are two important aspects of his proposal, as De Schutter and Robichaud point out (2015: 101-102). First, the regime has to be territorial in order to ensure that speakers of dominant languages bow to dominated languages in some contexts. Reciprocity between language communities is crucial, and newcomers settling in a given territory are expected to gain proficiency in the vernacular language. Second, the regime has to be coercive in order to counter the reduction of opportunities to speak the vernacular language caused by the ‘kindness-driven agony of weaker languages’. By this Van Parijs refers to the fact that most people do not refuse an interaction in a language which is not their first language, even if the language they are addressed in is dominant and a threat to their vernacular language.

Other language justice theorists oppose Van Parijs’s support for strict territoriality and defend the personality principle instead. Helder De Schutter (2008) is a defender

of this position. His main argument is that efforts to implement the monolingual territoriality principle in linguistically heterogeneous cases are unjust because they fail to give equal attention to the identity interests of minorities within minorities, and of people whose linguistic identity is characterised by instances of linguistic hybridity. For De Schutter, the monolingual territoriality principle is grounded on the unrealistic ‘discrete language ideology’ view, which he also defines as ‘Westphalian’, that the world is a mosaic of monolingual cultural groups territorially separated by clear and stable boundaries. This unrealistic view makes the monolingual territoriality principle unable to provide room for instances of linguistic hybridity, such as when linguistic communities are intermingled within a given territory, either state or sub-state. The Flemish Periphery, and indeed the six Flemish facility communes around Brussels, could be seen as a good empirical example of such hybridity, given the substantial numbers of residents who have a language other than Dutch as their first language.

De Schutter shows a preference for the personality principle, which establishes that linguistic rights can be exercised independently of where individuals live in the political community. He argues for the equal treatment to language groups, and he suggests that bilingual institutionalism would accommodate instances of linguistic hybridity. In his view, Van Parijs’s proposal runs the risk of becoming assimilationist. The institutional recognition of more than one language would prevent people with hybrid attitudes from being ‘squeezed’ into monolingual frames, while it would allow for the equal recognition of individual’s identity interests in language.

This is a pertinent debate in this thesis, but it is important to note that some ways of opposing territoriality and personality are misleading. For one thing, the personality regime is necessarily instantiated in a particular territory. In the absence of a global democracy, rights are always territorial. For another, and as De Schutter himself points out, this opposition ‘leaves open whether the territoriality regime prescribes institutional monolingualism, institutional bilingualism, or even multilingualism. Although territoriality is typically assumed to be correlated with institutional monolingualism this could not be true, and in the case of institutional bilingualism

the distinction between territoriality and personality gets obviously blurred' (2008: 106). It is for this second reason in particular that I find the 'territoriality vs. personality' label misleading. We could more fruitfully frame this debate stating that some authors defend territorial monolingualism while others demand territorial bilingualism. Even then, we should agree that the latter is insufficient to provide equal recognition and equal treatment in contexts where more than two languages are spoken. De Schutter does not consider an empirical situation of this kind.

Importantly, Van Parijs points out that a territorial regime should not be confused with a 'right of the soil', in contrast to a 'right of the people' assimilated to a 'linguistic personality principle':

'A territorial linguistic regime does not need to rely on any (pre)historical speculation on who was first to tread on a particular bit of soil, on who can claim the territory as their ancestral land. It consists in the public authorities deciding to impose specific constraints on the conduct of the inhabitants of a territory as regards the medium of education and the public use of language – instead of simply accommodating its old and new inhabitants' individually expressed preferences' (2011: 138).

Thus, the debate should not be framed in terms of 'right of the soil' vs. 'right of the people' because the first does not equate with the territoriality principle and because the latter is also instantiated in a given territory (see Van Parijs 2011: 139-149 for three main arguments in favour of the idea that conflicts are usually not about 'soil' or 'people', but about reciprocity, respect, and parity of esteem). There is greater value in focusing the debate between territorial monolingualism and territorial bilingualism on the *justification* of a coercive territorial regime and on the *normative limits* of its implementation. This is the focus of chapter five. We will see in that chapter that French-speaking political actors argue that Flemish authorities go 'too far' in the application of strict territoriality, putting in danger the rights of French-speakers and causing discrimination. This normative-laden accusation about the limits of monolingual territoriality force Flemish political actors to justify the coercive nature of the principle.

It is noteworthy that there is an affinity between the Van Parijsian territoriality principle and the Kymlickean liberal nationalist position. They both show a tendency

to conceptualise groups as territorially concentrated and culturally homogeneous. In addition, they both place an emphasis on the protection of ‘societal cultures’ and languages because of their relevance for individuals (specifically, for their autonomy and dignity). And they both focus on addressing inequalities *between* groups. On the other hand, in my view it is not clear that the De Schutterian personality principle fits with Barry’s classical liberal position. There are two reasons. First, De Schutter holds the view that individual interests in language deserve public recognition, while Barry sees these interests as private, and for him they only deserve public recognition if that serves an instrumental purpose (such as the achievement of a well-functioning democracy). Second, De Schutter defends equal recognition but he acknowledges that equality does not always mean equal treatment and that equality sometimes requires giving priority to small linguistic groups (2011). In contrast, Barry equates fair treatment with equal treatment.

3.3 Conclusion

This chapter sought to complement the main conceptual framework of the thesis. While the previous chapter examined the possibilities of reconciling individual and group-specific rights with a focus on the accommodation of national diversity, this chapter zoomed in on language. We have seen that the tradition of thinking of language as an important element of the nation runs deep. Romantic thinkers conceptualised the relationship between the two as natural, while nationalism scholars theorise in different forms its contingent nature. They have in common that they give language a significant, albeit mediated, role in their respective theories.

The argument that ran through the chapter is that there is value in bringing closer the scholarships on nationalism studies and linguistic justice. The latter can be seen as a ‘normative complement’ to the former, which has typically remained silent about the often brutal ways through which homogenisation was achieved. The former can be seen as a ‘national complement’ to the latter, which typically shifts from individuals to language, running the risk of ignoring that nationalism often mediates between individuals and their linguistic interests. This is certainly not to mean that the two fields *should* merge: they are concerned with different units of analysis (nations and nationalism – language), and they adopt different approaches (explanatory –

prescriptive). Rather, my suggestion is that there is value in bringing them closer because they complement each other in some ways. Language justice theorists may analyse normatively the consequences of the explanatory accounts spelled out by theorists of nationalism. These theorists, in turn, may perfect language justice accounts by stressing that nationalism is a pervasive element of the world we live in, and that the political construction of national languages also engenders symbolic interests in language for individuals.

In addition, and for the general purposes of this thesis, it is worth emphasising the two following take-away points that have been made throughout the chapter:

- *The relationship between languages and nations is contingent, complex, and dynamic.* We have seen that the Romantic one-language-one-nation premise is problematic. For example, it cannot account for the fact that the Dutch language is spoken in different political communities (such as Flanders and the Netherlands) which, by and large, do not regard themselves as being the same nation. There is a general problem with the ‘discrete language ideology’ (De Schutter 2007), which is empirically implausible. Anderson and Gellner stress in different forms that the link between languages and nations is contingent. It is also complex: adopting a language does not always mean adopting a particular national identity (e.g. the English language is not sufficient for merging American, British, Scottish, etc., national identities), and language changes do not necessarily imply changes in collective consciousness (e.g. the replacement of Irish Gaelic by English did not diminish Irish nationalist sentiment). Finally, the link between languages and nations is dynamic: the bases of collective identity vary according to history and context (e.g. the Bengalis broke away from India because of religion, but later seceded from Pakistan because of language)²³.
- *The common position in the language justice literature holds that individuals have identity interests in language.* The identity interests that stand out are the Kymlickean autonomy argument (which was also present in the debate

²³ See Safran (1999) for more empirical examples of the multi-faceted link between languages and nations.

about individual and group-specific rights) and the Van Parijsian dignity argument (which is specific of the debate about language). The sub-debate about territoriality and personality is pertinent in making sense of the linguistic dispute in the Flemish Periphery, but I have stressed that certain ways of framing the debate are misguided because, in the absence of a global democracy, all rights are territorial. We could more fruitfully frame this sub-debate stating that some authors (like Van Parijs) argue for territorial monolingualism while others (like De Schutter) argue for territorial bilingualism.

This chapter has complemented the conceptual framework of this thesis with an examination of scholarship about the role of language for nationhood and about the value of language for individuals. The next chapter represents a transition towards the more empirically-oriented part of the thesis. Specifically, it adopts a historical perspective and examines how and when a link between language and nation was forged in Catalonia and Flanders, stressing the role of cultural and national activists, and referring in the process to the form of linguistic injustice against which activists reacted. The chapter also places an emphasis on how and when the focus of the two disputes (education system, Flemish Periphery) was created.

Chapter 4. Language and Nationalism in Catalonia and Flanders **in Historical Perspective**

This chapter compares the historical evolution of linguistic and nationalist mobilisation in Catalonia and Flanders from the mid-19th century up to the creation of the Belgian system of linguistic facilities and the Catalan conjunction model. The aim is to contrast the conditions under which two distinct forms of linguistic disputes (mostly ‘educational’ in Catalonia, mostly ‘territorial’ in Flanders) emerged and developed. More generally, the chapter examines the most important similarities and differences between the two cases, paving the way for the empirical analysis provided in the next two chapters.

The historical framework developed by Miroslav Hroch in his three phases of nation formation (2000) is useful to conceptualise the evolution of the Catalan and Flemish nationalist movements. Hroch argued that national revival processes are characterised by a Phase A of ‘scholarly interest’ in identity, a Phase B of ‘patriotic agitation’, and a Phase C of ‘mass national movement’. The argument that runs through this chapter is that Catalonia and Flanders went through very similar Phases A and B, and that their different experiences in Phase C created the conditions for two different types of linguistic disputes. Specifically, the move towards the territoriality principle in Belgium after the First World War progressively satisfied many demands of the Flemish Movement²⁴, but it created the conditions for the emergence of the current linguistic dispute in the Flemish Periphery of Brussels. In Catalonia, the combination of two reinforcing factors (Franco’s dictatorship and a massive internal migratory wave) weakened the Catalan language and created Castilian-speaking areas in Barcelona and its periphery. The immersion system in education aimed at addressing immigrant integration and language decline, but its set-up set the conditions for the current linguistic dispute.

This chapter is structured as follows. First, I present Miroslav Hroch’s three phases in the development of nations. Second, I trace the evolution of the two movements

²⁴ In this chapter, the Flemish Movement (*Vlaamse Beweging*) is understood in a broad sense. It refers both to cultural groups demanding the protection of the Dutch language and to political groups demanding further autonomy for Flanders.

following Hroch's framework. Third, I examine the historical conditions in which the use of languages in the Catalan education system and the linguistic regime in the Flemish Periphery of Brussels were set-up. The chapter concludes with a summary of the most important take-away points for the purposes of this thesis.

4.1 Miroslav Hroch's Three Phases in the Development of Nations

In his *Social Preconditions of National Revival in Europe* (2000), and as part of his research to determine which social circumstances were favourable for the successful spread of patriotic feelings, Miroslav Hroch distinguished three schematic phases in the formation of nations. These phases were limited to what he initially called 'small nations' and later labelled 'national movements of non-dominant ethnic groups'. By that he meant groups that originally lacked their own nobility, political unit and continuous literary tradition. These characteristics match well with the cases of Catalonia and Flanders (in fact, Hroch analysed the case of the Flemish Movement in his book). Importantly, Hroch did not present this framework in a deterministic sense: he was aware that national agitation is not always successful, and that in a number of cases the transition to Phase C did not occur. The phases are the following:

Phase A is a period of scholarly interest, 'marked by a passionate concern on the part of a group of individuals, usually intellectuals, for the study of the language, the culture, the history of the oppressed nationality' (2000: 22). In this phase activists do not articulate specific nationalist demands, and some do not even believe that their group could develop into a nation. In addition, the extent of the activities is socially very limited. However, Hroch argues that a well-developed Phase A, with its emphasis on 'our' history, 'our' language and 'our' territorial space, establishes the conditions for the emergence of national mobilisation.

Phase B is a period of national agitation, during which a new generation of activists seeks to 'awaken' national consciousness among the population. It is during this phase of fermentation of the national consciousness that movements explicitly demand cultural and political changes for the first time. Hroch argues that Catalonia and Flanders belong to the same type of national movement, in which national

agitation first began under ‘constitutional conditions’ and in a ‘developed capitalist setting’ (1993: 8).

Finally, Phase C is the period of the rise of a mass national movement, during which ‘the major part of the population came to set special store by their national identity’ (1993: 7). In this final phase movements typically differentiate into their different ideological wings.

Hroch’s framework permits a meaningful and systematic comparison between the evolution of the Catalan and Flemish national movements. In turn, the analysis of the two cases contributes to a more nuanced understanding of this framework because it permits to identify variation within the model. Specifically, it shows that, in practice, there was in both cases an overlap between cultural and political activism, which suggests that phases A and B are not as discrete as Hroch’s model might suggest.

4.2 Phase A: The Emergence of Cultural Movements

Movements expressing consciousness and pride for the language and culture developed in Catalonia and Flanders throughout the 19th century. This development must be conceptualised as a gradual process, for there were earlier expressions of cultural awareness. A good example is Jan-Baptist Verlooy, considered for some as the first *Flamingant* (activist of the Flemish Movement), who published in 1788 his ‘Essay on the Neglect of the Mother Tongue in the Netherlands’. Verlooy blamed the increased use of French for the decadence of the Southern Netherlands and lauded the despised ‘Flemish’²⁵ (Clough 1968: 18).

In Catalonia, the *Renaixença* (1833-1880) was the ‘cultural and literary movement inspired by Romanticism that led to a renewed Catalan cultural awareness and that, in turn, provided the basis for the emergence of Catalan political consciousness’ (Etherington 2010: 1814). The *Renaixença* (Rebirth) contrasted with the *Decadència*

²⁵ Or, more accurately, Verlooy lauded the group of geographically circumscribed dialects that would later become the standard Dutch of Flanders and the Netherlands, the *Standaardnederlands*. The ‘Union of the Dutch Language’ (*Nederlandse Taalunie*), an institution established by the Belgian and Dutch governments in 1980, was instrumental in introducing a common orthography. For reasons of exposition, in this chapter I commit a voluntary anachronism and I treat the language in a unified sense. I make references to historical texts that refer to the ‘Netherlandish language’, which also refers to the Dutch language.

(Decadence), the name given to the three previous centuries of literary decline. The publication in 1833 of Bonaventura Carles Aribau's ode 'The Fatherland' is generally identified as the first literary document of the movement. By identifying language and homeland, Aribau's famous poem 'quite unintentionally formulated one of the key ideas of Catalanism' (Balcells 1996: 25). This idea is central in this thesis. We saw in the previous chapter that the identification between language and nation ran deep in Romantic theorists, and that, while non-Romantics move beyond this idea, they also regard language as an important element for nationhood.

The *Renaixença* was a heterogeneous movement that could nonetheless be divided in two main sections: on the one hand, a rather elitist and ideologically conservative section which was created around the poetry contests known as the 'Floral Games'. They took place the first Sunday of May and used a rather cult form of the Catalan language that was difficult to understand by many people. The protagonists were 'diglossic intellectuals who wrote in an archaic Catalan and used Castilian for their more ambitious cultural activities' (Fontana 2014: 305 – my translation). Their activities had little impact. On the other hand, the *Renaixença* also had a popular humorous and parodist section. Their activities included booklets of religious apologetics by the priest and preacher Antoni Maria Claret and the repertoire of songs collected by Anselm Clavé (Balcells 1996: 26, Pich 2012: 16). The role of popular theatre was also essential. In it, the use of the Catalan language and the references to the Catalan culture took place alongside an element of social critique that parodied the 'Castilian culture' of the upper classes (Fontana 2014: 306-307).

Later, the work of authors such as the poet Fr. Jacint Verdaguer, the novelist Narcís Oller and the playwright Àngel Guimerà helped to convert a vernacular Catalan language into a modern literary language and contributed to the national 'remembering' of Catalonia. One of the key schemes in this process of remembering was 'the historicist reconstruction of an idealised past, focused especially on the Middle Ages' (Conversi 1997: 16), which included the Catalan literary 'golden age' (15th century) and successful maritime trade and expansion under the Crown of Aragon (13th to 15th centuries).

Meanwhile, in Flanders voices were raised in protest against the discriminating linguistic situation in the recently created and unitary Belgian state (1830). Dutch was (and still is) the majority language of the country, but it was looked down as a vulgar dialect and identified with poverty and deprivation (Clough 1968). This was a form of linguistic injustice in the Van Parijsian sense of lack of equal dignity examined in the previous chapter. French, the high status language and the language of the political elite, was used exclusively for governmental affairs, had a predominant position in education, and was necessary for social promotion. This linguistic monopoly of the dominant class was justified on a combination of national and cultural grounds: French was elevated as a symbol of the national fight for independence, and a good patriot had to accept French as the all-embracing language of culture (Witte and Van Velthoven 1999: 64-65). In short, the revolutionary liberal elite that ran the country forged a connection between the French language and the Belgian nation. At the same time, the experience of cultural and linguistic domination in Flanders was to play a central role in Flemish collective memory and in political discourses about language up until the present time.

Similarly to the Catalan case, at its first stage the Flemish Movement consisted of 'language enthusiasts' amongst students, priests, and middle class intellectuals, mostly writers (Vos 1998: 61). For example, in 1832 Philip Blommaert wrote his 'Remarks about the Neglect of the Netherlandish Language', in which he argued, along the lines of the Romantic view also present among Catalan activists at the time, that language was the vital test of nationality because it diffused the same manner of thinking throughout all ranks of society. Jan Frans Willems was another important activist who aimed for the renaissance of the language and insisted on the 'alien' French character of the Belgian state (Clough 1968: 60-63). Most importantly, during this period the concept of Flanders was defined for the first time as a geographical reality, and the existence of a cohesive Flemish people was 'imagined' (Witte and Van Velthoven 1999: 71).

In addition, early societies such as the aptly named 'The Language is the Whole Folk', the 'Union for the Language' and the 'Society for the Propagation of the Netherlandish Language and Literature' gave way in 1851 to the well-known

Willemsfonds. Named after Jan Frans Willems, *Willemsfonds* sought ‘to support and encourage the Netherlandish language and Netherlandish culture in order to strengthen the entire spirit of the people (*volksgeest*) in Belgium’ (Clough 1968: 77) through libraries and the support of writers. But internal dissension gradually developed between Catholics and Liberals, and since *Willemsfonds* grew increasingly liberal under the influence of Julius Vuysteke, the Catholics founded in 1875 a similar society called the *Davidfonds*, named after Jan David.

This shows an important difference in the early stages of these two movements: the divide between Catholics and Liberals was very salient in the Flemish Movement, which complicated and limited cooperation, but it was not in Catalonia. For the Flemish clergy, the Dutch language was instrumental in protecting a traditional way of life in the rural areas of Flanders and to safeguard social control against French, which was seen as the language of Modernity, the Revolution, and the unbelievers. This contributed to the view that identified Dutch as the language of expression of Catholic ideas. For their part, the Liberal *Flamingants* considered that emancipation was only possible using the (only) language spoken by the people (Witte and Van Velthoven 1999: 73-74).

The more popular section of this early stage of the Flemish Movement had in Hendrik Conscience its most important author. In his very popular ‘Lion of Flanders’ (1839), Conscience depicted in highly romantic and idealised terms the struggle of the Flemings against the French in the Battle of the Golden Spurs (1302). The Lion is today the symbol of Flanders, and the Day of the Flemish Community is 11 July in remembrance of this battle. Conscience’s work was devoted to the glorification of Flanders’ past and the ‘humble Flemish life’. Importantly, through his work the Flemish language became for many an object of admiration and self-esteem in a context of deep economic deprivation and after decades of being despised. In other words, his work reversed to some extent the situation of linguistic injustice in the Van Parijsian sense of lack of parity of esteem.

The activists in the two places should not be mistaken for early nationalists. The vast majority of them did not put forward political claims and, at least in the Flemish case, it is well documented that they were in fact Belgian patriots who wanted to

make Belgium more fair and accommodating for the Flemish people, seen as a modality of the Belgian people (Vos 1998: 62). What was happening in Flanders was not in line with the Gellnerian emphasis on the capacity of Ruritanian intellectuals to build upon cultural difference to mobilise popular support for nationalism. In fact, Flemish intellectuals were mobilising cultural difference to demand a better accommodation in Belgium. Belgian nationalism preceded Flemish nationalism and Spanish nationalism preceded Catalan nationalism. What is true is that the romantic ‘discovery’ of the past and the use of the vernacular, which played a central role in the work of these scholars and writers during Phase A, constituted a solid base upon which both political nationalisms would draw their legitimacy during Phases B and C. Specifically, language gradually acquired a symbolic meaning as the national marker of belonging to the Catalan and Flemish peoples.

To conclude this section, it is worth referring to the broader political context in which the two movements were gradually developing. The liberals in Spain and Belgium, proclaiming the rights of peoples and nations in response to the conservative discourse based on hereditary legitimacy and natural order sanctioned by God (Álvarez Junco 2011: Ch4-5), were constructing states that promoted processes of cultural uniformity. The political elites considered that linguistic unification was a foundation to forge national citizens. These liberals were also nationalist agents that, in this process of building a new political entity, chose one language (French in Belgium, Castilian in Spain) to be sponsored by the state.

This fact echoes a recurrent liberal culturalist and communitarian argument, namely that liberal states do not *in practice* adopt a position of ‘benign neglect’ about national and cultural matters. These scholars highlight the nation-building efforts of state’s national majorities. Yack explains that nationalism and liberal democracy ‘rise to prominence together for two reasons: liberal understandings of political legitimacy make an important, if unintended, contribution to the rise of nationalism; and national loyalties help liberals strengthen the principle of legitimacy that supports their political goals’ (Yack 2012: 7). The liberals in Spain and Belgium engaged in processes of homogenisation, perhaps following the programme of linguistic centralisation promoted by post-revolutionary France. In fact, Astrid von

Busekist (2006) suggests that focusing only on the role that German Romantics played in the fusion between language and nation is at risk of overlooking the relevance of French revolutionaries in forging this connection. The point that von Busekist makes is that the return (or ‘invention’²⁶) of the vernacular in the 19th century and the identification of languages with political spaces should *also* be seen in light of this revolutionary activity. The merging between object and subject, between language and revolutionary ideal, was also an influent ideology amongst the liberals who carried out processes of state nation-building in Belgium and Spain.

However, the actual success of these nation-building processes should not be overstated. Juan Linz (1973) famously argued that the weak Spanish nation-building policies of the 19th century allowed for the permanence of differentiated cultural characteristics. The Spanish state was ruined and therefore unable to establish important factors for nation-building such as conscription and compulsory education. This is not to deny that there was a general situation of diglossia in Catalonia, which means that there was an unequal distribution of tasks between the languages and that most Catalans were illiterate in their own language (Balcells 1996: 26). In fact, the aim of the Spanish linguistic policy of the 18th century was not that much to replace Catalan but to create diglossia. Castilian was the ‘high’ language to be used for important functions while Catalan was to become the ‘low’ language, a family language (Branchadell 2006: 91). This links back to the previous chapter, to linguistic injustice in a Van Parijsian sense caused by the top-down processes described by Gellner. In the context of ‘de-officialisation’ of the Catalan language, most upper class and influential Catalans had engaged in a process of ‘Castilianisation’, accepting that Catalan was a dialect of Castilian that survived only amongst the monolingual popular classes (Branchadell 2006: 97, Pich 2012: 14). Similarly, in Flanders there was not a far-reaching linguistic change because conscription and compulsory education were not in place, but also because of its much closed systems of village communities where the use of the local dialect sufficed as means of communication (Witte and Van Velthoven 1999: 68).

²⁶ At the time the French nation-state was created only a small minority spoke the ‘national’ language, which had to be created out of mutually unintelligible dialects by the state and the elite that constructed nationalist ideology (Hobsbawm 2012).

4.3 Phase B: The Increasing Importance of Politics

The first political demands about language were put forward earlier in Flanders than in Catalonia. Hroch dates the coming of Phase B of the Flemish Movement from the early years of the 1840s (2000: 107). Indeed, in 1840 a petition signed by 13,000 people demanded that ‘all official affairs in the Flemish provinces be conducted in Flemish, that the correspondence between the central government and the Flemish provinces be carried on in Flemish, that a Flemish Academy be erected, and that Netherlandish be put on an equal footing with French at the University of Ghent’ (Clough 1968: 83). In 1847, the ‘Manifest of the Flemish Movement’ systematised the main demands for a fair treatment to the Dutch language, adding to the ones of 1840 new demands including the right of the population to be taught in their language. In fact, the field of education was the epicentre of all Flemish demands until the First World War (von Busekist 1998: Ch2).

The report of the ‘Commission of Grievances’ (1856) was the great manifesto of the Flemish Movement. The main demand was to obtain a strict equality of French and Dutch, advocating a future in which every Belgian would be bilingual, but demanding in the meantime legal measures to encourage the development of Dutch in Flanders (ibid). Consequently, the report asked for the right to be governed, tried, educated, and so on, in one’s own language. It faced accusations of unpatriotism and separatism that were refuted with the notion that a complete Belgian ‘should have mastery of both languages, and consequently, that they, the Flamingants, were the true patriots’ (Witte and Van Velthoven 1999: 72). Note, again, that these Flemish activists claimed to be Belgian patriots. More generally, the accusations of unpatriotism confirm that the identification between Belgium and the French language was in place.

This report and other initiatives were carried out by a new politically active generation of *Flamingants*, chief among which was Edward Coremans. They were responsible for the first successful attempts to pass laws favouring the Dutch

language after 1870²⁷. The most important of these laws was the so-called ‘Equality Law’ (1898), which was supposed to establish parity between Dutch and French in legal texts. However, the text of the law was distorted in the Senate and the Dutch version ended up counting as an official translation only. This second class treatment, together with the fact that the new laws were only fully applied in exceptional cases, created disappointment and irritation amongst many *Flamingants* and resulted in the first march on Schaarbeek (Brussels) (Witte and Van Velthoven 1999: 89).

Brussels, whose suburbs are today the epicentre of the linguistic dispute, was given a separate status in every linguistic law. The *Flamingants* defended that Brussels, as a predominantly Dutch-speaking city, should have the minimal protection that was being acquired for Flanders. But French-speakers argued that the capital was a ‘mixed city’ and a patriotic centre, and that language obligations should be limited to a minimum to avoid discriminations (ibid: 111-112). This approach, which resonates with the classical liberal emphasis on the protection of negative liberty, resulted in a rapid process of ‘Frenchification’ and diglossia, with Dutch being stigmatised as a second class language (ibid, von Busekist 1998: Ch2).

In Catalonia, the transition to significant political agitation took place later than in Flanders. The first civil Catalanist organisation²⁸ was the ‘Catalan Centre’, created in 1882 in order to coordinate the many Catalanist organisations that were gradually springing up in various localities, and its goal was the defence of ‘the moral and material interests of Catalonia’. In 1887, Valentí Almirall, the most important figure of political Catalanism, was elected president of the Centre. His book ‘Catalanism’ (1886) was the first systematic exposition of political Catalanism. In it, he defended the importance of ‘regionalist Catalanism’ in turning the decadent Spain resulting from centralist politics into a dynamic state (Fontana 2014: 313). Importantly, the

²⁷ These included, among others, the Administrative Law of 1873, the Education Law of 1883 (which broke the monolingual French structure in secondary and higher education in Flanders), the creation of a Royal Flemish Academy for Language and Literature in 1886, and the gradual introduction of legislation to remove injustices in the field of criminal law in 1889 (Witte and Van Velthoven 1999: 77-78).

²⁸ In this chapter, Catalanist (*catalanista*) or Catalanism (*catalanisme*) is used in a broad sense. Similarly to the use of the term Flemish Movement, it refers to cultural and political groups demanding the protection of the Catalan language and-or political autonomy for Catalonia.

political manifesto of the ‘Catalan Centre’, approved in 1890, defended that ‘the Catalan language be official in the whole of the region and in all stages of the education system’ (Branchadell 2006: 119 – my translation). The insistence on education back then was due to the exclusion of Catalan from schools and the lack of knowledge of Castilian.

The *Flamingants* had had their ‘Commission of Grievances’, and the ‘Catalan Centre’ similarly drafted a famous manifesto known as ‘Memorial of Grievances’ (1885). It was presented directly to king Alfonso XII to react to the threat to the Catalan textile industry posed by renewed moves towards free trade. The document was the result of the growing collaboration between intellectuals and the emerging industrial bourgeoisie, which fought for greater participation in the political system. ‘It did not suffice for the industrial bourgeoisie to negotiate tariffs, as they had done throughout the 19th century, because the economic model had to be adapted to the needs (...) of an industrial structure in full transformation’ (Fontana 2014: 315 – my translation). The ‘Memorial of Grievances’ was focused on political and economic vindications, such as the preservation of the Catalan civil system and the denunciation of the negative consequences of the Spanish economic policy for ‘the nation’ in general, and more specifically for Catalonia (Fontana 2014: 312). But it also included linguistic complaints regarding the fact that Catalan could only be used at the domestic level and that it had been banished from schools and courts, which created problems of mutual comprehension (Branchadell 2006: 119). Interestingly, the document started with a historical overview of the different ‘groups’ that formed the Spanish people and concluded that the ‘terrible situation’ of the country was due to the political homogeneity imposed by ‘the Castilian group’ (Fontana 2014: 312).

A few years later, in 1888, the first fully-fledged Catalanist political party was created: the ‘Regionalist League of Catalonia’. It was dominated by industrial leaders and it was ‘ideologically conservative, hostile to political radicalism in any form, and mostly in favour of the dialogue with the Spanish monarchy’ (Balcells 1996: 44). These conservative views were opposed to the more liberal views of Almirall, and they became the new dominant form of Catalanism (Fontana 2014: 314). Historian Borja de Riquer argues that it was after the 1898 Spanish colonial disaster, and in the

face of an increasingly dysfunctional Spanish central state, when the emerging Catalan industrial bourgeoisie moved clearly towards Catalanism, disappointed with the loss of the protected markets in Cuba and the Philippines and disenchanted with the failure of Spanish imperialism (cited in Núñez Seixas 1999: 32).

In 1916, the party proposed in the Spanish parliament an official status for the Catalan language, but the proposal was rejected (Branchadell 2006: 137). Small Flemish-minded parties also emerged during the second half of the 20th century, such as the 'Meeting Party' in Antwerp (1862), but the first genuine Flemish nationalist party, the 'Front Party', was created as late as 1919 (De Winter and Baudewyns 2009: 283).

In 1891, a confederation of Catalanist centres called 'Catalanist Union' was created. At its 1892 annual assembly, the confederation approved a document known as the 'Manresa Bases', which was 'the first draft statute of self-government for Catalonia and laid down the essential conditions for a Catalan Regional Constitution' (Balcells 1996: 38). This document is thus of great significance for Catalan nationalism. The 'Manresa Bases' proposed a federal monarchy in which Catalonia would enjoy internal sovereignty and would be ruled by a parliament halfway between democratic and corporative (Fontana 2014: 316). They also proposed that 'Catalan be the only official language in Catalonia, that public order be under the exclusive jurisdiction of the Catalan government, which should also control finance and taxation, that only Catalans should be eligible for public office in Catalonia, and that, as prior to 1714, there should be no appeal from decisions of the Catalan high court' (Balcells 1996: 38).

These initiatives and events in the two places show a progressive merging of the political and the cultural. It is not that the former replaced the latter, but that both began to coexist. The social base of Catalanism continued to be formed by choral societies, rambling clubs, and *sardana* dancing clubs. Similarly, in Flanders the period from 1870 to 1914 included the dissemination of Flemish propaganda through the development of the press and the growth of 'patriotic societies', but also cultural expressions through the work of the writer Guido Gezelle and the writers of the *Van Nu en Straks* School.

The economic context was very different in Catalonia and Flanders. During the second half of the 19th century, Catalonia was the first region of Spain to become extensively industrialised (Conversi 1997: 29), paving the way for the emergence of an industrial bourgeoisie and for the advent of working-class politics. Differently, the Flemish economy started to expand and catch up with the rest of the country as late as 1910 (Witte and Van Velthoven 1999: 94).

The ‘awakening’ of the Flemish political consciousness caused apprehension to many French-speaking Belgians. The Walloon Movement started to develop in Brussels in 1888 out of the perception that the Catholic government was disadvantaging Wallonia in terms of infrastructure and government expenditure, but also for pragmatic reasons: knowledge of French granted monolingual French speakers with a privileged position in the non-manual labour market, and that privilege was increasingly under pressure (Witte and Van Velthoven 1999: 104). The Walloon Movement claimed to defend the democratic right of the individual and the free use of languages in Flanders, which is a very similar line of argument to that of current parties such as *Défi* (previously FDF). I expand on the emergence of the French-speaking political mobilisation, and on the similarities between past and present political arguments, in chapter six (section 6.3).

The emergence of the Walloon mobilisation suggests an analytical difference in the early construction of identities in Catalonia and Flanders. In Belgium, segments of the Flemish population and segments of the French-speaking population were each other’s ‘significant other’. The Flemish Movement, which was initially a reaction to the linguistic domination of the liberal French-speaking elite, was establishing the ‘preconditions’ for the emergence of a Flemish national consciousness, and in turn this process caused the appearance of the Walloon Movement. Notwithstanding the ambiguous nature of the French-speaking identity in Belgium, the dialectic between the two main communities in Belgium (or at least between important segments amongst them) was emerging. This was probably facilitated by the demographic composition of the country.

Differently, the Catalan movement evolved vis-à-vis the Spanish central state, but this was not reciprocal. This is not to deny that in some historical episodes segments

of *españolismo* evolved reacting to events in Catalonia. The point is that Catalonia has arguably been less relevant for the construction of the Spanish identity than Flanders was for the construction of a (French-speaking) Belgian identity. A good example of the importance of the Spanish central state for the evolution of Catalanism is the transition to Phase B, which occurred in what Hroch calls ‘a crisis of legitimacy’, with ‘a deep crisis of the old order and the breakdown of its legitimacy’ (1993: 20).

During the late 19th century, the Flemish Movement was mainly an extra-parliamentary movement which tried to support its figureheads through organisations and press media (Witte and Van Velthoven 1999: 76). The Liberal Party ‘usually opposed the demands of the Flamings, while the Catholic Party, to which the mass of the Flemings were affiliated, took a more favourable, although by no means enthusiastic, attitude towards the Flemish question’ (Clough 1968: 130). The Liberal party was not anti-Flemish but could not accept the demand of regional bilingualism in place since 1847 because French was considered the foundation of the Belgian nation and a tool to set people free from the Catholic yoke (von Busekist 1998: Ch2). However, the gradual extension of the suffrage gave more of a say to the Flemish demographic majority (Deschouwer 2009: 6) and strengthened the Flemish Movement. Democratisation is thus an important factor to understand the achievements of the Flemish Movement in Phase C.

A shared problem in the two movements between the late 19th century and the early 20th century was that they failed to attract a substantial part of the workers. Only a fraction of Catholic and Liberal *Flamingantism* was willing to link the Flemish struggle to the social struggle (Witte and Van Velthoven 1999: 88), while in Catalonia the conservative ‘Regionalist League of Catalonia’ did and said nothing to attract workers (Balcells 1996: 49).

In spite of this, Catalanism and the Flemish Movement progressively consolidated. In Catalonia, the number of Catalanist associations increased steadily between 1896 (16 associations) and 1906 (199 associations). The main Catalanist groups were located in the province of Barcelona, and the core constituency of these Catalanist associations was comprised of the lower bourgeoisie, basically liberal professionals,

landowners, and medium and small traders (Núñez Seixas 1999: 38). There were also workers and employees. In 1906, nearly all Catalan parties joined for the first time in an election coalition called ‘Catalan Solidarity’ in response to a bill known as ‘Law of Jurisdictions’, ‘whereby any offence, whether verbal or written, against the unity of the fatherland, the honour of the armed forces or the symbols that represented them, was to come under military jurisdiction’ (Balcells 1996: 54). This coming together is usually ‘remembered’ by Catalan nationalism as the culminating moment when all sectors of Catalan society were united and the national aspirations of Catalonia became manifest (Conversi 1997: 28). The protest meeting held in the Plaça de les Arenes bull ring in Barcelona was the first massive demonstration of Catalanism.

A very important institution both culturally and politically was the *Mancomunitat* (1914-1925), an administrative entity uniting the four Catalan provinces that became in practice the first institution of Catalan self-government, although with very limited resources. The *Mancomunitat* created a number of model post-secondary and vocational schools that rivalled the official state schools and that, under the charge of ‘The Association for the Protection of Catalan Teaching’, used Catalan as the medium of instruction for the first time (Conversi 1997: 32). In addition, the National Library was created in 1914 to stimulate scientific research, together with a network of public popular libraries (*biblioteques populars*). The ‘Institute for Catalan Studies’ had been created in 1907. A third relevant achievement of the *Mancomunitat* was the standardisation in 1913 of the rules of the Catalan language under the impulse of Pompeu Fabra, with the first grammar of Catalan being published in 1918.

The standardisation process had two very relevant consequences. First, the Catalan language broke out the narrow circle of purely poetic expression and became a viable commercial and technical language. Second, it helped create a single cultural market of which Barcelona was its cultural capital (Balcells 1996: 70). As Anderson (1991) would put it, the Catalan language became a mechanically reproduced print-language capable of dissemination through the market. But in Anderson’s theory the emphasis is on the capacity of capitalism to ‘assemble’ vernaculars, and here the emphasis is on the standardisation process led by Pompeu Fabra, although of course this was

dependent on wider processes of industrialisation and modernisation that brought about the diffusion of print and literacy. The Catalan language was not granted co-official status under the *Mancomunitat*, but it did come into public and administrative use. Most importantly, Conversi (1997: 32) suggests that, without the dynamic cultural policy pursued by the *Mancomunitat*, the Catalan-language publishers and periodicals could not have survived in the highly adverse political circumstances created from 1923 onwards by Primo de Rivera dictatorship.

The first president of the *Mancomunitat* was Enric Prat de la Riba, president of the ‘Regionalist League of Catalonia’ and a key author in the creation of the Catalan nationalist political doctrine. His work would later influence political figures like Jordi Pujol, who was president of Catalonia between 1980 and 2003. In his most important book, ‘The Catalan Nationality’ (1906), Prat showed an organicist understanding of the nation in line with the Romantic view examined in the previous chapter. Referencing Herder, he argued that the Catalan language is the constitutive element of the nationality, the foundation of the Catalan people and its singularity.

The Catalanist movement had two main aims during the first two decades of the 20th century. The first was to achieve political autonomy for Catalonia. Historian Albert Balcells expands on this very important point: ‘while a Catalan literature had been created, a Catalan culture was still required, and that meant Catalanizing education and securing official-language status for Catalan. In order to achieve this, it was necessary to bring about the political autonomy without which cultural autonomy was impossible’ (1996: 27). For this reason, the *Mancomunitat* drafted in 1919 a Statute envisaging an autonomous government, which was rejected by the Spanish executive and parliament. The second aim of the movement at the time was to impulse the reformation and ‘regeneration’ of the Spanish state, perceived as backwards and dysfunctional, which created controversy and fostered the ‘anticatalanism’ in authoritarian forms of Spanish nationalism (Núñez Seixas 1999: 88).

Meanwhile, in Belgium during the early 20th century (and for the first time) the linguistic question ‘started to develop into a problem of nationalities and contributed to dominating the political agenda’ (Witte and Van Velthoven 1999: 93). This was a

stage of increasing Flemish awareness that was reinforced by a new generation of mobilised intellectuals and middle classes. Lodewijk De Raet, a liberal-minded economist and public servant, was the first to develop a detailed economic programme for the Flemish Movement. According to Boehme, ‘the link that was made between the Flemish economy and specific sectors distinguishing it from the Walloon economy, the perception of a Flemish economy on Flemish soil and the idea that only a unilingual Flanders could support the social and economic interests of the Flemish people were important elements in the impulse to make the Flemish territory linguistically and ethnically homogeneous’ (Boehme 2008: 546).

In addition, for the first time a Catholic Flemish Chamber Group was elected in 1912, which reinforced the Flemish position and the fight for a gradual bilingual army, for a compulsory primary education system following the territoriality principle, and for the ‘Dutchification’ of the University of Ghent. However, the difficulty to obtain these changes and the partial non-application of the 19th century laws contributed to the abandoning in Flemish-minded circles of the principle of individual language rights in favour of demanding territorial language rights (Witte and Van Velthoven 1999: 198).

This is an important point. The principle of linguistically homogeneous territories (currently in place in Flanders and Wallonia²⁹) was not introduced under pressure from the Flemings, but from the Walloons. Initially, the Walloon Movement held an inconsistent position, defending the principle of territoriality in Wallonia and the principle of the individual in Flanders and Brussels while refusing to tolerate linguistic rights for the Flemish minority in Wallonia (Witte and Van Velthoven 1999: 136). However, they ended up accepting the territoriality principle because they became increasingly aware of their numerically weaker position in Belgium and of the fact that they did not speak Dutch, thus fearing ‘a minority position in a bilingual, unitary Belgium, in which they would be dominated by the (catholic) north’ (Witte 1993: 208). The move towards linguistically homogeneous territories created the conditions for the emergence of the current linguistic dispute in the Flemish Periphery of Brussels.

²⁹ With the exception of the small German-speaking community living in the north-east of Wallonia and the municipalities with linguistic facilities.

4.4 Phase C: The Diverging Paths of the two Movements

In this section and the following I present the argument that the circumstances under which the two movements developed in Phase C were very different, which created the conditions for the emergence of two distinct types of linguistic disputes.

The First World War was extremely important ‘in the growing awareness of both the Belgian and Flemish nations, and it considerably accelerated the antithesis between them’ (Witte and Van Velthoven 1999: 99). De Schaepdrijver (2006) and Witte and Van Velthoven (1999) point out that the First World War was a catalyst for the emergence and consolidation of a political Flemish nationalism. A decisive factor was the *Flamenpolitik* strategy of the German occupying forces, according to which key demands of the Flemish Movement were granted to divide Belgium and draw it into the German sphere of influence. After the war, some criteria followed by the Belgian government to overturn the decisions taken during the Occupation were perceived by many as ‘anti-Flemish’. ‘The French-speaking press, especially in Flanders and in Brussels, started to contrast the “francophone et patriote” language demands, with “flamand et activiste” language demands’ (ibid: 102).

Belgian nationalism soared and Flemish activists shifted the focus to Flanders, building a counter-memory around a rhetoric of sacrifice of Flemish soldiers on the frontlines and the depiction of Flanders as God’s creation (as opposed to Belgium, created by diplomats). In terms of demands, self-rule was added to the traditional emphasis on cultural and linguistic equality. The first regionalist party in Belgium, the ‘Front Party’, founded in 1919, petitioned for Dutch language rights in the north and opted in favour of federalism.

Between 1914 and 1935, various laws introduced the territorial principle in Belgium. Most of the laws of the 1920s created discontent in the Flemish Movement because they were unsatisfactorily applied, but the linguistic laws of the 1930s were more successful. The ‘Duchification’ of the University of Ghent, a traditional demand of the Flemish Movement, was met in 1930. In 1932 two important laws were passed: the law on the use of language in the administration and the law on the language regime in primary and secondary education. According to the former, the internal

administration and external communication of the municipalities became monolingual, without the possibility of the addition of a second language. According to the latter, the language of the region became the language for education and the freedom of the head of the family to choose was abolished. (Incidentally, this is what the contested Catalan system in education established much later, in the early 1980s.) In addition, an advisory organ called ‘Commission for Language Supervision’ with equal representation was set up to monitor the application of the laws. In 1935 the principle of territoriality extended to the field of justice, and in 1938 a linguistic law for the army was passed (Witte and Van Velthoven 1999: 141-144). Crucially, between the two World Wars, and as a result of these achievements, speaking Dutch became not only a sign of loyalty, but something socially and professionally useful (von Busekist 1998: XII).

A by-product of the progressive implementation of the territoriality principle was the emergence of the issue of how to treat the respective minorities. Regarding education, both *Wallingants* (activists of the Walloon Movement) and *Flamingants* opposed permanent minority classes taught in a different language than the language of the region, although some transitional measures were provided. Regarding administration, the municipalities in the mixed language areas on the linguistic border acquired a ‘floating’ status, depending on the result of the ten-yearly language census: ‘if thirty per cent of the population spoke a different language, they had to switch to external bilingualism and a school network divided by language. When there was a majority with another language, the language of the administration changed’ (Witte and Van Velthoven 1999: 140).

This brings us to one important difference between the two cases. In Flanders, the progressive settlement of French-speakers in Flemish territory has put into question the territorial integrity of the nation. The ‘memory’ of loss of territory is very present among Flemish political actors, as we will see in chapter six. In Catalonia, the territorial integrity was not challenged. This may be simply because Barcelona is geographically too far from the borders, which does not allow for territorial claims. It could also be due to the greater territorial dispersion of Castilian-speaking newcomers, who settled in different areas of Barcelona and its suburbs.

The changes in the context made the progressive implementation of the territoriality principle possible. The introduction of universal male suffrage in 1918 gave further political power to a Flemish Movement that was growing strong and developing circles with a clear nationalist ideology where federalist and separatist solutions were discussed³⁰. In addition, *Wallingants* changed their initial position and subscribed to the territoriality principle out of the growing awareness of the economic and demographic decline of Wallonia and the fear of becoming a minority (Witte and Van Velthoven 1999: 145).

The linguistic censuses inaugurated a tense dynamic in the current linguistic dispute in the Flemish Periphery of Brussels. On the one hand, there were French-speaking attempts to expand the 'Brussels conglomeration' on urbanisation grounds (related to the 'inevitable' expansion of big cities) and on cultural grounds (related to the demand of equal rights for French-speakers in the Flemish border area like the ones Flemings had in the capital district). On the other hand, there were Flemish attempts to protect the originally 'Flemish character' of the municipalities against this gradual movement of the language border. The competing views and interests that emerged at that time are at heart of the current linguistic dispute.

The political conditions under which Catalonia developed after the First World War were very different indeed. The dictatorship of General Primo de Rivera (1923-1930) abolished the *Mancomunitat* and 'prohibited the public use of the Catalan language and the exhibition of the Catalan flag in public corporations, dissolving all municipal councils, and closing down the CADCI [Catalanist association of shop assistants] and one hundred and forty-nine more nationalist organisations' (Balcells 1996: 83). The Catalan daily press and the publication of books in Catalan were tolerated, provided they were submitted to prior censorship. Despite the prohibitions, Catalan culture persisted in a semi-clandestine environment, where the enforced privatisation of the Catalan cultural market helped to promote collaboration between regionalists and radical nationalists in the production and diffusion of culture, and reading in Catalan increased as a form of passive resistance (Balcells 1996: 83).

³⁰ This period also saw the breakthrough of extreme right parties such as the 'Flemish National Union' (VNV), which initially grew out in 1932 of the 'Front Party' to unite Flemish-minded parties but quickly adopted fascist tones and collaborated with the Nazi invaders during the Second World War.

The Second Republic (1931-1939) was a period of greater political tolerance. The new constitution defined Spain as an 'integral state' recognising the right to territorial autonomy to the regions that requested it (Núñez Seixas 1999). Catalonia obtained a statute of autonomy in 1932 that established some degree of self-government. This was a substantial progress that nonetheless fell short of the Draft Statute of Núria (1932), the proposal drafted by the provisional Catalan government and approved overwhelmingly by the Catalan city councils and electorate. The Draft included the transfer of the entire education system in Catalonia to the Catalan government, under which, as in the present system, 'the teaching of Spanish would have been obligatory in all schools, but the language of instruction was to be Catalan' (Balcells 1996: 98). Unlike the present system, the document also included the possibility of teaching in Castilian in places with a significant number of Castilian-speaking students (Branchadell 2006: 141). However, in the final statute of 1932 education was to remain under the control of the central state and Catalonia was made officially bilingual. During the short-lived Second Republic the publication of books and newspapers in Catalan experienced a notable expansion.

During Franco dictatorship's early stage (1939-1944), known as 'the Falangist period', a radical policy of assimilation and prohibition of non-Castilian cultures was adopted by the regime. In Catalonia, the prosecution of the Catalan language played an important role. All Catalan-language references were erased from public access, the Catalan publishing industry was annihilated, Catalan was banned also as a spoken language, the 'Institute for Catalan Studies' was closed down, most political leaders and cultural intelligentsia were dead or fled to exile, and in the University of Barcelona all subjects dealing with Catalan culture were abolished and more than half of the teaching staff were expelled. The anti-Catalan policy included the recovery of the supplementary strategy of 'dialectisation', that is to say, 'the authorities tried to promote the view that Catalan was a mere dialect, a sub-variety of Spanish' (Conversi 1997:114). This was the result of the regime's idea of 'a common language, culture, race, history and territory as necessary prerequisites for state-building' (Conversi 1997: 110), and of their equation between the Catalan language and separatism. This equation resonates with the accusations of unpatriotism and

separatism made by the French-speaking Belgian liberal elite towards Flemish activists.

Linguistic and cultural repression proceeded alongside political repression. The abolition of the 1932 Statute of Autonomy and the suspension of the Catalan government were decreed by Franco in 1938, while all symbols of Catalan identity such as the flag and anthem were outlawed. In February 1939, the institutions of the Catalan government went into exile, but the Gestapo arrested President Lluís Companys in Paris and handed him over to the Spanish authorities, who executed him in 1940.

The outcome of the Second World War contributed to the Regime's decision to grant symbolic cultural concessions to the opposition. For the Catalan language and culture, this meant that during the dictatorship's second stage (1945-1959) there was a modest cultural revival. For example, the 'Institute for Catalan Studies' resumed its activities (although its insecurity and lack of resources made its activities more symbolic than effective), secret courses in Catalan history and language were organised since 1942 at the re-established 'Catalan University Studies', new literary prizes funded by private enterprises were established in 1947, some exiled intellectuals like the poet Carles Riba returned to Catalonia, and the censors 'tolerated new editions of certain classical works in Catalan but continued to prohibit the publication of new works or translations in the hope of reducing Catalan literature to a form of local folklore with no future' (Balcells 1996: 143). The scope of these cultural activities was very limited, and 'the Catalan language was excluded from the radio, the daily press, the cinema, the schools and, later, from television' (ibid: 144).

At the beginning of the last stage of Franco's dictatorship (1959-1975), the Catholic technocrats of the Opus Dei entered key positions in the cabinet and pushed forward a Stabilisation Plan which favoured a market economy that brought the so-called 'economic miracle'. Industries concentrated in the Basque Country and Catalonia, and the economic recovery favoured the largest influx of newcomers these territories had ever experienced (ibid: 139). This is important because the arrival of massive

numbers of Castilian-speakers from other parts of Spain is the phenomenon that the contested use of languages in the Catalan education system was designed to tackle.

The gradual relaxation in the censorship zeal of the Dictatorship permitted that the Catalan language reappeared timidly in education. An amendment to the General Law of Education of 1970 included the possibility of being taught in the ‘Spanish native languages’ in pre-school and basic-school education, while a 1975 decree regulated this option as ‘voluntary and experimental’ (Branchadell 2006: 147). This was certainly not the result of a change in the political preferences of the ruling elite, but of the emerging pragmatic view that a way to accommodate increasingly popular opposition movements was to show some form of interest for the ‘Spanish vernacular languages’.

Simultaneously with Franco’s dictatorship, Catalonia experienced the greatest migratory wave of its history, which is estimated at 1.7 million (Fontana 2014: 390). Many of these newcomers arrived from Andalusia and settled around Barcelona, in the areas of Vallès Occidental and Baix Llobregat. Between 1950 (3.2 millions) and 1975 (5.6), the population of Catalonia almost doubled. As a result of these processes, ‘the Catalan language began the 20th century being the only language of most Catalans and ended the century being the first language of only half the population, unknown by a significant part of the other half, which had Castilian as their usual language’ (Branchadell 2006: 130 – my translation). And, as Laitin notes, ‘once Catalan language use was proscribed by the Francoist state, its development in these immigrant communities was severely constrained’, and in particular ‘the immigrants who lived in the urban beltways (...) were hardly exposed to Catalan culture’ (1989: 302). This sociolinguistic reality was the main reason behind the set-up of the Catalan immersion system, which would later become the conjunction model.

4.5 The Set-up of the Linguistic Facilities and the Immersion System

In this final section I provide a brief explanation of the historical context in which the system of linguistic facilities in Belgium and the immersion system in Catalonia, which have become the main sources of linguistic dispute in the two cases, were

finally established. In the next two chapters I will expand on this, explaining their functioning and the most recent controversies surrounding the two systems.

The system of linguistic facilities was introduced by the Val Duchesse compromise of 1963, during negotiations to define the boundaries of the Brussels bilingual area. The compromise gave French-speakers the concessions they had sought in six Flemish municipalities around Brussels: Drogenbos, Kraainem, Linkebeek, Sint-Genesius-Rode, Wemmel and Wezembeek-Oppem. The status of facility communes of these six towns fundamentally means that, although they are officially monolingual in Dutch, French-speakers have the right to use French in contacts with local authorities and to set-up French-language nursery and primary schools. In return, the Val Duchesse compromise abolished linguistic censuses and gave definitive form to the language border, dividing Belgium in four separate linguistic areas: Dutch-speaking Flanders, French-speaking Wallonia, bilingual Brussels and the German-speaking area. Brussels was restricted to nineteen municipalities and was surrounded by the Dutch language district of Halle-Vilvoorde. The legislator also entailed far-reaching guarantees for Dutch-speakers in Brussels, such as guaranteed recruitment of Dutch-speaking civil servants and language equality at the management level (Witte and Van Velthoven 1999: 181).

The compromise aimed at resolving the linguistic disputes between French-speakers and Flemings, which had become more salient in the end of the 1950s and the beginning of the 1960s. There was dissatisfaction in Flemish-oriented circles because of the results of the 1947 language censuses (published in 1954), with Brussels expanding to three previously Flemish municipalities and external bilingualism having to be applied in four municipalities on the border (ibid: 174). These measures, together with the infractions to the linguistic laws of the 1930s, were an impetus for the revival of the Flemish Movement after years of being discredited for its partial collaboration with the Nazi occupation. This is a difference with the Catalan case, where the defence of the Catalan language was equated in the 1960s and 1970s with the struggle for democracy and political freedoms.

This impetus was also animated by a general contextual change. Economically, Flanders was in full expansion while Wallonia's economy started to decline slowly

(De Winter and Baudewyns 2009: 285). In fact, in the 1960s Flemish per capita GDP overtook that of Wallonia for the first time (Swenden and Jans 2006: 878). Politically, there were two relevant changes. First, ‘from 1965 onwards, due to the reapportionment of parliamentary seats in that year and their growing demographic importance, Flemish MPs formed a majority in Parliament’ (De Winter and Baudewyns 2009: 285). Second, the rise of the Flemish nationalist *Volkswijde* (1958-73) reflected and reinforced the opinions of many Flemings, whereas the rise of the *Front Démocratique Francophone* (FDF) entailed a campaign against a fully bilingual status of Brussels and opposed the Flemish character of the suburban municipalities.

After the Val Duchesse compromise, the ‘pacification law’ of 1988 confirmed the special status of the communes with linguistic facilities. It also brought in a number of special provisions, such as ‘the principle of the irrefutable presumption of language knowledge’ by local council members, aldermen and mayors in municipality facilities. This was seen as necessary to safeguard the threatened community peace in a moment when the communes with linguistic facilities were regularly in the news (VUB 1997: 394), especially in Voeren, where the exclusively French-speaking José Happart won an absolute majority and refused to pass a test of knowledge of Dutch, thus causing a federal governmental crisis. The use of language in the facility communes was adopted into the Constitution by the state reform of 1988, which gave Brussels the status of a separate region, but with slightly less powers of decision (Witte 1993: 211). Flemish political actors only consented to turning Brussels into a third Region after it was agreed that the Dutch-speaking minority in Brussels would be offered ‘consociational protective devices similar to those from which the French-speaking minority benefited at the federal level’ (Swenden and Jans 2006: 881).

In 1993, Belgium became a federal state. The legislator distinguished in Article 2 between the Flemish, French, and German-speaking community, making language the main federating criterion (von Busekist 1998: XI). This is a crucial difference with the 1978 Spanish Constitution, as we shall see. The dissolution of the unitary province of Brabant in 1995 made the six communes with facilities an inseparable

part of the monolingual Dutch province of Flemish Brabant and, partly in compensation for this, the French-speaking parties obtained new measures to protect the French-speaking minority in the Periphery. These political compromises contributed to reduce the intensity of the linguistic and community conflicts in Belgium, but the dispute in the Flemish Periphery has not been solved, as we will see in chapter six.

In Catalonia, with the advent of democracy, and under the governments of Convergence and Union (*Convergència i Unió*, CiU), the ‘normalisation’ of the Catalan language proceeded alongside the process of ‘national reconstruction’. Initially, however, the stance of the two Catalan nationalist parties – CiU and Republican Left of Catalonia (*Esquerra Republicana de Catalunya*, ERC) – was to create a dual network of Catalan and Castilian schools, even though CiU’s plan was to gradually ‘Catalanise’ the Castilian school network (Garvía and Miley 2013). The first government of Jordi Pujol was particularly concerned with the degree of opposition that this new policy could meet in neighbourhoods with a majority of Castilian-speaking newcomers (Pujol interview 03/01/2013).

The Catalan left was crucial in the adoption of the current system, which is characterised by the use of Catalan as the vehicular language of education. Catalan socialists (*Partit dels Socialistes de Catalunya*, PSC) and communists (*Partit Socialista Unificat de Catalunya*, PSUC), which at the time were very strong in the densely populated areas around Barcelona, opposed the creation of a dual school network for fear that it would break up society into two linguistic communities. This break-up would damage the social cohesion of Catalonia and the provision of equal opportunities for Castilian-speakers, who would have more difficulties to learn Catalan, necessary for mobility in the job market, while all Catalan-speakers are bilingual. These arguments, and the support of Catalan nationalism and the Catalan left in defence of the system, last until our days. The system, which was implemented progressively after the approval of the 1983 Catalan Law of Linguistic Normalisation, met with the opposition of some teachers and civil servants who saw that their jobs would be at risk, but had the crucial support of the parents, who saw the social mobility of their children tied to learning Catalan.

What is exactly the immersion system? It is ‘a pedagogic intervention in which a group of students is educated in a language different than their usual language, which is introduced afterwards in the schooling system’ (Arenas and Muset 2007: 19 – my translation). In the Catalan case, this means that students whose first language was Castilian (usually second generation migrants from other parts of Spain), were taught in Catalan while Castilian was taught as a second language. The Catalan immersion system was inspired by the model that was being used in the Saint Lambert school of Québec (ibid: 22). It was implemented simultaneously with the creation of the Catalan Corporation of Radio and Television, another essential platform for the promotion of the Catalan language, and also for the articulation of a distinct Catalan public sphere.

The provisional Catalan government, with Josep Tarradellas as president and Pere Pi-Sunyer as minister of education, picked up the work that was being done by the ‘Delegation of Catalan Teaching’³¹ (DEC) led by Joan Triadú and created in 1978 the ‘Service for the Teaching of Catalan’ (SEDEC), which between 1983 and 2003 implemented the ‘Intensive Plans of Linguistic Normalisation’ (PINL) and the ‘Programme of Linguistic Immersion’ (PIL) (Arenas 2008). The PINL (1986-1997) were special programmes implemented in areas where 60% or more of the population was Castilian-speaking. The PIL, which started in the academic year 1983-1984 in a progressive manner until it became fully generalised in 1992, is what would later become the conjunction model. The main difference between the immersion system and the conjunction model is that in the former students are educated in a language different than their usual language (e.g. Castilian-speakers are educated in Catalan), while in the latter Catalan is the vehicular language in the whole of the education system, regardless of the students’ first language. The PIL

³¹ The ‘Delegation of Catalan Teaching’ (DEC) of ‘Òmnium Cultural’ (1961) and ‘Escola de Mestres Rosa Sensat’ (1965) were the two most important associations in the struggle for the presence of Catalan in education. They agreed on the two main goals (students should not be separated for linguistic reasons and they should finish compulsory education knowing Catalan and Castilian), which incidentally the legislator introduced in the linguistic laws of 1983 and 1998, but they disagreed on the method. The DEC defended that the schooling system should be ‘in Catalan language and content’ regardless of the language spoken at home by the students, while ‘Escola de Mestres Rosa Sensat’ defended a form of school bilingualism in which each student should be taught in their family language but all in the same class, using two blackboards and teaching first in one language and later in the other (Arenas and Muset 2007: 33).

began as a pilot programme in Santa Coloma de Gramanet, a city in the periphery of Barcelona with a high percentage of Castilian-speakers. The number of schools that applied the PIL rose dramatically from 408 during the academic year 1985-85 to 1280 during the year 1995-96.

The set-up of the immersion system was possible due to the process of democratisation following Franco's death (1975) which came to be known as the Spanish Transition. The Catalan government was provisionally re-established in 1977, and the Royal Decree 2092/1978 introduced the teaching of Catalan in all public and private schools for the first time since the creation of compulsory schooling in 1870. The legal framework that was to permit the immersion system and the re-institution of Catalan self-government was created, on the one hand, by the Constitution (1978), which stated that 'Castilian is the official language of the state' and that 'the other Spanish languages will also be official in their respective Autonomous Communities'; and, and on the other hand, by the Catalan Statute of Autonomy (1979), which established Catalan as 'Catalonia's own language' (*llengua pròpia*) and the official language of Catalonia, together with Spanish. The Decree 2089/1981 transferred the competences in education to the Catalan government.

The Spanish linguistic constitutional design kept the centre monolingual (Spain's judiciary, executive and legislative powers are strictly monolingual in Castilian) and the Autonomous communities with languages different from Castilian were made bilingual. The Spanish case is thus different from the Belgian case in that it gives a prevalent role to the Castilian language, which is the only state language and the only language whose knowledge is a duty for all Spanish citizens. The knowledge of the 'other languages', which are not specified in the Constitution, is only a right. The cases also differ in that language was not a federating criteria in Spain but it was in Belgium.

4.6 Conclusion

This chapter has compared the historical evolution of the linguistic and nationalist mobilisation in Catalonia and Flanders. Using Miroslav Hroch's scheme for a conceptual and systematic comparison, I have argued that Phases A and B were very

similar in the two places, and that each case experienced Phase C in very different ways. Specifically, I have suggested that the move towards the territoriality principle in Belgium after the First World War, on the one hand, and the combination in Catalonia of Franco's dictatorship with the massive arrival of Castilian-speaking migrants, on the other, are crucial to understand the different types of linguistic disputes in Catalonia and Flanders.

The divergence between Catalonia and Flanders in Phase C has to do with the combination of different evolution patterns at a macro-level (the incremental process of democratisation in Belgium contrasts sharply with the two dictatorial regimes experienced in Spain), and with different structural positions within the state (Flemings are a demographic majority in Belgium, while in Spain the Castilian-speaking Spanish identity is dominant). After the critical juncture of the First World War and its consequences, Flemings were in a position to implement an encompassing linguistic territoriality principle. As a result, the Flemish Movement progressively obtained, not without important delays and concessions, most of its linguistic and political goals. The situation was very different in Catalonia, which did not enjoy self-governing institutions to integrate Castilian-speaking newcomers, who in turn saw that Catalan did not have a significant presence in the public sphere and was not necessary to obtain jobs. The advent of democracy and the restoration of Catalan self-government proceeded alongside a general recovery of the Catalan language, but this resulted in a situation of relatively stable bilingualism in which Catalan enjoys a dominant position in a small number of fields. One of these fields is education.

In this chapter I have also presented a number of sub-arguments about the similarities and dissimilarities in the historical evolution of linguistic and nationalist mobilisation in the two places. For the general purposes of the thesis, I would like to emphasise here three interconnected take-away points:

- Liberals in Spain and Belgium engaged during the 19th century in processes of nation-building that prioritised some languages and cultures (French in Belgium, Castilian in Spain) over others. In practice, liberalism and nationalism went hand in hand.

- The political versions of Catalanism and the Flemish Movement emerged later, and partly as a reaction to, these processes, which fostered an existing diglossia that was grounded on an unequal conception of the languages (on a lack of ‘parity of esteem’, in Philippe Van Parijs’s (2011) words). It is thus Van Parijs’s dignity argument, as opposed to Kymlicka’s autonomy argument, which best accounts for the emergence of the two movements.
- Although the type of linguistic disputes are different (mostly ‘educational’ in Catalonia, mostly ‘territorial’ in Flanders), and despite the important difference that in Flanders there is a questioning of the territorial integrity of the sub-state nation that is absent in Catalonia, the deeper issues are very similar: two national projects built upon language, the challenge created by a process of internal immigration through which newcomers speaking a more ‘international’ language settle in the capital and its suburbs, and the set-up of policies aimed at integration which are contested on normative grounds.

This chapter has situated the two linguistic disputes historically, exploring how and when the linguistic and nationalist mobilisations developed, and how and when the focus of the two disputes was created. In the process, the chapter has highlighted similarities and differences between the cases, and it has used analytical tools presented in the two previous chapters to frame conceptual claims and events relating individuals, language, and nation. Having situated the two disputes historically, in the next two chapters I examine the competing political arguments articulating the current linguistic disputes in Catalonia and Flanders.

Chapter 5. The Competing Political Arguments in Catalonia

This chapter examines the main political arguments in competition regarding the use of languages in the Catalan education system. To do so, it draws fundamentally on interviews with political elites and parliamentary debates, and it also considers other relevant sources such as party and civil society manifestos. The analysis of the political arguments is preceded by three sections that contextualise the debate.

The main finding is that the political arguments for and against the conjunction model (hereafter CM) are the following. On the one hand, the arguments of the political actors defending the CM are built around the core concepts of social cohesion and Catalonia's own (or common) language. Their view is that it is through the Catalan language, whose knowledge is guaranteed by the CM, that social cohesion is protected and immigrant integration is achieved. On the other hand, the arguments of the political actors opposing the CM are built around the core concepts of constitutional rights, brain-washing and discrimination. Their main argument is that the CM is a nationalist imposition of the Catalan government that infringes the individual right of parents to choose the language of instruction of their children. The contrast between individual right protection and nationalism runs deep in these political arguments. In addition, the system is accused of indoctrinating students into Catalan nationalism and discriminating against students whose first language is Castilian.

A word of caution is in order. Political actors do not vary only in their justifying arguments, but also in how important they consider the language rights issue. In this chapter I consciously over represent the view of political actors for whom this topic is very important. This is particularly true of section 5.3, devoted exclusively to the mobilisation against the CM. The reason is that this chapter aims to examine the *competing* political arguments. It is therefore mostly concerned with the arguments of the political actors who 'care', that is to say, those who articulate the linguistic dispute.

This chapter is structured as follows. First, I analyse the functioning of the CM. Second, I point out three recent controversies that have (re)animated the linguistic

dispute. Third, I trace the evolution of the mobilisation against the system, devoting special attention to the sort of liberal arguments that have been used. Finally, I examine the competing political arguments articulating the linguistic dispute. This last section does not test the validity of the empirical claims, focusing instead on structuring and interpreting the arguments in order to answer the research question in chapter seven.

5.1 The Catalan Conjunction Model

The Catalan conjunction model (CM), commonly but inaccurately described as ‘linguistic immersion system’³², consists in the use of the Catalan language as the vehicular language in the teaching of subjects and in the internal and external activities of the educational community. This applies to all public education centres and to private centres partly funded by the Catalan government (*centres concertats*). This means in practice that oral and written activities of students and teachers, textbooks and didactic materials, and communications with families have to be in Catalan. Castilian is taught as a subject, but it is not used as a language of instruction. In the 2009 Catalan Law of Education (LEC) the legislator stresses that students should not be separated for linguistic reasons, which reflects a traditional concern of the Catalan school of pedagogues.

The CM is the result of the progressive extension of the ‘immersion system’, which, as we saw in the previous chapter, was set-up in the early 1980s to respond to the migratory wave of Castilian-speakers from other parts of Spain that took place between the mid-1940s and the mid-1970s, under Franco’s rule. The progressive set-up of the ‘immersion system’ in predominantly Castilian-speaking areas, preceded by the passing of the 1983 Law of Linguistic Normalisation, aimed at language protection, social cohesion, and nation-building. The system consisted in educating students whose usual language was Castilian in Catalan, with Castilian being introduced afterwards.

³² As explained in the previous chapter, in a linguistic immersion system students are educated in a language different than their usual language. However, there are obviously many schools in Catalonia where the language of instruction is Catalan and the majority of students are Catalan-speakers. Therefore, the term ‘immersion’ does not apply to them. To refer to the use of Catalan as the vehicular language in the whole of the education system, the most appropriate term is conjunction model.

There is an element that is consistently overlooked in the political debate about the Catalan CM: in practice there are many exemptions to this general scheme. I will mention four. First, the legislator maintains that ‘in the school year in which students initiate their education, the mothers, fathers, or tutors of students whose habitual language is Castilian can demand (...) that their children receive individualised linguistic attention in that language’ (LEC, article 11.4). This results in what is called ‘individualised treatment’ (*atenció individualitzada*), which is considered as insufficient by the critics of the system, and which means that students are taught special individual lessons in Castilian in the same class. Second, the degree of implantation of the system is unclear, especially in secondary education in Barcelona and its suburbs. The former Catalan Minister of Education Irene Rigau (CiU) stated in 2014 that some 13 per cent of primary schools and some 10 per cent of publically funded secondary schools have a Linguistic Project that introduces more elements of Castilian than the subject of Castilian language (Commission of Teaching and Universities, 06/02/2014). In addition, some 34 per cent of these educational centres also use English as the language of instruction of some subjects. This significant use of English is completely ignored in the debate, which suggests that the dispute is not so much about languages but about the identity they are attributed.

Third, according to the LEC the system is a general framework to be adapted to the Linguistic Project of each educational centre. Crucial in this process of adaptation is the recent international migratory wave experienced in Catalonia, which has changed the sociolinguistic profile of many (basically public) educational centres, creating new pedagogic and linguistic demands. The percentage of foreign residents has risen from 2.9% (181,590) in 2000 to 15.6% (1,183,907) in 2012 (Idescat, cited in Brugué, González and Sol 2013: 18). As a result, and for the first time, a significant number of students initiate their education knowing neither Catalan nor Castilian. The legislation explicitly states that students who enter into the Catalan educational system without knowing one of the two official languages have the right to receive specific linguistic support. In practice, this means that educational centres have to provide them with a personalised reception system (*acollida*) and, in particular, with a specific form of linguistic attention to begin the learning of Catalan (LEC, article 10.2). Fourth, and finally, the CM coexists with a range of minority schooling

systems such as centres where students are separated according to their family language; private schools more or less bilingual where part of the education is made in a foreign language; and foreign schools (Vila 1998: 67).

5.2 Three Recent Linguistic Controversies

This section examines three factors which (re)animated the linguistic controversy in Catalonia during the last years. The CM has been under pressure as different courts and the 2013 Spanish law of education urged the Catalan government to make Castilian a vehicular language of education as well. Education is a ‘shared’ or ‘concurrent’ competence in Spain, which means that the central state establishes the basic norm or framework and the Autonomous Communities develop and execute the basic norm in its most specific and functional aspects. The Catalan government does not want to alter a system that is emphatically supported by the educational community and by a broad majority of Catalan political parties (all but the Popular Party – *Partido Popular*, PP – and Citizens – *Ciutadans*, C’s). In the current context of growing political antagonism between the Catalan and the Spanish governments over Catalonia’s right to self-determination, the linguistic issue remains a latent source of dispute.

The first and most important factor that reanimated the debate is the ruling 31/2010 of the Spanish Constitutional Court on the 2006 Catalan Statute of Autonomy. The Court ruled that a schooling system in which Catalan was the vehicular language was constitutional, but crucially added that Castilian should enjoy the same treatment: ‘both languages must be not only object of teaching but also the means of communication in the education system as a whole’ (TC 2010, 288 –my translation). In short, there is no constitutional right to be educated *only* in Castilian, but there is the constitutional right to be educated *also* in Castilian. This had significant legal consequences. In 2014, a number of decrees of the Superior Court of Justice of Catalonia accepted the consideration of Catalan as ‘centre of gravity’ of the system, but asked the Catalan government the introduction of a quota of 25% of school hours in Castilian in the schools where parents demand education in that language. This judicialisation of the linguistic dispute caused a great deal of controversy. These decisions were perceived by the defenders of the CM as a political attack in which

the judiciary power was being used to supplant the democratic decision of the Catalan Parliament.

The second factor that intensified the linguistic dispute in Catalonia is the passing of the 2013 Spanish Education Law (entitled ‘Organic Law on the Improvement of the Quality of Education’ and better known as LOMCE). It has also been called *Ley Wert* (Wert’s Law) in reference to José Ignacio Wert, Spain’s Minister of Education between 2011 and 2015. Mr Wert became a polemical figure in Catalonia for stating in the Spanish Parliament that ‘our interest is to “Hispanicise” Catalan children’ (Aunión 2012). The new law establishes that, in officially bilingual Autonomous Communities like Catalonia, ‘the educative Administrations will guarantee the right of the students to be educated in both official languages’ (LOMCE 2013: 97872 – my translation). ‘Fathers, mothers and legal tutors will have the right that their children or pupils be educated in Castilian, in the framework of the educative programme’, which means that ‘the educative Administration should guarantee a teaching offer sustained with public funds in which Castilian be used as vehicular language in a reasonable proportion’ (ibid: 97912 – my translation).

For families who would like their children to be educated *also* in Castilian, the Catalan government would have to assume the economic cost of enrolling these students in private educational centres in which there is an educational offer that uses Castilian as a vehicular language. On June 2014, the Ministry of Education informed that the cost for the Catalan government would be of a minimum of 6057 euros per student per year (Ferrer 2014). Crucially, this new law permits the separation of students for linguistic reasons, something that the Catalan legislator has repeatedly insisted on avoiding. It also creates an incentive for families demanding education in Castilian as a vehicular language, as they might end up being exempt of paying the matriculation fees. However, there has not been a pull effect thus far, and the number of Catalan families (40) who have demanded education in Castilian for the academic year 2014-2015 has been the same as in the previous year. In addition, for the academic year 2014-15 only 3 families demanded the economic compensation to enrol their children in private schools (El Periódico 2015).

The third factor that has recently reanimated the debate is not strictly related to Catalonia but to the Catalan language: the decisions adopted by the Popular Party governments in the Balearic Islands and Valencia³³. In these two Spanish Autonomous Communities, the Catalan language is also co-official. While these decisions do not have an impact on the Catalan conjunction model, they contribute to the general linguistic animosity and to the perception among large sections of the Catalan population that the Popular Party inflicts attacks against the strength and the unity of the Catalan language. This connects in a loose way with the concept of ‘Catalan Countries’, which stresses the historical and linguistic ties between the different territories where Catalan is spoken. It is no coincidence that the Commission on Education and Universities of the Catalan Parliament passed on 20 March 2014 a resolution proposal asking the repeal of the 2013 Balearic law of education.

Focusing here on education only, although the decisions transcended this field³⁴, it is worth mentioning that the government of the Balearic Islands replaced the previous system, similar to the Catalan CM, with the Decree 15/2013 ‘Integral Treatment of Languages’, which made English, Castilian and Catalan vehicular languages in the same proportion (Manresa 2013a). We will see in section 5.4 that this is precisely the demand of the two parties which oppose the CM in Catalonia, the PP and C’s. The Decree 15/2013 faced the refusal of many Balearic educational centres, a teachers strike, and massive demonstrations in September 2013 (Manresa 2013b). Similarly, in Valencia the PP-led government passed in 2012 the ‘Decree of Trilingualism’. This decree was to change the current system, which is based on two different linguistic programmes (one in which teaching is mostly in Valencian (around 30%), and another in which teaching is mostly in Castilian), and to introduce a similar model to that of the Balearic Islands. The May 2015 regional elections in the Valencian and Balearic Autonomous Communities resulted in new regional

³³ One could add here the controversy around the 2012 Law of Languages in Aragon, which referred to the Catalan spoken in that Autonomous Community as ‘Aragonese Language Typical of the Oriental Area’, popularised as ‘LAPAO’.

³⁴ Only in the Balearic Islands, the decisions included the suppression of the duty to know Catalan for new civil servants, the sharp reduction in subsidies to cultural centres aiming to ‘normalise’ Catalan, the shutting down of the public radio station broadcasting in Catalan (*Radio Televisió de Mallorca*), and the dismantlement of the institutional equipments supporting the ‘normalisation’ of Catalan (Manresa 2013a).

governments which have abolished the linguistic measures promoted by the PP. More generally, the new governments (which are leftist coalitions formed by the state-wide Socialists, the emerging leftist *Podemos*, and pro-Catalan local parties) show a greater willingness to protect and promote the Catalan language.

5.3 ‘Liberalism vs. Nationalism’: The Mobilisation against the System

This section examines the historical evolution of the mobilisation against the predominant use of the Catalan language in the education system. The analysis is restricted to the mobilisation within Catalonia and the focus is on the political arguments which have traditionally been defended. The main sources are the documents (newspaper articles, civil society and party manifestos, etc.) written by the opponents of the system. My main point in this section is that the opposing arguments, which have not changed substantially through time, share a classical liberal rationale that is presented as radically incompatible with the nationalist character of the linguistic discourse and practice of the Catalan government. The use of languages in the Catalan education system is presented as an ‘internal restriction’ (Kymlicka 1995: 35-44) which limits freedom of choice in the name of social cohesion.

The first important document is the ‘Manifesto for the Equality of Linguistic Rights in Catalonia’, which was later called ‘Manifesto of the 2300’ (1981). This document was published two years before the Law of Linguistic Normalisation was passed, and also two years before the first experimental uses of the immersion system were set-up in Santa Coloma de Gramanet. The manifesto was published in *Diario 16*, led by Federico Jiménez Losantos and Amando de Miguel, and was signed principally by intellectuals and civil servants working in the (mostly secondary) educational system (Voltas 1996). Its starting point was the following:

‘Our preoccupation is not born out of anti-Catalan positions or prejudices, but out of the knowledge of facts that have been happening for a long time. Rights such as the public and official use of Catalan and Castilian, the education in one’s mother tongue, the non-discrimination for linguistic reasons – rights acknowledged by the spirit and letter of the Constitution and the Statute of Autonomy, basic laws that we will always defend – are being

disregarded not only by individuals or particular groups, but by the people in charge of public powers' (my translation).

Regarding the education system, the manifesto argued for a 'bilingual school system' that would equally respect the linguistic rights of Catalan and Castilian speakers. The authors also argued that

'If the project of progressively implementing schooling *only in Catalan* goes ahead – not *in Catalan*, which we indisputably support –, the children of immigrants will be discriminated against and will be in a position of unequal opportunities vis-à-vis Catalan-speakers. In addition, this will cause, as it has always been said, a trauma whose most immediate consequence is the loss of verbal fluency and a smaller capacity of abstraction, comprehension and adaptation' (my translation, my emphasis).

For these reasons, the authors find it necessary

'...to defend a pluralist and democratic conception, not totalitarian, of Catalan society, on the grounds of freedom and mutual respects, and in which one can be Catalan, live 'rooted' in Catalonia and love Catalonia, speaking both Catalan and Castilian' (my translation).

This document presents some of the elements that have become common in the political arguments against the CM. The system (1) violates constitutional rights such as that of being educated in one's own language (if, and only if, that language is Castilian); (2) it is discriminatory towards Castilian-speakers (note that, echoing the classical liberal view laid out in chapter two, the manifesto title emphasises equality and understands it as equal treatment); and (3) it is part of a general attitude of Catalan public institutions which is undemocratic and which is at odds with freedom and pluralism. In short, for these political actors the CM is illiberal, unfair, and nationalistic. The vehemence of the accusations is also a common feature amongst the most active critical political actors.

These accusations against the use of languages in the education system re-emerged again in 1993, as a result of the decrees and orders issued by the Catalan government which progressively generalised the immersion system into the CM. The opposition came from some Catalan schools that were still applying a bilingual system of instruction, and the 'Association of Affected People in Defence of Castilian'

(CADECA) was created. This organisation would campaign ‘against the Catalan immersion program and would advocate a more balanced presence of both Catalan and Castilian in the school system’ (Garvía and Miley 2013: 19).

Also in 1993, the conservative Madrid-based newspaper *ABC* launched a campaign against the Catalan linguistic policy in general with the polemical headline ‘Just Like Franco but in Reverse: Persecution of Castilian in Catalonia’ (ABC 1993). The main argument, which was later repeated in other editorials, was that the process of ‘linguistic normalisation’ being carried out in Catalonia was discriminatory against Castilian-speakers, who were now facing the same persecution suffered by Catalan-speakers during Franco’s dictatorship. This inaugurated a period of mutual understanding between the opposing minority in Catalonia and the right-wing Spanish press, which amplified their views at a state-wide level.

The inventor of the simile with Franco’s policies was not the newspaper *ABC*, however, but the Catalan university teacher Ivan Tubau (Branchadell 1997). According to Tubau, the people in charge of the system are ‘unbreakable fundamentalists’ who use their ‘totalitarian and inhuman invention’ in order to subdue ‘the poor Catalan children who have Castilian as their mother tongue to a linguistic dictatorship (...) that is very similar to the linguistic dictatorship suffered by the poor children who had Catalan as their mother tongue during the “Hispanicising” Francoism’ (Tubau 1993: 104, cited in Branchadell 1997: 42-43 – my translation). In my view, this comparison is problematic for two reasons. At a basic level, it is problematic in the obvious sense that it compares a dictatorial system with a democratic system. More specifically, the comparison confuses the learning *in* only one language, which is what the Catalan CM does, with the learning *of* only one language, which is what the Francoist education system did. Catalan students today are taught with Catalan as the only language of instruction, and in doing so they learn Catalan, Castilian (as a second language), and, with varying degrees of success, English.

A second manifesto was presented in 1994. Promoted by the ‘Association for Tolerance’ (1992) and entitled ‘Manifesto for Linguistic Tolerance in Catalonia: In Castilian too, please’, the document was written as a response to ‘the deterioration of

linguistic living together'³⁵ in Catalonia and against 'the increasingly undisguised monolingualistic aspiration of political Catalanism':

'Our complaints are not directed against the Catalan language – which is also ours –, nor against the people of Catalonia – to which we belong –, but against the nationalist ideology that aims to alter the willingness of all Catalans, to confuse its interests with those of Catalonia, and to eliminate, under ethnic criteria, its cultural diversity. Like Spanish nationalism attempted to do in previous years' (my translation).

The main idea of the manifesto is that the process of 'linguistic normalisation' aims in reality at Catalan monolingualism and the assimilation of newcomers. The manifesto presents Catalonia as a linguistically divided society between the Catalan-speaking and Castilian-speaking segments of the population. This is in sharp contrast with the doctrine of political Catalanism in its different forms, which emphasises the idea of *un sol poble* (being one people/one country) built upon the *voluntat de ser* (willingness to be Catalan). The authors expand on the core notion that the CM violates rights and discriminates against Castilian-speakers:

'This practice, in addition to being a totalitarian abuse that is inappropriate for a democratic society, creates a prejudice, especially to Castilian-speaking children who see themselves intimidated by a language that at three years old they do not yet know. This will cause them a gratuitous confusion' (my translation).

The authors of this second manifesto stress that they want to protect 'the inviolable right of parents to the free election of the language in which their children have to be educated', a right supported 'by UNESCO, UNICEF, the Spanish constitution, the Catalan statute of autonomy and the Catalan law of linguistic normalisation'. To achieve this goal, they propose the creation of three school networks: (1) Castilian as the vehicular language with Catalan taught from the first year of school; (2) Catalan as the vehicular language with Castilian taught from the first year of school; (3) a mixed Catalan-Castilian school network.

In my view, there is an unresolved conceptual tension in this proposal regarding whether the rights are understood in a moral (universal) or legal (specific) sense. The first exist independently of the adoption of particular laws and are based on general

³⁵ 'Living together' is a translation of the concept *convivència*, whose meaning relates to peaceful coexistence.

moral considerations, while the latter are conceded and enforced by the law. The references to UNESCO and UNICEF suggest the former, while the references to Catalan and Spanish laws suggest the latter. If the accusations are grounded on universal liberal principles, the current system would be violating not only the rights of Castilian-speakers, but the rights of *all* non-Catalan speakers. If the accusations are grounded on the constitution, the ‘inviolable right to choose the language of education’ applies *only* to Castilian-speakers, and it does so because of the prevalent role that Castilian is given by the constitutional legislator. This tension has been resolved through time and, as we will see in the next section, the current political arguments opposing the CM focus on the constitutional basis of the rights.

Two important civil society organisations were created when the 1998 Catalan Law of Linguistic Policy was being discussed: *Foro Babel* (1996) and *Convivencia Cívica Catalana* (1997). The first civil society organisation was an initiative of Catalan intellectuals and artists, some of which, like Francesc de Carreras and Félix de Azúa, would later be involved in the creation of the political party *Ciutadans*. In the ‘Documento 0’ of *Foro Babel*, published in *El País* in February 1997, the authors (Francesc de Carreras, Félix Pérez Romera and Maria Riera) wrote:

‘Three main issues worry us about the current situation in Catalonia. First, that the feelings of identity be transformed in political ideologies and that, based on that, the hallmarks of one group of citizens be considered the only legitimate and proper, and those of other social sectors be considered improper or foreign and, as such, illegitimate. Second, we are worried that the nationalist ideology –which we respect but do not agree with – be elevated to the official ideology of our political institutions and that this ideology can even invade sectors of public citizenry activity. Third, we are worried that, in a society that recognises itself as plural, the parties that do not define themselves as explicitly nationalists have also as a central axis of their political and ideological discourse the obsession for the identity, which is understood as a uniform, pre-established, undisputed, and unidirectional cliché’ (Babel 1997a – my translation).

As the reader can appreciate, there is a clear continuity in the arguments reproduced in these different documents. Implicit in this general reasoning is the classical liberal view presented in chapter two that political institutions can (and should) be ‘identity-free’ or ‘nationalism-free’. This assumption is challenged by liberal culturalists who

point at the taken-for-grantedness or unmarkedness of state nationalism (Billig 1995) and the nationalism of majority groups (Kymlicka 1995).

In the second document of *Foro Babel*, which dealt unsurprisingly with the use of languages in Catalonia, the document supported two key points of the CM: students should not be separated for linguistic reasons and they should be able to use in a correct and normal manner Catalan and Castilian. The document advocated a system in which both languages were used as languages of instruction in all cycles of compulsory education, and in a similar proportion (Babel 1997b). Note that it is not a coincidence that an institution created as a ‘warning’ to ‘nationalist excesses’ in general devoted its second document to language, with a particular attention to education. The two positions in the dispute have always identified a connection between language and nationalism in the discourse of the other. For some, the CM is a tool created by nationalist elites to exclude Castilian and to forge nationalists; for others, the criticism against the CM comes from Spanish nationalists who try to impose Castilian and to abolish a system that works fine because students learn both Catalan and Castilian. The two sides of the dispute see the other as the one obsessed with identity and the one challenging the peaceful living together of Catalans.

Some of the most active members of *Foro Babel* converged in the creation of the political party *Ciutadans* in 2006. There was thus a transition from civil society to party politics. This was the result of the perception that there was an unsatisfied electoral demand. In June 2005, a group of Catalan intellectuals, formerly close to the Catalan Socialists (PSC) and the Catalan Greens (ICV) had presented a manifesto entitled ‘For a New Political Party’. They considered that the new ‘tripartite’ leftist government coalition (which ran Catalonia between 2003 and 2010 after 23 years under Jordi Pujol and CiU) ‘had not really contributed to a change in the established consensus, which favoured the predominance of nationalism in Catalan society and politics. They therefore proposed the creation of a new party to oppose this’ (Rodríguez Teruel and Barrio 2015: 3).

In its first manifesto, *Ciutadans* took a very clear stance: they proposed to abolish the CM because ‘we believe that the compulsory linguistic immersion in Catalonia and the exclusive vehicular use of Catalan in the classrooms are discriminatory and

damaging methodologies for students in general, who are deprived from the richness of the Catalan linguistic diversity; and for Castilian-speakers in particular, who see their linguistic rights infringed and their academic performance affected' (C's 2006: 12). The general logic in their manifestos is that 'political activity must resolve problems and guarantee freedom and equality between persons, instead of being obsessively devoted to solve imaginary issues of emotional, symbolic, and identity nature' (2006: 3).

I would like to conclude this section with a reference to the chapter of the Balearic writer Xavier Pericay entitled 'Catalonia. The Language of Power', included in the book 'Freedom or coercion? Linguistic Policies and Nationalisms in Spain', edited by FAES, the think-tank of the Popular Party. Pericay (2007: 57-58) concludes that the situation in Catalonia is indeed 'like Franco but in reverse', but not in the sense used by the newspaper *ABC* in 1993:

'The analogy with Francoism has other foundations. In my view, there has been a manifest reversal in the relationship between languages. In the past Castilian was the language of power, the so-called language A in sociolinguistics, and Catalan was basically a popular language (Castilian was too, of course, especially from the 1960s). Now the situation has been reversed: the language of power, the language A, is Catalan, and Castilian has been reduced to a practical function, relational, in social and economic terms. But in the institutional field and its surrounding area – that is to say, in everything that falls to the Administration –, there is no other language than Catalan' (my translation).

This results in a 'forced diglossia', the reverse of the historical pattern, which

'...is not only unacceptable from the point of view of the rights and freedoms of the citizens. The exclusion of Castilian from the institutional world, and particularly from the primary and secondary education, has supposed for Catalans – for Catalans as a whole – the renunciation of an extraordinary cultural patrimony. Because it is not only the language what is ignored with these tricks. Making the language that is *propia* (own/proper) the core of the project of national construction, nationalism has transformed the other language, the *impropia* (foreign/inappropriate), in the core of everything that is external and alien' (my translation).

The logical consequence of this ‘historical reverse’ is that opponents of the system see themselves as the ‘resistants’, the ‘brave’, the ones who dare to fight against the institutional imposition of the new language of power. This is also the logic behind the aptly-named ‘History of Resistance to Nationalism in Catalonia’ (2013), a recent book by Antonio Robles, one of the most active campaigners against the Catalan linguistic policies. The main idea presented here is also important because it ties a traditional element in their discourse (Catalan authorities exclude Castilian) to an increasingly salient point in the present dispute (this is not a purely linguistic issue, but part of a project of national construction to brain-wash citizens).

5.4 The Political Arguments for the Catalan Conjunction Model

The political arguments defending the Catalan conjunction model comprise two mutually dependent core concepts: (1) social cohesion and (2) Catalonia’s own language (*llengua pròpia*) or common language. These two core concepts are interlinked in the characterisation of the model a ‘system of success’ (*model d'èxit*) and in the general defence of the Catalan language as the ‘meeting point’ (*punt de trobada*) for both natives and newcomers.

Table 5.1. Core Concepts in the Arguments for the Conjunction Model

Core Concepts	Meanings
Social Cohesion	<ol style="list-style-type: none"> 1. To avoid social fracture 2. To offer equal opportunities
Catalonia’s own (or common) language	<ol style="list-style-type: none"> 1. One nation, one language 2. The meeting point of Catalans

The political arguments are very similar across political actors with different views in both the territorial and the left-right dimensions of party competition. The main difference is in the emphasis: some political actors, usually from a left-wing perspective, show a tendency to focus on the instrumental importance of the CM to guarantee social cohesion; other political actors, usually explicit Catalan nationalists, tend to combine the social cohesion argument with an emphasis on the role of the Catalan language as the nerve (*nervi*) or key element (*pal de paller*) of the nation.

The main idea in the set of arguments defending the CM is that the system is successful in forming a bilingual (or plurilingual) society, which has in turn desirable social consequences. The underlying reasoning is that the Catalan schooling system must offer linguistic competences in Catalan and Castilian and that, given that these languages operate in different levels, with Castilian being a stronger language, this can only be achieved giving prevalence to Catalan³⁶. In short, an *unequal* treatment of languages in education is necessary in order to achieve an *equal* result. This reasoning was first constructed vis-à-vis the rapid and anarchic development of Castilian-speaking ‘immigrant ghettos’ in Barcelona and its periphery, which created social conditions in which it was practically impossible for the newcomers to come into contact with native Catalan-speakers. More recently, this reasoning has also been applied to the international migratory wave.

The general line of argument is thus that the CM ‘works’ because it guarantees (1) the knowledge of Catalan, which is Catalonia’s own and historically disadvantaged language, and (2) a linguistic competence in Castilian that is *higher* than the average competence in Castilian in the other Spanish Autonomous Communities. In forging (at least) a bilingual society, the argument runs, the CM contributes to the non-break up of Catalan society along linguistic lines (*fractura social*) and guarantees equal opportunities for everyone when accessing the labour market. These desirable social consequences are achieved in a difficult context characterised by massive migratory waves, the greater strength of the Castilian language, and the degree of diglossia that still exists in Catalonia. The system is a ‘model of inclusive school’ (*model d’escola inclusiva*), and linguistic living together in Catalonia is peaceful and unproblematic partly as a result of this and other policies, which enjoy democratic legitimacy as they are supported by the vast majority of the Catalan Parliament.

But, if the CM works so well, why is there a linguistic dispute? What is, in the view of the defenders of the CM, the cause of the dispute? There is a common agreement

³⁶ The argument resembles Kymlicka’s notion of ‘external protections’, but it is not the same. Here the emphasis is on the right that a minority group claims regarding members of the group, not non-members. The aim is to reduce the vulnerability of the historically constructed national language (Catalan) vis-à-vis a stronger language which has become ‘internal’ to the group (Castilian). Again, the underlying reason why it is problematic to apply certain Kymlickean notions to the Catalan case is that its stable bilingualism and internal diversity sit uneasily with Kymlicka’s general conceptualisation of groups as bounded and homogeneous.

that, in light of the success of the system, the opposition to it is not based on pedagogic criteria but on political prejudices. In the words of Albert Batalla, former MP for CiU in charge of linguistic matters, the ‘offensives against Catalan’ aim to weaken ‘not only our national character and our own language, but also and above all the idea that we are one people’ (interview 13/03/2013 – my translation). I expand below on the importance of the lexical item ‘to be one people’ (*ser un sol poble*). Similarly, Àlex Castillo, the president of the main parents’ association FAPAC, made the point that ‘it is not the popular classes who are revolting against the system, it is Spanish nationalism [*espanyolisme*]’ (interview 07/05/2014 – my translation). This *espanyolisme* is in turn accused of double standards: all interviewees in favour of the system pointed out that the same political actors (Popular Party) who defend the right to be educated in Castilian in Catalonia do not defend the same right for the 14,000 students of pre-school education in the Valencian community who are deprived from the possibility of studying in Catalan. In short, for these political actors the system suffers ‘political attacks’ that aim to weaken Catalonia’s social cohesion. These attacks are identity-driven and cause a controversy that would otherwise not exist.

5.4.1 Core Concept 1: Social Cohesion

The most important concept in these political arguments is undoubtedly that of the protection of social cohesion. I identify in what follows two meanings given to social cohesion. The two are analytically different, but as it will become apparent they are intermingled. The concept of social cohesion is very often referred to but very rarely defined, so this is my modest attempt to put some order in the ‘messiness’ of political actors’ rhetoric.

The first meaning of social cohesion refers to a desirable situation in which social division and segregation are avoided. It is the opposite of ‘the creation of a social group in Castilian and a social group in Catalan’, in the words of Marc Vidal (interview 19/02/2013), former MP for ICV (Catalan Greens) in charge of linguistic matters. It is the opposite of ‘the creation of ghettos, the confrontation between people’, in the words of Francesc Marco (interview 08/05/2014), a member of the Executive Board of *Plataforma per la Llengua*, a civil society organisation

promoting Catalan and the linguistic rights of Catalan-speakers. The fundamental assumption here is that, without the CM, there would be segments of the Catalan population who would not learn the Catalan language. This assumption is connected to three interrelated issues: the greater instrumental value of the Castilian language, the migratory phenomenon, and the territorial variations in the sociolinguistic profile of Catalonia, with Castilian being the dominant, common language in many areas of Barcelona and its suburbs.

This first meaning of social cohesion is often articulated around the lexical item ‘to be one people’ (*ser un sol poble*). ‘Poble’ is a polysemic term in Catalan that may refer to ‘village’, ‘people’, ‘nation’, and ‘country’, and it is typically used by political actors who prioritise the left-right dimension of party competition and who want to distance themselves from explicit Catalan nationalist vocabulary. It is important to note, however, that in using this lexical item they situate Catalonia as their nation of reference. The people whose unity they are concerned with are the Catalan people. In other words, there is a national dimension embedded in instrumental considerations aiming at social cohesion which, at the very least, demarcates the group whose cohesion is deemed important. The following remark by Rocío Martínez-Sampere (PSC) during the debate about the proposal to appeal to the Constitutional Court against the new 2013 Spanish Education Law (26/02/2014) captures the recurrent idea of ‘being one people’:

‘Catalan and the immersion system are fundamental tools for the civil cohesion of this country...It is not a matter of speaking Castilian or English, which we should do more, of course. It is not a matter of linguistic capacities. It is a matter of making Catalan the centre of gravity of the system, because it is the vehicle of a culture, and *if this culture is not for everyone we will not be only one people, we will not be united in civil terms as we have been up until now*’ (my translation, my emphasis).

In my view, this first meaning of social cohesion has two potential problems. The first is that it automatically equates the use of Catalan as the only language of instruction with ‘lack of segregation’, which neglects that the Catalan education system currently ‘segregates’ on socioeconomic grounds. By this I mean that the system allows the separation of students between the public, public-private, and

private school networks according to the purchasing power of their families. This is bound to have an impact on social cohesion as well, yet this point is acknowledged by only a minority of the defenders of the system (Castillo interview 07/05/2014). The second potential problem is the validity of the assumption that without the CM there is social fracture. While it is true that the combination of massive immigration and unequal status of Catalan and Castilian creates a challenge, perhaps the presence or not of Castilian in education is not an issue to be thought of in binary terms but as a matter of continuum. The ‘need’ for a greater presence of Catalan varies on territorial grounds, and this is so because the sociolinguistic composition in Barcelona and its periphery, with a prevalence of Castilian, is very different than in most of the rest of Catalonia.

The second meaning of social cohesion refers to a desirable situation in which students are given equal opportunities regardless of their linguistic background. The argument goes as follows: one needs to know Catalan to access certain positions in the job market and, given that the CM guarantees the knowledge of Catalan, it avoids linguistic discrimination against Castilian (or other language) speakers who would otherwise be excluded from these positions. In addition, the system does not affect the expectations about mobility outside Catalonia given that students also learn Castilian. In short, the second meaning of social cohesion is that the CM is *especially good for non-Catalan speakers* – which, as I will show in the next section, is the exact opposite of what the opponents argue.

To illustrate this second meaning, consider the following statement by Muriel Casals, president of *Òmnium Cultural* between 2010 and 2015, the most important civil society organisation in matters of culture and language in Catalonia. The statement refers to meanings 1 and 2 of social cohesion, and finishes with a reference to an unwanted consequence for the linguistic rights of Catalans:

‘What we don’t want is to have children who know Catalan and Castilian (who would be the students of the Catalan schools), and children who know only Castilian, because that would create linguistic segregation. It’s a shame for them because they will have fewer opportunities in the job market, and it goes against the linguistic rights of the citizens who would go to a public office, to a shop, and they would find someone who would say ‘I don’t

understand Catalan'. And this is not acceptable' (interview 30/04/2014 – my translation).

This second meaning of social cohesion is connected to the first one insofar as it is part of the general willingness to avoid social fracture. It also shares the fundamental assumption that social cohesion is dependent on the conjunction model. This second meaning of social cohesion was the idea behind the demonstration in the streets of Barcelona of 14 June 2014 under the motto 'For a country for all, schooling in Catalan' (*Per un país de tots, escola en català*) (Escriche 2014). A motto that was criticised by the opponents of the system: 'how can this be "a country for all" when it excludes the language of 50% of the Catalan population?' (García Cuevas interview 15/03/2013). What this second meaning does in relation to the first one is that it adds a specific nuance to the reasoning: it presents the learning of the Catalan language as a form of public good (Vergés 2014: 213-216). This consists in stating that it is in the interest of all citizens to learn Catalan but that, if linguistic matters are left in the hands of the free market of speakers, it will be difficult for Catalan to survive in adequate conditions. Thus, the desirable scenario of a bilingual or plurilingual society requires positive discrimination in favour of the smaller and most vulnerable language.

The underlying idea in both meanings of social cohesion is that the Catalan language should be the 'unifying force' (*eix vertebrador*) to bring together the increasingly diverse Catalan society. The Catalan language is presented as an element of cohesion and integration, and the CM is to play a central role in this process. The Catalan language must be 'the cohesive and unifying force of a diverse society', as Teresa Vallverdú, former MP for ERC in charge of linguistic matters, put it (interview 22/03/2013). Albert Batalla, former MP for CiU in charge of linguistic matters, referred to this point during our interview (13/03/2013). It is worth quoting him at length because his statement encapsulates well the widespread idea that the Catalan language is the right tool for integrating diversity:

'...in the last 10 years we have witnessed the arrival of many people to our country, which is not the first time it happens (...), and the 'playing area' that has been created is a wide one, one in which everybody feels comfortable with their identity, with their origins, with their traditions...The

scope for integration is very wide. But Catalonia is a country that for now doesn't have a state, and it needs elements that unite it, and among these elements there is Catalonia's own language, which doesn't exclude in any case the rest of languages of our country, whether they're a majority language like Castilian or a minority language like Urdu. But *Catalan is a meeting place both for people who have been here for many generations and for people who have recently arrived*' (my translation, my emphasis).

5.4.2 Core Concept 2: Catalonia's own language or common language

The second core plays a different role in the political arguments defending the CM. While the concept of social cohesion plays an instrumental role to justify the CM, the notion of Catalonia's own language (*llengua pròpia*) plays a fundamental role. By this I mean that it is a given, a key historically contingent fact that serves the purpose of justifying the preferential treatment for Catalan. In a way, this core concept is the premise of the argument. In the overall argument, it serves the purpose of justifying the centrality and preferential treatment for Catalan in order to face the challenge of integrating diversity. The notion of *llengua pròpia*, which has been used more generally to support the Catalan linguistic policy, also justifies that the Catalan language be the 'centre of gravity' of the Catalan education system in a context in which Castilian is the first language and the most used language of a majority of Catalans. And, finally, it permits to achieve the goal of linguistic survival.

Indeed, when confronted with the question of why Castilian could not be the instrument to achieve social cohesion, as it is the first language and the most used language of a majority of Catalans, the answer always pointed to the consideration of Catalan as the 'language of Catalonia' or 'the language of the country'. We will see in the next section that this premise of the argument is contested by some of the opponents to the model, who argue that Catalonia has two languages, Catalan and Castilian.

The concept of *llengua pròpia* is a recurrent lexical item seen as self-evident. Catalonia's own language is the language of the country, the language that that been originated in Catalonia. Consider the following statement by Muriel Casals (interview 30/04/2014), the president of *Òmnium Cultural*, as an example of the

difficulties to formulate an answer to the question ‘what does it mean that Catalan is Catalonia’s own language?’:

‘It means that there is one language that is the language of the country, I do not know how to explain it (laughs)...Latin evolved in different languages, and here it took the form of Catalan, in Spain it took the form of Castilian, and in France it took the form of French. *Catalan is the language of the country, and therefore, I mean...it has to have a preferential treatment.* I do not know how to explain it but I see what happens around the world. I go to France and I see that French has a preferential treatment’ (my translation, my emphasis).

The notion of linguistic normality in Casals’ reasoning is that the language of the nation, the *llengua pròpia*, deserves a special treatment and a dominant position. The sentence in italics, and the reference to France, reflect a linguistic model that recalls both the classical monolingual nation-state model (Garcia 2015: 220-222), and the Romantic one-nation-one-language premise. Incidentally, this view does not appear too different from Spanish Minister Wert’s polemical statement about the need to ‘Hispanicise’ Catalan children (Aunión 2012). This similarity suggests that, among some political actors, the key disagreement is not about the preferred linguistic model, but about what the nation and the national language of reference are. In other words, the disagreement is not about language but about nationalism.

To stay with this point for a moment longer, the notion of ‘normality’ in the interview with Muriel Casals is revealing. For her, the ‘a-normal status’ of the Catalan language is the ‘paradoxical’ fact that Catalan is Catalonia’s own language and yet a minority language in present-day Catalonia. This notion of ‘a-normality’ was in turn linked to the argument of historical repair, which consists in arguing that ‘the language community interested in speaking it has not had the opportunity to develop under equal conditions – or under normal conditions – because it has continually been the object of multiple injustices’ (Vergés 2014, 212). In Casals’ words: ‘what the dictatorship achieved was that the use of Catalan became something a-normal, restricted to some spaces...*The current linguistic composition of Catalonia is explained by a situation of lack of previous democracy*’ (my emphasis). The historic repair argument should not distract us from the notion of normality that is

displayed: the nation has one language, and what is ‘normal’ is that the language of the nation be the common language of use and communication.

However, not all political actors defending the CM understand the core concept of Catalonia’s own language in a way that falls close to the traditional nation-state model. For example, the representative of the Catalan Socialists Paquita Sanvicen (interview 19/03/2013) and the representative of the CUP Enric Saurí (interview 19/12/2014) argued explicitly against this view. For Sanvicen, it is clear that Catalan is an important identity marker of the Catalan nation, and that linguistic policy is partly about identity, but she stressed that it is also an element cutting across social justice, equal opportunities, and chances for communication. For Saurí, it is important ‘to weave a Catalan identity that incorporates the multiple countries within the country’, recognising that half the population has Castilian as the main language of use and that there are a significant number of linguistic minorities in Catalonia.

To conclude this section, I will address the important issue of what is the general answer of the proponents of the CM regarding the accusation of illiberalism put forward by the opponents. This accusation is typically discredited on two grounds. First, as suggested above, it is argued that these are ‘political attacks’ guided by an ideology that aims to undermine the unity and the existence of the Catalan people. Second, and related, these accusations are accused of inconsistency because they are presented by political actors who, when are in power, do not act according to the principles they claim to defend. Consider the following example of the second category provided by Isabel Vallet (CUP) in an intervention in the Commission on Language and Culture of the Catalan Parliament (20/03/2014):

‘The Popular Party was talking about trilingualism. I am Valencian, so I am familiar with that excuse (...). Under the excuse of trilingualism – they called it bilingualism before – 14,000 students of pre-school education have been deprived from the possibility of studying in Valencian. Not only that: all Valencian public administrations make almost all their resolutions in Castilian; it is not possible [to have] university teaching in Catalan; it is not possible [to have] a public school 100% in Catalan (...). Under the excuse of bilingualism, you have annihilated all the Catalan-speaking mass media in Valencia (...). *You should accept that you defend a Hispanicised Spain, a*

centralised Spain, an idea of Spain that speaks in Castilian' (my translation, my emphasis).

To summarise, in this section I have shown that the main argument supporting the Catalan CM is that the system should be defended because it protects the social cohesion of Catalonia, understood both as a lack of social fracture and as the provision of equal opportunities. The instrument to protect social cohesion and to be 'one people' (*un sol poble*) is the Catalan language, which, as the language of the nation, should be the vehicle of integration and the backbone of society. The CM works well in providing linguistic competences in Catalan and Castilian and, therefore, the argument runs, the opposition to the system cannot be based on pedagogic criteria but on political prejudices coming from Spanish nationalists.

5.5 The Political Arguments against the Catalan Conjunction Model

The political arguments opposing the CM comprise three core concepts: (1) constitutional rights, (2) indoctrination, and (3) discrimination. Arguments about the CM infringing the constitutional right to be educated in Castilian are combined with accusations that the CM is a system to create Catalan nationalists, damaging in the process the academic performance of students whose first language is Castilian. The three core concepts are interlinked in the characterisation of the CM as a 'system of failure' (*model de fracàs*).

Table 5.2. Core Concepts in the Arguments against the Conjunction Model

Core Concepts	Meanings
Constitutional Rights	The CM is unconstitutional and it infringes the constitutional right to be educated also in Castilian
Indoctrination	Students are indoctrinated into the Catalan national frame of reference through the schooling materials
Discrimination	The CM discriminates against Castilian-speakers, who obtain worse results than Catalan-speakers in the PISA exams

The main argument is that the CM is an illegal programme that infringes the constitutional right to be educated in Castilian. The recent rules of the Constitutional Court, the Supreme Court, and the Superior Court of Justice of Catalonia have made it clear that Castilian must *also* be a vehicular language of instruction in the Catalan education system. Yet, the Catalan government insists in disobeying the law. The two Catalan parties against the CM (Popular Party and Citizens) propose to replace the current system with a programme of trilingual education in which Catalan, Castilian and English would be vehicular languages of instruction. The proposal of the Popular Party (PP, 2012) is that some 33% of the subjects be taught in Catalan, some 33% in Castilian, and a maximum of 33% in English, which would be introduced progressively to students. Similarly, the proposal of Citizens (C's, 2012) is that 40% of the subjects be taught in Catalan, 40% in Castilian, and 20% in English.

What these proposals have in common is the *equal* presence of Catalan and Castilian in the education system. The underlying idea here, namely that equal treatment is necessary in order to avoid discrimination, is the opposite of the underlying idea in the political arguments in favour of the CM, which establishes that *unequal* treatment or positive discrimination is necessary in order to achieve real equality because the two languages operate at different levels.

According to the political actors opposing the CM, the dispute is caused by the nationalist instrumentalisation of language. In the words of Maria García José Cuevas, the spokesman of the PPC on linguistic matters: 'for them [Catalan nationalists] this is not about the defence of the language...this is about the construction of a national project, that we now see is becoming a secessionist project' (interview 15/03/2013). The PP and C's vehemently oppose Catalan independence. These parties suggest that the use of language as an instrument of political vindication is creating a problem that does not exist 'at the street level', where linguistic coexistence is natural and unproblematic. As suggested above, the two positions in the dispute blame the other for creating the controversy following nationalist purposes.

For these political actors, the nationalist use of the Catalan language is the main problem, but the passive attitude of the central state on this issue is also to blame. The following reflection by the former MP for Citizens Carina Mejías (interview 05/02/2013) is interesting because it explicitly refers to the underlying view that ‘things have gone too far’ with the promotion of ‘the languages of the Autonomous Communities’:

‘If the state had developed a law of linguistic policy of protection of its language...if it had said: ‘in all Spanish schools, it is compulsory to study in Castilian, except in those territories with a different language, where they can study 50% of the subjects in the language of the Autonomous Community’ (...) But the Spanish state didn’t do this. *The state said ‘I have such a powerful language that I’m not worried’, and the different territories have developed their own languages through their linguistic laws.* And now that the state realises this situation, these laws have invaded the part of the official language of the state. We have reached a situation in which this expansion violates the right of people to be educated in the official language of the state’ (my translation, my emphasis).

When political actors against the CM were confronted with the question of why more people did not complain or revolt if linguistic rights were being violated, the common answer was that the nationalist authorities are doing a good job in discouraging dissent. This answer reflected and reinforced the belief that in Catalonia there is lack of pluralism and freedom and the self-image of the opponents of the system as the ‘resistants’, the ones who fight against the institutional imposition of the new language of power. To illustrate, consider the views of Eduardo López-Dóriga (interview 04/03/2013), president of the ‘Association for Tolerance and Bilingualism’:

‘The whole strategy to support Catalan has been done very well. They have created the feeling that Catalan is key to social mobility: Catalan is what will allow many people to develop, because if they don’t know Catalan they won’t be able to do anything in Catalonia. (...) There are many people who do not dare to denounce this. To ask for the “individualised treatment” or to become a member of our organisation puts you in a situation of...“look, this weirdo...”...“why do you bother with this issue...” In the school...“oh, but what is your son going to do, this is going to be very bad for him, he’ll be different than the others”, etc.’ (my translation).

5.5.1 Core Concept 1: Constitutional Rights

The most important concept in these political arguments is undoubtedly that of the infringement of constitutional rights. The point that is made is that recent rules have made clear that Castilian must *also* be a vehicular language of instruction in the Catalan education system, together with Catalan, but nonetheless the Catalan government insists in disobeying the law. Adapting the Catalan education law to these rules would restore ‘the equality of linguistic rights in education’ (C’s 2012: 20). Consider the following statement by the MP for C’s Carina Mejías:

‘What happens when you apply a law of linguistic policy and linguistic immersion in a way that you force all your students to study in one specific language all the subjects during all the hours? What happens is that you are infringing the freedom of these people, *who have the right to choose the teaching in Castilian and the freedom to do so, because this right is recognised in the constitution*. Someone has decided, through a law of linguistic policy, to violate this right and to limit this freedom’ (interview 05/02/2013 – my translation, my emphasis).

This extract shows that the opposition to the CM is framed in distinctive liberal terms – note the recurrence of the lexical items ‘freedom’ and ‘right’. In my view, there is a conceptual tension in this core argument: the demand for *equal* treatment and *equal* presence of Catalan and Castilian in education crucially depends on the *unequal* linguistic design created by the constitution, which established Castilian as the only official language across the Spanish territory and the only language whose knowledge is a duty for all Spanish citizens. In fact, the duty to know Catalan was one of the features of the Catalan Statute of Autonomy that was deemed illegal by the Constitutional Court in 2010. So, the ‘right to choose the language of education’ applies only to Castilian, and it does so because of the prevalent role that this language is given by the constitutional legislator. This *inequality* is disregarded by the opponents of the CM.

5.5.2 Core Concept 2: Indoctrination

This second core concept has become particularly salient in the past few years, when it has been used by a number of opposing political actors to explain the recent rise in support for independence in Catalonia (Liñeira and Cetrà 2015: 257-259). This

concept does not contest *how* children are being taught but *what* they are being taught. The CM is perceived as a mechanism to forge future nationalist voters, which is seen as part of a general process of social engineering carried out by Catalan authorities that also includes the indoctrination of adults through the Catalan public mass media. In this process, the argument runs, Castilian is being expelled from the Catalan public life.

Specifically, the main accusation is that the materials taught in the Catalan education system reproduce a nationalist imaginary that seeks to convince new generations ‘that they belong to a nation that is different from Spain’, in the words of López-Dóriga (interview 04/03/2013); that ‘they have to defend a Catalonia that is abused by the rest of Spain and whose own language has been historically mistreated’, as García Cuevas put it (interview 15/03/2013). This way Catalan nationalist parties are securing their future niche of votes. Carlos Carrizosa (C’s) referred to the concept of indoctrination during a discussion in the Commission on Education and Universities (14/11/2013) about the fact that some Catalan schools were photographed with pro-independence Catalan flags in their premises:

‘It is scary the indoctrination in Catalan schools, and I want to talk about this, about indoctrination, because you’ve been teaching nationalist concepts for 30 years, silencing the membership of Catalonia to the rest of Spain...the constitutional system...Catalonia as an Autonomous Community, all this...The books that our children are using in schools today...*The constitutional system of the membership of Catalonia as an Autonomous Community integrated in the Spanish state is hidden!* The indoctrination carried out in Catalan schools is reaching its peak’ (my translation, my emphasis).

The accusation is thus that the materials taught in the Catalan education system reproduce a Catalan nationalist imaginary that seeks to convince new generations that they belong to the Catalan, not the Spanish, nation. I asked Eduardo López-Dóriga to provide specific examples. This was his answer, pointing at the banal nationalism (Billig 1995) of the school materials as daily reminders of the student’s belonging to Catalonia:

‘Exercises such as...“Christmas in the countries of the world: France, Australia, Finland, Catalonia”...Or another one: “I am Senegalese, I am Swedish, I am Catalan”. Let’s not fool ourselves, let’s not fool ourselves...It’s alarming. There are more examples: “Catalonia, *our* territory; Europe, *our* continent; Spain, *a* territory of Europe”. Indeterminate article ‘a’. They are subliminally telling things...*They give wrong information to students, not according to the constitution...Students are being given an indoctrination, a very biased interpretation, they are trying to convince students that Catalonia is something different than Spain, and this is very worrying*’ (interview 04/03/2013 – my emphasis).

In short, the argument is that the teaching of ‘nationalist concepts’ is worrying because it neglects legality, that is, because they are not according to the constitution. This view is grounded on the equation between legality and neutrality, which permits these political actors to establish an opposition between themselves (anti-nationalist defenders of legality) and the defenders of the system (nationalists). This equation was particularly evident in the debate on the presence of pro-independence flags in Catalan schools. García-Cuevas (PPC) argued that ‘in public spaces only institutional symbols can be showed, because they are not partisan, they represent all of us...We defend the right to go to school in an atmosphere of neutrality’ (Commission on Education and Universities, 14/11/2013). The Spanish constitution was also referred to in some of the interviews to argue against the idea of Catalonia being a nation (because in the text the term nation is only applied to Spain, ‘the common homeland of all Spaniards’) and against the prospect of Catalan independence (because the text enshrines ‘the indissoluble unity of the Spanish nation’).

In my view, there is a conceptual tension in this reasoning because the vocabulary of constitutional rights crucially overlooks that legal frameworks are generally not neutral in cultural and national terms. As Yack notes (2012), liberal constitutions do not only stipulate the moral and political principles that must rule the living together of a particular political community. This is the ideal of liberal democratic *theorists*, not liberal democratic *states*. The equation between legality and neutrality is thus problematic because legality reproduces particular understandings about nation and language. Consider for example Sections 2 and 3.1 of the Spanish constitution, which enshrine the indissoluble unity of the Spanish nation, the consideration of Castilian

as the language of the state, and the duty of all Spaniards to know it. It is difficult to find these constitutional precepts neutral. The opponents of the system seem to be ‘worried’ about the neglect of legal principles insofar as these legal principles reflect a specific view on nation and language that they agree with.

5.5.3 Core Concept 3: Discrimination

The third core concept in the political arguments against the CM is fundamentally instrumental. The argument is that the results of schooling performance of students whose first language is Castilian in the ‘Programme of International Student Assessment’ (PISA) exams are inferior to the results of the students whose first language is Catalan. This difference, the argument runs, is caused by the difficulty created by being educated exclusively in a language that is not one’s mother tongue. The current system ‘discriminates for linguistic reasons between Spanish citizens with the same linguistic rights’, as García Cuevas (PP) argued in the Commission on Education and University (12/12/2013). In short, the CM is *especially negative for Castilian-speakers*, which is the opposite of what the defenders of the CM argue.

The accusation of discrimination is sometimes connected to a general depiction of the Catalan education model as a ‘system of failure’ which is responsible for the high percentage (30%) of school failure (C’s 2012: 20). This contrasts sharply with the portrayal of the Catalan education model as a ‘system of success’ made by the defenders of the system, who stress that it protects social cohesion and guarantees equal opportunities.

I would like to address now the important issue of what is the general reaction of the opponents of the CM to the accusation that they are actually Spanish nationalists who want a greater presence of Castilian and references to Spain in the Catalan education system. The common answer was that they are not nationalists because they put forward a discourse based on freedom and tolerance which is the opposite of the nationalist practice based on imposition and conflict. To illustrate, consider the following two brief extracts of the interviews with Francisco Caja (interview 07/05/2014), president of ‘Catalan Civic Living Together’, and Eduardo López-

Dóriga (interview 04/03/2013), president of the ‘Association for Tolerance and Bilingualism’ respectively:

‘It is very easy to refute [the accusation that we are Spanish nationalists]. I do not impose my language to people, and therefore I am not a nationalist. I defend freedom. It would never occur to me to exclude Catalan from schools. [In the territories] where Catalan is spoken, of course!’ (my translation).

‘I honestly think that defending the freedom of choice, defending the presence of Catalan in schools, defending...a bilingual system as a solution of compromise...well, I don’t think that’s a position that can be seen as *espanyolista* [Spanish nationalist], *facha* [fascist]...I don’t think so. I have never seen this Spanish nationalism in our association, or in *Ciutadans*, or...It seems like defending bilingualism is going against Catalonia. It’s not that’ (my translation).

To summarise, in this section I have shown that the main argument against the CM is that it infringes the constitutional right to be educated in Castilian. This infringement is part of the general linguistic imposition carried out by Catalan nationalist political elites who aim to indoctrinate students with nationalist materials. In doing so, they discriminate against Castilian-speakers.

5.6 Concluding Remarks

This chapter sought to provide insight into how Catalan political actors articulate the political dispute about the use of languages in the education system. The main finding is that the arguments of the political actors defending the conjunction model (CM), which establishes the Catalan language as the only language of instruction in publically funded schools, are built around the core concepts of social cohesion and Catalonia’s own or common language. In contrast, the arguments of the political actors opposing the CM are built around the core concepts of constitutional rights, brain-washing and discrimination. The two positions in the dispute agree on the goal (giving students linguistic competences in Catalan and Castilian), but they crucially disagree on the means to achieve it, with the opponents proposing the introduction of Castilian (and, sometimes, English) as languages of instruction.

The findings draw attention to the importance of nationalism in order to understand the dispute. Political actors defending the CM conceptualise Catalonia as their national community of reference and the Catalan language as the language of the nation. This national dimension in their arguments is intertwined with instrumental considerations about the efficacy of the CM in teaching both Catalan and Castilian. The preoccupation for 'being one people' captures well this duality: the system is seen as instrumental to achieve social cohesion, which is in turn understood as national cohesion. More generally, there is the widespread idea that the language of the nation should be the vehicle of integration and the backbone of an increasingly diverse society.

In contrast, the national dimension among the political actors opposing the CM is not explicit but implicit. Explicitly, the arguments show a classical liberal emphasis on rights and freedoms and target Catalan nationalism as a threat to these values. This is combined with accusations of discrimination against students whose first language is Castilian. However, there is a national dimension implicit in the first two core concepts (constitutional rights and indoctrination) that stems from the problematic equation of legality with linguistic and national neutrality. The core concept of constitutional rights neglects the prevalent role given to Castilian by the constitutional legislator, and disregards that the Castilian language is also imposed institutionally, as it is the only language whose knowledge is a duty for all Spanish citizens. The second core concept criticises the depiction of Catalonia as a nation in school materials because such description is not constitutional, but this overlooks the national element in applying the term nation only to Spain and in defining it as 'the common homeland of all Spaniards'. The point here is that political actors opposing the system contrast their liberal defence of legality against Catalan nationalism, but in doing so they disregard the identity elements embedded in the constitutional principles they defend.

There is a final point to be made about the growing gap between the political debate, which is focused on the linguistic rights of Catalan and Castilian-speakers, and the sociological reality of Catalonia, which is increasingly diverse. The issue of the linguistic rights of non-Spanish newcomers is generally absent in the political

rhetoric. We will see in the next chapter that something similar happens in Flanders as well. There is an obvious historical and institutional path dependence that reinforces the Catalan-Castilian focus, but the scope of the linguistic debate could be broadened in the not too far future if newcomers integrate and become politically active.

This chapter has examined the political arguments for and against the Catalan conjunction model in education. In the next chapter I analyse the political arguments articulating the linguistic dispute in the Flemish Periphery, comparing them in the process with the arguments presented in this chapter.

Chapter 6. The Competing Political Arguments in Flanders

This chapter examines how political actors articulate the linguistic dispute about the Flemish Periphery of Brussels, with a specific focus on the six municipalities that offer linguistic facilities for French-speakers. To do so, it draws fundamentally on semi-structured interviews and parliamentary debates, but it also considers relevant party and civil society manifestos. The analysis of the competing claims is preceded by three sections that contextualise the dispute.

The main finding is that the political arguments for and against the monolingual linguistic status in the Flemish Periphery are the following. On the one hand, the arguments of the political actors defending the strict application of the monolingual territoriality principle (hereafter, MTP) are built around the core concept of integration. Their main idea is that the firm implementation of MTP is an instrument to integrate newcomers which defends in turn the territorial integrity of Flanders and the predominance of the Dutch language. These concerns are linked to the recurrent theme of the protection of the Flemish character of the Flemish Periphery. On the other hand, the arguments of the political actors opposing strict monolingual territoriality, either as a defence of the personality principle or as a defence of an alternative understanding of territoriality (for example, bilingual territoriality through the expansion of Brussels), are built around the core normative concept of discrimination. Their main argument is that the opposition to MTP is instrumental to protect the French-speaking minority in Flanders against the alleged abuses of the Flemish authorities, which cause political and economic discrimination.

In my view, this linguistic dispute captures two normatively-laden theoretical debates. The first is the discussion presented in chapter three about whether the territoriality or the personality principle must prevail. A recurrent refrain in Belgian politics, this discussion is about the role of territory and borders in determining the distribution of linguistic rights. However, I will suggest that, *in practice*, the political debate in Belgium is about competing territorial aspirations: the *territorial* expansion of the bilingual Brussels Capital Region vs. the *territorial* integrity of officially monolingual Flanders. For this reason, I find it misleading to frame the controversy in terms of the Flemish defence of territoriality vs. the French-speaking defence of

personality. There is also a territorial dimension embedded in the French-speaking political rhetoric. The second normatively-laden debate that this linguistic dispute captures is, like in the Catalan case, that of how sub-state governments should treat their own linguistic minorities and, more generally, what are the ‘liberal’ limits of sub-state nation building policies.

This chapter is structured as follows. First, I provide an account of the Flemish Periphery and the system of linguistic facilities, which are the focus of contestation in the area. Second, I present three recent disputes which have contributed to (re)animate the linguistic controversies in recent years. Third, I trace the evolution of the French-speaking political mobilisation in Brussels and the Flemish Periphery, placing an emphasis on what arguments have traditionally been used. Having contextualised the discussion, I proceed to examine and discuss the competing political arguments articulating the dispute. This analysis will be used in the next and final chapter to examine similarities and differences with Catalonia, and to explore whether we can find a correspondence between the political arguments and the academic arguments laid out in chapter two.

6.1 The Flemish Periphery and the System of Linguistic Facilities

6.1.1 The Flemish Periphery

The Flemish Periphery (*Vlaamse Rand*) comprises 19 Flemish municipalities around the Brussels Capital Region. In 2014, it had a population of 417,246 (FOD Economie, K.M.O., Middenstand en Energie 2014), which represented 6.6% of the total Flemish population. The Flemish Periphery is not a political or administrative entity, but an area belonging to the province of Flemish Brabant whose limits were defined by the Flemish government in a memorandum approved in 1994. The term ‘Flemish Periphery’ is not generally used by opponents to the MTP, who prefer the term ‘Brussels periphery’.

Figure 6.1. The 19 Municipalities of the Flemish Periphery



Source: <http://www.vlaamserand.be>

The area soon became the focus of a preventive policy to ‘safeguard and promote the Dutch language and culture’ (*Actieplan* 1996). The importance Flemish politicians pay to this area, as Janssens (2008) notes, is stressed by the fact that the Flemish Periphery is a distinct policy area, with a minister attached to it since the mid-1990s. There is also a ‘Commission for Brussels and the Flemish Periphery’ in the Flemish Parliament. In 1996, the Flemish government founded the association *vzw De Rand*, which promotes the Dutch language and Dutch-speaking cultural activities in the Flemish Periphery. More recently, controversial measures such as the *Wooncode* (Flemish Housing Code, which states that people who apply for social housing must declare their willingness to learn Dutch) and the decree *Wonen in eigen streek* (‘Living in one’s region’, which provides that newcomers to the 69 municipalities across the coastal region and the Flemish Periphery should have ‘a sufficient link’ with the municipality) are also part of this preventive language policy.

The Flemish Periphery is not a homogeneous area (Degadt et al. 2012). Rudi Janssens distinguishes 4 types of municipalities³⁷, apart from the six municipalities with linguistic facilities for French-speakers, which I will discuss in the next section:

1. Industrial municipalities with a high influx of immigrants in the north-east, such as Machelen, Vilvoorde, and Zaventem.
2. Residential municipalities with a high influx of expats in the south-east, such as Hoeilaart, Overijse, and Tervuren.
3. Semi-rural municipalities with mainly Dutch-speaking inhabitants in the north-west, such as Asse, Meise, and Merchtem.
4. Sub-urban municipalities with a high number of French-speakers in the south-west, such as Beersel, Dilbeek, and Sint-Pieters-Leeuw.

The Flemish Periphery has long been the focus of linguistic disputes in Belgium. Together with Brussels, that is the area where the two main communities in Belgium, the French-speaking and the Dutch-speaking, meet each other. With the progressive introduction of the MTP in Flanders (and Wallonia), a mismatch emerged between the language regime in Flanders (Dutch monolingualism) and the language use in some Flemish municipalities around Brussels (significantly French-speaking). As we saw in chapter four, this was fundamentally due to a process of internal immigration: following suburbanisation, many French-speaking residents from Brussels moved out of the capital to live in the quiet and mostly green Flemish villages on its periphery. But the newcomers remained strongly oriented towards Brussels, where they worked and enjoyed leisure and cultural activities. The ‘memory’ of ‘Frenchification’ among Flemish political elites is important to understand their rhetoric emphasis on integration.

More recently, there has been a process of international immigration, which consists mostly (but not exclusively) of EU nationals working in European institutions and international companies in Brussels who decide to live in the Flemish suburbs (Degadt et al. 2012). With Brussels expanding to become the political and administrative capital of Europe, increasing numbers of foreign officials and executives have settled in the Periphery. They too remain strongly oriented towards

³⁷ He made the distinction in a meeting held on 07/05/2013.

Brussels. The most important source of new migrants to Brussels are EU citizens, who are ‘an extremely heterogeneous group in terms of skills, educational level, socio-economic position and country of origin’ (Deboosere 2010: 26-27). Currently, most newcomers come from Eastern European member states, mainly Poland, Romania, Bulgaria, and Hungary. In addition, family reunification and family formation continues to create a steady flow of new migrants, just like economic migration, which has been fostered by the EU enlargement. As a result of all this, the Brussels Capital Region currently has the fastest growing population in Belgium (ibid: 20-22). This suggests that its urban sprawl, which goes beyond the administrative borders of the region to affect Flemish (but also Walloon) territory, will continue. The tensions in the border between Brussels and Flanders are thus likely to continue.

To summarise, ‘Frenchification’ in the past and internationalisation in the present are two developments which have transformed the linguistic landscape of the Flemish Periphery, raising a preoccupation about the loosening of the Flemish character in these towns. The main challenge is Brussels’ growing international role and its impact on the Flemish officially monolingual surrounding areas.

The notion of protecting or strengthening the Flemish character of the periphery (*het Vlaams karakter van de Rand*) is recurrent among Flemish political actors. The concept of the Flemish character includes, but transcends, the linguistic dimension. Crucially, and similarly to how Catalan proponents argue for the Catalan language, the promotion of the use of Dutch and the promotion of equal opportunities are seen as two sides of the same coin. The underlying level of unemployment in the area is linked to insufficient knowledge of Dutch and, more generally, the protection of the Flemish character is linked to the protection of liveability and quality of life. The main idea is that, while newcomers are welcome, population growth creates challenges in terms of housing (locals find it difficult to buy a house, as house prices are significantly higher than elsewhere in Flanders); environment (new constructions put at risk the green and rural areas of the Periphery); mobility (there is an increase in traffic resulting from the fact that more people commute now between Brussels and the Flemish Periphery); welfare (childcare facilities, elderly care and other

welfare facilities in the Flemish Periphery have not kept pace with population growth in the Flemish Periphery) (Vandenbroucke 2004, Bourgeois interview 10/06/2013).

In the Flemish Periphery, French is most widely known and Dutch is most widely used. Regarding language *knowledge*, French is the most widely known language, followed by Dutch and English. Crucially, this is not because the majority of inhabitants grew up in a French-speaking environment, but because most Dutch-speakers, and a large part of the non-Dutch speakers who do not speak French at home, have a good knowledge of French as a second or third language (BrioBrussel 2014). Thus, while French is the most widely known language, it is often a second or even a third language. With reference to language *use*, Dutch is the most widely spoken language in the public sphere. This is also true for people who do not know the language well, since the number of Dutch-speakers is higher than the number of people who have a good knowledge of the language. Dutch is also the most spoken language in households in the Flemish Periphery (45.9%), followed by French (20.8%), and both Dutch and French (16.2%) (ibid). Unfortunately there is not disaggregated data available about language knowledge and language use in the six facility communes, but it seems reasonable to expect that French is more dominant in that area. The electoral success of French-speaking parties could be seen as evidence of this dominance.

To conclude this section, it is worth noting that there is a gap between the political debate about the Flemish Periphery, which is still very much focused on the contrast between French-speakers and Dutch-speakers, and its sociological reality, which is increasingly heterogeneous and international (Degadt et al. 2012). We will see in section 6.4 that, while some political actors are now adapting their arguments to the new reality, they are an exception. There are historical, institutional, and electoral reasons to account for this gap. Historically, there is a long tradition of linguistic tensions between the two communities. Institutionally, the two party systems are structured along linguistic lines³⁸, creating a bipolar logic in the Belgian federation (Swenden and Jans 2006). This combines with the fact that Belgium is a strong

³⁸ Therefore, parties do not risk being sanctioned by voters from the other community, which pulls apart Flemish and French-speaking parties and electorates.

‘partitocracy’ where parties such as the *Nieuw-Vlaamse Alliantie* (N-VA) and the *Fédéralistes Démocrates Francophones* (FDF – renamed *Défi* in November 2015) have clear electoral interests in maintaining a political rhetoric contrasting the interests of their respective linguistic communities.

6.1.2 The Six Municipalities with Linguistic Facilities

The six municipalities with linguistic facilities (*faciliteitengemeenten*) for French-speakers in the Flemish Periphery of Brussels are Drogenbos, Kraainem, Linkebeek, Sint-Genesius-Rode, Wemmel and Wezembeek-Oppem. They are not the only municipalities in Belgium with facilities, but they are the ones where tensions emerge³⁹. In January 2015, these six municipalities had a population of 71,372, which represents 17% of the total population of the Flemish Periphery. The status of facility communes of these six towns fundamentally means that, although they are officially monolingual in Dutch, they have to offer administrative and educational facilities for French-speaking residents. Importantly, these rights are *individual* rights only: French-speakers living in the facility communes are not recognised as a minority group, and they are entitled to these rights only because they live in specific municipalities. They lose this right once they move elsewhere in Flanders. This will be important to understand the controversy around the non-ratification of the Framework Convention for the Protection of National Minorities (FCNM), discussed in section 6.2.3. In short, the system of linguistic facilities is an exception to the MTP principle that nonetheless falls short of the personality principle. The two main features are the following:

1. **Administrative facilities** mean that contacts between the municipal administration and the residents can take place either in Dutch or in French, according to the wishes of the resident concerned. Communications of the municipality and administrative documents must be available in both languages, but according to the controversial ‘Circular Peeters’ (discussed below), residents must apply for the translated documents themselves. Importantly, the

³⁹ In the past, there were problems in the transfer of the villages of Voeren and Komen. The first was especially controversial, with the nominated mayor José Happart refusing to speak Dutch or to prove that he was familiar with the language, and pushing through the faction *Retour à Liège* to transfer Voeren back to Liège (see Witte and Van Velthoven 1999: 157-58).

administrative facilities do not apply to the internal communications of the local administration, which must be in Dutch, nor to policymakers: municipal councils and meetings of the Boards of Mayor and Aldermen must be held exclusively in Dutch. This is also controversial, as some local politicians representing French-speaking lists have an insufficient knowledge of Dutch.

2. **Educational facilities** mean that French-language education can be organised in nursery schools and primary education when it is demanded by at least sixteen families living in the municipality. The other stages of education are all in Dutch, and these schools are organised by the Flemish Community, thus receiving Flemish funding (docu.vlaamserand.be). This is so because, according to article 127.2 of the Belgian Constitution, the French Community cannot assert any power over Flemish territory (and vice versa). All the six municipalities with linguistic facilities for French-speakers have at least one school which is mostly in French. Educational facilities may be used by residents in the municipality only. Residents in other towns in the Flemish Periphery who wish to send their children to a French-speaking school must do so in the bilingual region of Brussels.

In these six municipalities, street signs are bilingual, like in the Brussels Capital Region. This is contested by a number of Flemish political actors, and there is a discussion about the term ‘messages to the public’: the legal interpretation of the provincial authority is that street signs are not a message of the municipality to the individual inhabitants (therefore, they are not susceptible of being considered a ‘linguistic facility’). Rather, for the province they are a general message for wider concern and, in Flanders, this language should be Dutch only. Janssens notes, however, that ‘this discussion is purely theoretical since the province does not have the legal authority to place street signs in these municipalities, while bilingual signs are no violation of the law either’ (2008: 9). More generally, the Flemish government is currently pursuing a policy to reinforce the presence of Dutch in the streets of the 19 municipalities of the Flemish Periphery. Yet again, this is to underline the Flemish character of these municipalities.

The aim of the facility status in the Flemish Periphery has been contested from the very onset. This is partly due to the fact that, to reach the 1963 Val Duchesse

agreement, politicians had to draft a legislation formulated in rather blurred terms. The majority view among French-speaking political actors is that the facilities are a form of *permanent* language rights for the French-speaking minority in Flanders, while the majority view among Flemish political actors is that they were supposed to be a *temporary* measure to help French-speakers to adapt to a Dutch-speaking environment and to promote integration. The text of the law does not stipulate the temporary character of the language facilities. The fact that French is the dominant language in these municipalities reinforces the French-speaking position against the compulsory use of Dutch. At the same time, it reinforces the Flemish argument that the facilities have been used ‘inadequately’: instead of promoting integration, the system promoted the ‘Frenchification’ of these municipalities. Many French-speakers from Brussels, and other language speakers who also knew French but not Dutch, established themselves in these municipalities precisely because they knew that there they could be addressed in French.

There has been a recent enforcement of a strict application of the language legislation by the Flemish authorities. Partly a response to the challenges resulting from the expansion of Brussels, it is also a reaction to infringements of language laws done by the French-speaking political majorities in most facility communes (Witte and Van Velthoven 1999: 173-181). For example, while municipal councils and meetings must be held exclusively in Dutch, sometimes separate French-speaking preliminary meetings are organised, or they are held behind closed doors. There is also an institutional reason to the implementation of more severe legislation: the system of linguistic facilities is enshrined by a special majority law, which not only requires an overall two third majority in the two federal chambers (as for constitutional revisions), but also a majority in each language group (Sinardet 2010). In practice, this means that the facilities are here to stay. In spite of the majority Flemish view that this is a provisional mechanism, the Flemish authorities know that they cannot abolish the facilities unilaterally, and they focus instead on applying them following a restrictive interpretation.

A major controversial measure was the ‘Circular Peeters’ of December 1997, which was a document sent by the then Flemish Minister for the Flemish Periphery, the socialist Leo Peeters. A circular is a document issued by the Flemish government

providing administrative guidance on specific matters. The ‘Circular Peeters’ was an interpretation of the federal law, and its most important provision was that the municipalities with facilities must as a rule send all the documents to the citizens in Dutch. Afterwards, people who wish to receive a French translation must apply for this at their own initiative for each separate document (docu.vlaamserand.be). This aimed to reinforce the notion that facilities are not an automatism but an exceptional measure, a view that clashes with the fact that the mechanism is enshrined in the constitution. As suggested above, ‘this went completely against the existing practice’, and ‘French-speaking politicians, with the Brussels FDF as a strong catalyst, did not want to cooperate with the Flemish authorities’ (Witte and Van Velthoven 1999: 177). The controversial non-appointment of 3 mayors in the facility communes, explained in section 6.2.2, is a direct consequence of a violation of the interpretation of the law laid down by the ‘Circular Peeters’. The Circular also stipulates that the internal administration of facility communes, as well as the local public services, must at all times use the Dutch language. The ‘Circular Martens’ of 1998 defined a similar regulation for the service provision by the Public Centres for Social Welfare, which was later reconfirmed in 2006 by the ‘Circular Keulen’.

After a long legal battle, in 2008 the Dutch-speaking chamber of the Council of State, which was the institution that ultimately defined which interpretation of the law was judicially correct before the 2011 sixth state reform (now it is dealt with the general assembly of the Council), validated the ‘Circular Peeters’ as the correct interpretation of the law. This did not satisfy the FDF (now *Défi*), which claims that such interpretation of the law infringes the linguistic rights of the French-speaking population in the Flemish Periphery (Thiéry, parliamentary debate 12/07/2012a). The underlying point is that the competing maximalist and minimalist interpretations of the facilities capture well the underlying competing views and interests between the two main communities in Belgium about linguistic matters.

6.2 Three Recent Linguistic Controversies

This section examines three recent controversies which have (re)animated the linguistic dispute in the Flemish Periphery in recent years. The disputes are essentially political in nature but, like in Catalonia, there has been a tendency

towards the judicialisation of the controversies, which has obscured at times the competing political rationales. While there have been other controversies, such as the ones about the *Wooncode* ('Flemish Housing Code') briefly mentioned above, they are beyond the scope of this chapter. The three selected controversies are empirical instances of the competing views at stake, they have played an important role in the (re)animation of the linguistic dispute and, while they originate from local circumstances, they have also been discussed at the federal level.

6.2.1 The Split-up of the Electoral District of Brussels-Halle-Vilvoorde (BHV)

Figure 6.2. The Electoral District of BHV



Source: wikipedia

This was clearly the most salient dispute. An essentially symbolic issue, the debate over BHV polarised the positions between the representatives of the Dutch-speaking and French-speaking communities, causing the fall of the Belgian federal government in 2010. This electoral district encompassed the 19 communes of the (officially bilingual) region of Brussels and 35 communes of the (officially unilingual) Dutch-speaking region of Flanders, including the six municipalities with facilities for French-speakers. BHV fundamentally implied that, in the federal and European elections, French-speaking voters in Flemish communes could vote for

Brussels candidates of the French-speaking parties, while Flemish voters of Halle-Vilvoorde could also vote for Dutch-speaking Brussels candidates.

The main problem was, of course, that this electoral district was not in line with the strict application of the territoriality principle. This links back to the competing views and interests between the political elites of the two communities: on the one hand, most Flemish political elites defend the strict application of the territoriality principle as a mechanism to protect the Flemish character of the Flemish Periphery, and also a way to prevent Brussels from expanding into Flemish territory. Ambivalent arrangements are seen as concessions allowing for continued linguistic claims by French-speaking political elites. Splitting the electoral district of BHV was indeed an old demand of Flemish political elites.

On the other hand, most French-speaking parties defend the linguistic personality principle and consider French-speakers in Flanders a minority that deserves protection (Sinardet 2010). They traditionally opposed the split of BHV unless the bilingual Brussels Capital Region could be expanded, which is unacceptable for Flemish parties, who refuse to cede an inch of Flemish territory. Strategic interests also play a part. While it is true that BHV gave Dutch-speaking Brussels candidates more potential to get elected (one consequence of the split of BHV is indeed that Brussels Dutch-speaking federal candidates will now have serious problems to get elected), the main benefits were for French-speaking parties. In addition, these parties wanted to retain the connection with the Flemish Periphery, on the assumption that this leaves the door open for the expansion of the Brussels Capital Region and it complicates the prospect of Flemish independence. The most vocal political actors were the FDF and, to a lesser extent, the French-speaking liberals. These two parties were in cartel together between 1993 and 2011 and they were the French-speaking party with the largest amount of votes in the part of BHV situated in Flanders, but the FDF broke up this electoral alliance precisely as a result of the split up of BHV. This measure was accepted by the French-speaking liberals, but the FDF considered it an unacceptable concession. So, BHV became a symbolic dispute about which Flemish and French-speaking political elites had diametrically opposed views. These views were reinforced by their respective public broadcasters, prompting

segregated debates and consensuses (Sinardet 2013), and derived in very tangible political problems.

There is a long and complex history of political tensions on BHV. The most recent debates took place between 2004 and 2011, and were fostered by the dynamics of regional party competition in Belgium. These dynamics were exacerbated with the decoupling of federal and regional elections from 2003 onwards, stimulating the emergence of an explicit majoritarian logic among Flemish parties that was at odds with the consociational character of the Belgian federal system, which requires elite compromises on issues of state structure and reform (Sinardet 2010). The increasingly competitive Flemish party system was a further contributing factor. Following the detailed account provided by Sinardet (ibid), what happened is the following. The 2002 electoral reform introduced provincial electoral districts, but the logic was not pursued entirely with BHV, for which a complex solution was conceived to combine the maintenance of BHV with something resembling a provincial district of Flemish-Brabant. In 2003, the Constitutional Court ruled this arrangement unconstitutional. This was interpreted by most Flemish parties as if the Court had stipulated that BHV should be split, which was not accurate because the Court did not stipulate what the exact solution had to be.

In the 2004 regional elections, the alliance of the Flemish Christian democrats (CD&V) and the centre-right nationalists N-VA stated that the split of BHV was simply the execution of a judicial decision and should not be a matter of bargaining with French-speaking parties. This has always been the position of the far-right pro-independence *Vlaams Belang* (VB) as well. They also encouraged Flemish mayors in Halle-Vilvoorde who threatened to boycott the organisation of European elections if BHV was not split. The cartel won, and their federal MPs submitted a proposal of law to split BHV. In 2005, an agreement was almost reached, but in the end it was rejected by *Spirit*, a small ally of the Flemish Socialists which formed the progressive wing of the *Volksunie*, the mother Flemish nationalist party⁴⁰. In 2007, the difficulty of finding a compromise on state reform, in which BHV played an

⁴⁰ For a discussion on this ‘near agreement’, see Witte and Van Velthoven (1999: 179-180). Interestingly for this thesis, it would have included the transfer of 3 facility communes to the Brussels Capital Region.

important role, caused the 2007-08 government formation crisis. In such critical atmosphere, all Dutch-speaking MPs (with the abstention of the MP for *Ecolo-Groen!*) voted in favour of a bill to split BHV in the Chamber Commission, while the French-speaking parties blocked the vote through a conflict of interest procedure by the French community parliament. A similar vote took place in 2008. In 2007, the King appointed Jean-Luc Dehaene to prepare a solution for BHV, but failure to reach a compromise led to the fall of the federal government in April 2010.

The electoral district was finally split in 2012, as a result of the 2011 constitutional reform (FCA 2011, section 2.1). The Brussels electoral area became a separate electoral district corresponding to the Brussels Capital Region, while the Halle-Vilvoorde electoral area was merged with the Leuven electoral area, thus becoming a new electoral district that corresponds to the province of Flemish Brabant. Consequently, inhabitants of Halle-Vilvoorde (whether French-speaking or Dutch-speaking) can no longer vote for Brussels politicians. If French-speaking inhabitants of Halle-Vilvoorde want to vote for French-speaking parties at federal elections, they would need to form a French-speaking list. Crucially, the Brussels Capital Region was not expanded and the language border was not modified. The key concession for French-speakers in the agreement is that the inhabitants of the six Flemish municipalities with linguistic facilities, which are now part of the newly created electoral canton of Sint-Genesius-Rode, are still entitled to vote for candidates on lists presented in Brussels. The facility status of these municipalities has been reinforced in the constitution, and therefore the Flemish interpretation of the facilities as a temporary tool for integration has been further damaged.

The split had the support of eight parties, but it was opposed by the most vocal parties in the linguistic and community disputes. Indeed, the main party in Flanders and in the whole of Belgium, the N-VA, considered that the agreement threatens the territoriality of Flanders because it maintains electoral privileges for French-speakers in the six facility communes, which are not reciprocated by greater electoral safeguards for Flemings in Brussels (parliamentary debates 12/07/2012a, 12/07/2012b). The *Vlaams Belang* argued that the split should have been 'pure and simple' through a regular law, without negotiations and concessions. On the French-speaking side, the FDF (2013) argued that the split damaged the rights of French-

speakers in Flanders, paving the way for the break-up of social security and, eventually, the Belgian state. For the party, the split of BHV would have only been acceptable if the Brussels Capital Region would have been expanded.

6.2.2 The Non-appointment of the Mayors of Kraainem, Linkebeek, and Wezembeek-Oppem by the Flemish Government

The origin of this controversy is that the mayors of these three municipalities sent the convocation letters for the 2006 and 2012 local elections to French-speaking citizens in French in the first place. This was an infringement of the legislation as interpreted by the ‘Circular Peeters’, which requires that all official communications must be done in Dutch. Inhabitants may then request a translation of the document in French from the municipal authorities. This controversy played a significant role during the negotiations for the sixth state reform (2011). The mayor of Kraainem has finally been appointed and the mayors of Linkebeek and Wezembeek-Oppem have been replaced, the first after a long and controversial dispute with the Flemish government.

The Flemish Ministers for the Flemish Periphery in 2006 and 2012, Mario Keulen (Open Vld, Flemish liberals) and Geert Bourgeois (N-VA), refused to approve the appointment of the mayors after receiving a negative advisory opinion from the provincial governor, who examines the suitability and the incompatibilities of the candidates. They could refuse to approve the appointment because the supervision of the municipalities and the appointment of the mayors is a regional competence since the Lambermont Agreement (2001). The mayors, from the FDF and the UF (*Union des Francophones*, a list of French-speaking parties in the Flemish Periphery), were repeatedly nominated as candidate-mayors by their municipal council, but they were never appointed. In practice, this meant that they could continue to have their seat in the Board of Mayor and Alderman in their capacity of acting mayors. However, these three municipalities were governed with greater difficulty because they had one less board alderman (*échevin*), and an additional person could not be appointed before the mayor was appointed. Further, the wages of acting mayors are lower than those of appointed mayors.

The legal dimension of the controversy is clear, and the judicialisation of the debate is not surprising. The Flemish position is indeed that this is fundamentally a legal matter: the law must be enforced, and mayors in particular should be responsible for carrying out and enforcing compliance with the linguistic regulations established by higher authorities. In the words of Geert Bourgeois, former Minister for the Flemish Periphery and since May 2014 Flemish Minister-President: ‘it is a question of agreeing to implement the law. There are others [mayors] who, although they are Francophones, I have no problem to nominate them. (...) You need to accept that the official...the public language is Dutch...also in the meetings of the town council...there they have to speak Dutch, because it’s the only [official] language’ (Bourgeois interview 10/06/2013).

French-speaking politicians lodged successive complaints to the Council of State, the Council of Europe, and the Human Rights Council of the United Nations (docu.vlaamserand.be). They did not find support in Belgium. In 2004, the Dutch-speaking chamber of the Council of State rejected the appeals for annulment of the ‘Circular Peeters’ and reconfirmed the validity of the Circular in 2008. However, the sixth state reform has introduced institutional changes which may increase the likelihood of success in the future: as mentioned above, the mayors of the six facility communes may now lodge complaints to the bilingual chamber of the Council of State, which has a parity of composition and rotation in the presidency. They can also contest the Flemish government’s refusal to nominate them in the general assembly of the section for contentious administrative proceedings of the Council of State.

Following these institutional changes, in 2012 the three candidate-mayors made an appeal to the general assembly of the administrative jurisdiction division of the Council of State, claiming that the federal legislation about the use of languages in administrative affairs (which includes the system of facilities, that they interpret as an exception to the MTP) should be given priority over circulars of the Flemish government. They also invoke the mandate given by the electorate, accusing the Flemish ministers’ refusal to appoint them as undemocratic (Thiéry, parliamentary debate 12/07/2012a; Thiéry interview 06/06/2013). They were encouraged by a 2012 report of the Council of Europe arguing that the non-appointment was harmful to the

good governance of the municipalities. Finally, in 2014 the Council of State ruled for the appointment of the mayor of Kraainem, Veronique Caprasse (FDF); the dismissal of the appeal by the mayor of Wezembeek-Oppem, François van Hoobrouck (*Mouvement Réformateur* – MR – in 2012), since he was no longer mayor; and the rejection of the appeal by the mayor of Linkebeek, Damien Thiéry (MR, previously FDF) (Colleyn 2014).

Thus, Thiéry became the only non-nominated mayor and the protagonist of a number of controversies. In February 2015, he was elected as acting mayor by the Linkebeek town council even though the governor of the province of Flemish Brabant, Lodewijk De Witte, had urged them to find a new candidate. In September, the Flemish Minister of Interior Liesbeth Homans (N-VA) nominated a new mayor, Yves Ghequire, who refused to take the position. In October, she nominated Eric De Bruycker, the local opposition leader and Dutch-speaking candidate, who had obtained 20% of the votes in the local election. De Bruycker accepted the nomination, as a result of which the 13 French-speaking municipal councillors resigned, which could lead to new local elections in Linkebeek. The recent linguistic dispute in Linkebeek shows that, in Belgium, competing linguistic interests and conflicting interpretations of laws often result in political instability.

6.2.3 The Non-ratification of the Framework Convention for the Protection of National Minorities (FCNM) by the Belgian state

The origin of this third and last controversy is the fact that the Flemish Parliament has not yet adopted the FCNM out of fears that French-speakers living in Flanders will invoke it to demand additional linguistic rights. This blocking attitude is possible because an approval of all seven competent parliamentary assemblies is needed in order for Belgium to ratify the FCNM. More generally, this controversy reflects a growing perception among French-speaking actors that appealing to European institutions is a useful tactic to counterbalance the restriction of Brussels to 19 municipalities and to ‘save the periphery’ (FDF 2007), that is, to protect the linguistic rights of French-speakers living in the Flemish communes around Brussels.

In opposing the ratification of the FCNM, the Flemish government insists that the linguistic rights currently enjoyed by French-speakers in the six facility communes

are individual rights that stem from the residence in specific municipalities. This is indeed how the facilities are depicted in the 1962-63 language laws. But for parties such as the FDF, French-speakers in Flanders should be recognised as a national minority, which would be the basis to consolidate current rights, demand further rights, and fight against the perceived abuses of the Flemish authorities. Currently, French-speakers in Flanders are not considered part of the French-speaking Community, which cannot assert any power in the Flemish region. The point here is that the FDF (now *Défi*), which is a party with a political vocabulary that falls close to classical liberalism, is *also* demanding *group-specific* rights. And the Flemish government, with all its emphasis on territoriality and Flemish character, is here defending an *individualist* conception of rights. This is not a contradiction, though; it is yet another battlefield in the political struggle about the degree of rights that French-speakers in Flanders should enjoy.

The signing of the FCNM by Belgium in 2001 included from the onset a number of nuances and reservations. Upon signature, it was made clear that the provisions of this international instrument should apply without prejudice to the state's Constitution and linguistic regulations. It was also established that the notion of 'national minority' would be defined by the federated entities in the inter-ministerial conference of foreign policy⁴¹. They have been unable to do so, which has made the ratification of the FCNM impossible. As early as in 1997, the Flemish government declared that it was unwilling to sign the Convention unless neither Dutch-speakers nor French-speakers could be regarded as a minority.

In 2002, the Parliamentary Assembly of the Council of Europe (PACE) approved a resolution on the protection of minorities in Belgium urging the Belgian state to ratify the FCNM. This was based on a report drafted by the Swiss rapporteur Lilli Nahbholz-Haidegger. The report identified as national minorities not only the German-speakers at the state level, but also the minorities at the regional level. Thus, French-speakers should be considered a minority in the Dutch-language and

⁴¹ Incidentally, the notion of 'national minority' is not defined in the framework convention either. Parlermo and Woelk (2003: 5) argue that attempting to find legal definitions of minority are 'futile' and 'potentially dangerous for the same groups that are to be protected, as these abstract standards might not serve their concrete needs'.

German-language areas, while Dutch-speakers and German speakers should be considered minorities in the French-language area. This was followed by a report in March 2012 on the protection of minorities in Belgium issued by the PACE's Committee on Legal Affairs and Human Rights. Similarly, the report stated that, according to a previous analysis by the Venice Commission of the Council of Europe, the FCNM should apply in Belgium to regional minorities as well. These reports have been criticised by Flemish parties, who accuse these European actors of being unfamiliar with the characteristics and the equilibriums of the Belgian political system, and in particular of its Constitution (Bourgeois interview 10/06/2013; De Knop interview 19/06/2013; Van Rompuy interview 21/05/2013).

This controversy is still on-going. The 2011 institutional agreement for the sixth state reform, in its section 2.7, establishes that the working group of the inter-ministerial conference of foreign policy will continue to study whether an agreement can be found on the definition of the concept of 'national minority'. It is unclear how long can Belgium continue to refuse to ratify the FCNM.

6.3 The Political Mobilisation in Defence of French-speakers in Brussels and the Flemish Periphery

This section examines the emergence and evolution of the French-speaking political mobilisation on linguistic matters in Brussels and the Flemish Periphery. The focus is on the main arguments used. I will show that this political mobilisation has traditionally placed an emphasis on the defence of individual linguistic freedom, which is contrasted both with the perceived unfairness of state-level linguistic compromises and with the perceived intolerance and abuses of the Flemish government. The core of this political rhetoric has remained stable through time, as we will see in section 6.4.2, although the individualist emphasis has progressively been complemented with the demand for the recognition of French-speakers in Flanders as a national minority.

It is worth noting the similarity with the arguments of the Catalan political actors opposing the conjunction model in education. As shown in the previous chapter, these actors present themselves as the liberal resistance to the nationalistic impositions of the Catalan government. However, there is a fundamental difference

between the two: in Belgium there is a territorial or regionalist dimension that is absent in Catalonia. In other words, the emphasis on the protection of rights for French-speakers is entangled with demands such as the transformation of Brussels into a ‘fully-fledged region’ (*region a part entière*)⁴² and its ‘democratic expansion’ (*élargissement*) into Flemish territory – that is, following the will of the inhabitants in the Flemish Periphery expressed in a consultation.

The political mobilisation in defence of French-speakers emerged most forcefully in Brussels between the 1950s and 1960s. The ‘Common Front’ (*Front Commun*) gathered together both Walloon groups established in Brussels and French-speaking groups defending linguistic freedom in order to coordinate efforts to fight against the ‘Flemish manoeuvres’ concerning the region of Brussels. This was a reference to the fact that the Flemish Movement’s linguistic demands became firmer, which in turn resulted from the economic and demographic growth that Flanders was experiencing vis-à-vis a declining Wallonia. The Flemish Movement gained in strength and confidence, and they wanted to put an end to the ‘Frenchification’ of Flanders and the partial non-application of the 1932 language laws (Witte and Van Velthoven 1999: 143-150). The regionalist Flemish party *Volkspartij* was created in 1954, and the Flemish Movement was paying increasing attention to Brussels, under the slogan *We laten Brussel niet los* (Don’t Let Brussels Go) (Kesteloot 2014: 53). All this culminated in the first (1961) and second (1962) Flemish marches over Brussels. Organised by the ‘Flemish Action Committee of Brussels and the Linguistic Border’ (*Vlaams Aktiekomitee voor Brussel en Taalgrens*, VABT), the demonstrators made three classical demands of the Flemish Movement: (1) to stop linguistic censuses for being against the principle of homogeneity and integrity of the communities; (2) to limit Brussels to 19 communes; and (3) to keep the Flemish character of the communes in the periphery. The ‘Common Front’ emerged as a reaction to these Flemish demands, which were being fostered by changes altering the power relations between the two communities.

⁴² The reasoning underpinning this demand was that the demands for cultural autonomy in the north and economic decentralisation in the south would lead to the neglect of the inhabitants of Brussels.

Two active groups in the ‘Common Front’ were the aptly-named ‘Brussels Union against Linguistic Tyranny’ (*Rassemblement Bruxellois contre la Tyrannie Linguistique*) and the ‘Bloc of Linguistic Freedom’ (*Bloc de la Liberté Linguistique*). The latter, quite revealingly, was the successor of the ‘League against the Flemishisation of Brussels’ (*Ligue Contre le Flamandisation de Bruxelles*). The argumentative focus was on the linguistic freedom for French-speakers in Brussels. Indeed, in a letter sent to candidates prior to the 1958 legislative election, the ‘Common Front’ crucially defended that ‘the principle of freedom must be respected to solve the question of languages in the agglomeration of Brussels and its immediate periphery’ (cited in Herremans 1960: 17 – my translation). In addition to the argumentative focus on linguistic freedom in Brussels, there was the aim to ‘protect’ French-speakers in the communes around the capital. To do so, they demanded the incorporation of these communes to the bilingual area of Brussels if they had at least 30% of French-speakers, and if such incorporation was demanded by their respective communal councils (the ‘Common Front’ emphasised the notion of communal autonomy). These two demands constituted the position of the ‘Common Front’ on the linguistic issue, which was soon shared by other organisations such as the Brussels section of the ‘Walloon Popular Movement’ (*Mouvement Populaire Wallon*, MPW) and the ‘Front for the Defence of Brussels’ (*Front pour la Défense de Bruxelles*, which became in 1963 the *Front des Francophones de Bruxelles* or FDF) (Kesteloot 2014: 54-56).

The political rhetoric progressively focused on – and reacted to – the discussions that were to lead to the Val Duchesse linguistic compromise which, as we saw in the previous chapter, froze the linguistic border and limited Brussels to 19 municipalities. In 1962, the newspaper *Le Flambeau* published the ‘Brussels Manifesto’ (*Manifeste Bruxellois*), signed by 500 people, which demanded the consultation of the population affected by the linguistic projects being discussed, that is, the inhabitants in the communes around Brussels. A second manifesto was presented in 1963 by 300 university professors who gathered around the *Rassemblement pour le droit et la liberté* (RDL). Fiercely against the 1962-63 language laws, they wanted ‘to support and develop an opinion movement for the defence of fundamental rights and against intolerance, fanaticism, and coercion in

cultural and linguistic matters' (cited in Vanderstichel 2000: 4 – my translation). The protection of rights against intolerance and imposition is indeed a fundamental aspect in the political rhetoric of the opposing mobilisations both in Catalonia and in Flanders.

Unsurprisingly, the Val Duchesse linguistic compromise caused deep dissatisfaction in French-speaking circles in Brussels. Indeed, that agreement is considered the 'original sin' underlying the current tensions because the special status of the six facility communes was 'imposed' on the basis of the 1947 census results without asking the population. This led to the creation of the FDF. Born at the heart of the political fight against the 1962-63 language laws, the FDF (now *Défi*) is the most vocal political party defending the rights of French-speakers in Flanders. The choice of the word *Front* created a sense of continuity and, as Dujardin (2014) notes, captured well the idea of resistance against the 'linguistic tyranny' of the laws. It also captured the FDF's willingness to distance themselves from the traditional Belgian parties, which were perceived as 'prisoners' of the Flemish Movement and, as a result, uncommitted to the interests and the linguistic rights of French-speakers in Brussels and its Flemish suburbs.

The founders of the FDF, in the first party manifesto of July 1964, expressed four fundamental and interrelated requests, which have remained central in the party's political rhetoric:

1. The immediate suppression of the 1962-1963 linguistic laws, seen by the FDF as arbitrary and undemocratic because the borders were fixed using the results of the 1947 census.
2. The expansion (*élargissement*) of the bilingual zone of Brussels: the 1932 legislation delimited this bilingual zone to 16 communes (which became 19 in 1954 because of the results of the 1947 census), but this has always been contested for being a *carcan* ('straitjacket') which artificially limits the natural growth of Brussels. This *carcan* creates a mismatch between the linguistic composition in many communes in the suburbs and their status as officially monolingual Dutch areas. This mismatch, the argument runs,

ignores the democratic will of the French-speaking majority in the area and puts in danger their linguistic rights.

3. The holding of referendums in the Flemish communes of the Brussels periphery to determine their linguistic status. This point is also present in the current political rhetoric of the party, but it is a demand which evidently clashes with the 1961 law which abrogated the linguistic censuses. The core argument is that the linguistic regime in the communes in the Brussels periphery should be determined democratically, and this means asking the residents in these communes what their preference is.
4. The re-establishment of the principle of the *liberté du père de famille* to choose the language of education of his children. This specific demand about education, and indeed its articulation in such outdated gendered form, has not had continuity.

The party's rhetoric is often labelled as extremist due to its position on linguistic and community affairs and, more specifically, due to the political vocabulary used to defend its views. For example, Olivier Maingain, president of the party since 1995, compared the non-nomination of mayors by the Flemish government with the period of Nazi occupation, defining it as a form of 'rampant fascism' (cited in Govaert 2014: 291). We will see in the next section that FDF politicians use notions such as 'cultural genocide' (Libert interview 08/07/2013) and 'the dictatorship of Flemish representatives' (Vaas Hoobrouck d'Aspre interview 08/06/2013). An online search through French-speaking Belgian newspapers immediately shows that terms like 'tyranny', 'blackmailing', and 'coercion' are common in the party's political rhetoric. This is a further similarity with the Catalan mobilisation opposing the conjunction model in education, whose political vocabulary has traditionally been extremist, as we saw in section 5.3 of the previous chapter.

In the Flemish Periphery, the first French-speaking lists defending the linguistic rights of French-speakers were presented in some communes in the 1964 local election. The FDF had recently been created and considered premature to run, so it gave them external support. Since 1994, and following the break-up of the province of Brabant into Walloon Brabant and Flemish Brabant, the FDF runs under the cartel *Union des Francophones* (UF), which brings together the main French-speaking

parties: the FDF, the MR, the *Parti Socialiste* (PS), the *Centre Démocrate Humaniste* (CDH), and independent candidates. The cartel maximises the options of French-speaking candidates of being elected.

The political rhetoric of the UF often falls close to that of the FDF, which is understandable because it competes electorally in areas where the linguistic dispute is still present. This also shows a certain ability of the FDF to set the political agenda, framing the French-speaking political views on this issue and influencing other parties' political rhetoric at the local level. Currently, the UF runs at the local, regional and provincial level. It runs in 13 communes in the Flemish Periphery, it has one MP in the Flemish Parliament, and five provincial councillors in the province of Flemish Brabant. In the six facility communes, the coalition presents a list in all of them and currently governs, under different names, in four of them: Kraainem, Linkebeek, Sint-Genesius Rode, and Wezembeek-Oppem.

The demands of the FDF in the Flemish Periphery do not differ from the general stance of the party on the linguistic dispute. In the document 'The priorities of the FDF for the periphery' (FDF 2007), five fundamental requests are presented, combining territorial and political demands, and appealing to the European and international level to protect the rights of French-speakers against the discrimination and arbitrariness of Flemish authorities. The requests are the following:

1. The expansion of the territorial limits of the Brussels Capital Region to the peripheral communes with strong presence of French-speakers in order to protect their linguistic rights vis-à-vis 'a policy of assimilation and linguistic intolerance'. This would have to be done through a consultation with the concerned population, which would redress the democratic deficit created by the fact that they were never consulted when the border was established.
2. The attribution of competences and economic resources to the French-speaking Community to organise education and cultural activities in French in the six facility communes.
3. The immediate ratification of the Framework Convention for the Protection of National Minorities (FCNM). This would have positive consequences such as the withdrawal of the circulars of the Flemish government and the

extension of the facility system to other Flemish communes with a significant French-speaking minority

4. The withdrawal of the administrative supervision of the facilities by Flemish authorities to avoid their arbitrariness.
5. The ratification of the protocol 12 of the European convention of Human Rights, which provides a general prohibition of discrimination, to strengthen the political fight against the discrimination inflicted by Flemish authorities to French-speakers living in Flanders.

To summarise, the French-speaking political mobilisation emerged most forcefully in the 1950s and 1960s in Brussels as a reaction to the increasingly dominant role of Flanders in Belgium and the subsequent strengthening of the Flemish Movement's linguistic demands. Starting in Brussels as the union of different civil society organisations, the movement turned into the political party which has become the most vocal oppositional party to the Flemish linguistic policies: the FDF (now *Défi*). This party defends rights for French-speakers in Flanders to protect them from the perceived intolerant policies of the Flemish authorities.

This political rhetoric, and indeed the transition from civil society to party politics, is very similar to the mobilisation in Catalonia against the conjunction model. But there are at least two important differences: first, in Belgium the case for greater rights for French-speakers is made both in terms of individual rights and in terms of rights for the members of a national minority in Flanders. And, secondly, in Belgium the mobilisation has a territorial or regionalist dimension relating to the defence of Brussels' interests and its 'democratic expansion' into Flemish territory which is absent in the Catalan case.

6.4. The Political Arguments for the Monolingual Territoriality Principle

The main idea in these political arguments is that a strict application of the territoriality principle, which results in a minimalist interpretation of the system of linguistic facilities and in the respect of the language border between the Brussels Capital Region and Flanders, guarantees the integration of newcomers.

This has, in turn, desirable consequences. For Flanders, the integration of newcomers guarantees the protection of the Flemish character of the Flemish Periphery. This is a vague lexical item that may refer, for example, to the prevalence of Dutch in the public sphere and the social cohesion of the local communities. For newcomers, integration is necessary to find jobs and to participate in the community's social and political life. While there are disagreements among Flemish political actors about how coercive policies aiming at integration should be, there is consensus that language is central for integration. It is through the learning of Dutch, and through the acceptance that Dutch is the language of the Flemish public sphere, that one integrates in Flanders. The desirable consequences of integration are achieved, so the logic runs, in a challenging context characterised by 'the problem of the Brussels influence' (De Bruyn interview 27/05/2013). This refers to the consequences of the growth of Brussels for the Flemish Periphery, which is indeed the phenomenon that most recent Flemish integrationist policies aim to tackle.

These political arguments enjoy a high degree of consensus across Flemish political actors with different ideological views, but there are differences in the detail. On the one hand, political actors who are self-defined Flemish nationalists show a tendency to apply the notion of integration basically (not exclusively) to French-speakers who settle in Flanders. On the other hand, Flemish political actors who do not define themselves as Flemish nationalists show a tendency to apply the notion of integration to newcomers in general, presented as international and heterogeneous. There are also different views about the meaning of 'the protection of the Flemish character of the Flemish Periphery', which is a recurrent lexical item in the political rhetoric often seen as self-evident.

Among the political actors defending the MTP, there is a general agreement about the fact that the linguistic dispute is best understood as an instance of a wider issue: the community disputes between Flemings and French-speaking Belgians. While language is perceived as central to the Flemish identity, and indeed to the core notion of integration, there is the idea that the differences between the two main communities in Belgium transcend the linguistic issue and result in different political preferences, different media consumption patterns, etc. There is a second general

agreement: the linguistic debate is no longer an overarching problem in Belgium and, in general, most people do not have the sense of urgency about language that they had in the past. This is also admitted by self-portrayed Flemish nationalists (Bouckaert interview 16/05/2013; De Bruyn interview 27/05/2013). These Flemish political actors agree nonetheless that the Flemish Periphery remains a contested linguistic battlefield. Perhaps unsurprisingly, while the logic of separation of the Belgian federation has appeased past community conflicts, it is where the two communities meet that disputes still arise.

In the view of these political actors, what is causing the linguistic disputes in the Flemish Periphery? Two main answers are given, both drawing attention to French-speakers. The first is that the facilities have been used ‘the wrong way’ by French-speakers (De Bruyn interview 27/05/2013; Van Rompuy interview 21/05/2013) because they have become a form of permanent ‘privileges’ and an incentive not to adapt, rather than a form of temporary rights to foster integration. This is a common view among Flemish political actors, but one that is undermined by the constitutional protection of the system of linguistic facilities. The emphasis on the ‘misuse’ of the system by French-speakers settling in the six facility communes is particularly true of Flemish nationalists. The second answer is that local French-speaking politicians do not respect the language laws (Segers interview 04/07/2013), which recalls a classical grievance of the Flemish Movement. This is presented as a form of disloyalty that fails to respect the linguistic agreements in the 1960s, which helped pacify the community disputes in Belgium. This second answer is more legal in nature and, maybe because of that, it is shared by all Flemish parties. A good example of this are the remarks of Luk Van Biesen, federal MP for the Flemish liberals (Open Vld), in the debates about the sixth state reform. Though representing a party that does not focus on linguistic matters, he vehemently claimed that ‘those who persist to refuse to defer to the laws and the linguistic decrees of this country are not worthy of the role of mayor’ (parliamentary debate 12/07/2012b – my translation).

These two answers were sometimes complemented with the accusation that French-speaking politicians are disloyal when they question the territoriality principle and

the linguistic border. It is argued that they show historical inconsistency because they were the ones who defended the establishment of territoriality in the first place, a principle that in any case is enshrined in the constitution. The permanent questioning of the territorial integrity of Flanders also puts in danger the political equilibriums which are the basis of the communitarian peace in Belgium. Roel De Leener, an activist from the radical organisation *Taal Aktie Komitee* (TAK), makes the point about the lack of historical consistency (or display of hypocrisy) in the following terms:

‘They [French-speakers] are hypocrites. When the first linguistic laws were made, back in 1930, Flemish politicians were in a very weak position and agreed to create a bilingual country. And French-speakers refused that. Wallonia had to be only French. And that is why Flanders became Dutch-speaking. (...) *So at that time, they imposed territoriality, ‘ius soli’. They imposed that view. But now that things have changed, all of a sudden is the right of the person that should play. That is not a fair deal. We see that in Wallonia it is the right of soil that is used. They do not have any linguistic issues because they have been very strict with the facilities: Flemings moving to Wallonia adapt and accept that it is a French-speaking area, but vice versa it is different*’ (interview 30/05/2013 – my emphasis).

Geert Bourgeois (N-VA), former Flemish Minister for the Flemish Periphery and now Flemish Minister-President, made the following remarks about the territorial integrity of Flanders. His remarks are a reminder of the importance of the past to understand the present and, more specifically, of how important the ‘memory’ of territorial loss is to account for the present discourse of many Flemish political actors:

‘The border was always changed more the north, more to the north... We lost a lot of communities throughout history. Every time there was a fixation of the border, the last time was in 1963, communities were lost. (...) Only Brussels is bilingual. If you say that everything is bilingual in the six communities with facilities, then you extend the bilingual area. And this is the important difference. *There are facilities for French-speakers, they can use them, but we do not want to change the character of the area. Because in that way, in fact, you should extend Brussels, and then you can go on and go on, and say Flanders is bilingual everywhere.* Because in the Flemish coast for example there are many French-speakers who live there and do not want

to integrate, unlike Flemish people who go to Wallonia' (interview 10/06/2013 – my emphasis).

What did self-portrayed Flemish liberals have to say about the accusations of rights infringement put forward by liberal French-speaking politicians? This is a particularly pertinent question for this thesis. The common answer was that they are not under the impression that French-speakers in Flanders are not having their rights respected. It was pointed out that the territoriality principle is enshrined in the constitution and that, after all, the private use of language is free and the debate is only about the language of the administration and the government (Bouckaert interview 16/05/2013, De Knop interview 19/06/2013). The recurrent point in Flemish political rhetoric that Dutch-speakers living in Brussels are the ones who in practice do not have their rights always respected was also raised. These political actors pointed out that services in Brussels are not really offered in the two languages, and therefore the Dutch-speaking minority does not enjoy in practice the rights granted by law. Asked about whether strict territoriality can be defended by a liberal, Irina de Knop, liberal Flemish MP (Open Vld) in the Commission for Brussels and the Flemish Periphery and mayor of Lennik, argued the following:

'We have discussions about this in the party. The territoriality principle is accepted because it is in the constitution, but if you argue about it in a philosophical way, then I understand that there might be a conflict, because we say that people should be free and governments should adapt to the individual. But in Belgium language always has a political translation. It is difficult for a party to let it go and to defend a pure liberal idea. You can ask the same thing in other aspects: is it necessary that we make rules for the banks? From a liberal point of view, I could say 'no, that is not good, because the market has to rule itself and you don't have to interfere'. That is also liberal. So I am very pragmatic in this language issue because it also has an emotional meaning for a lot of people. And as a mayor of a peripheral city of Brussels, I can understand that people want to recognise their commune, and so even myself, *even though I am a liberal, I shall try to convince people in my commune to speak Dutch, in a store or something*. I will not impose it, but I will encourage it, and *I will give importance to language because it is so important for the social cohesion of your community that you need to take it seriously*' (interview 19/06/2013 – my emphasis).

There is a lot in this extract, but the main idea is the following: although the monolingual territoriality principle may not fit perfectly with liberal ideas in a purely theoretical sense, there are reasons to defend it that are both pragmatic and political. First, it is part of the constitutional design of Belgium. Second, it is useful to protect social cohesion and the predominance of Dutch in the public sphere. In doing so, no rights are infringed. Thus, in the Belgian context, a liberal can defend the territoriality principle.

Comparatively, there are two main similarities between these arguments and the ones defending the conjunction model in the Catalan education system. First, both are a response to two migratory waves, one ‘internal’ and one international, which jeopardise the predominance of the ‘autochthonous language’ of the sub-state nation. There are differences in the detail, of course: in Flanders this challenge is restricted to the geographical area of the Flemish Periphery, while in Catalonia the challenge is more general and the Catalan language does not enjoy the legal and social dominance that Dutch has in most of Flanders. Despite these differences, the general phenomenon is the same: migratory waves put under pressure the ‘autochthonous’ language of the sub-state nation, which creates a sense of cultural insecurity; this makes sub-state governments set up measures aiming at integration; and these measures are contested by internal minorities on normative grounds. The second similarity between these and the Catalan arguments is that both present the learning of the language of the nation as the way to protect social cohesion. The use of explicit nationalist vocabulary is more common in Catalonia than in Flanders, but in both cases the underlying argument is that it is through the national language that social cohesion and the protection of the Flemish character are achieved. This is so even if in some Flemish towns the majority language is French, and even if Catalan is the first language of a minority of Catalans.

6.4.1 Core Concept: Integration

The most important concept in these arguments is undoubtedly that of integration. This is presented as a goal which, facilitated by the firm application of territoriality, is desirable both for Flanders and for newcomers themselves. The usual political rhetoric is that newcomers are welcome in Flanders, but they must be aware that

Flanders is not Brussels, that in Flanders the only official language is Dutch, and that they must integrate by learning the language. Mastering Dutch is thus as a requirement to integrate: ‘when you live in a region where Dutch is the common language and the official language, learning it makes you integrate before you know it’, in the words of the mayor of Vilvoorde Hans Bonte (Flemish socialists, SP.a) (interview 05/07/2013).

For Flanders, the integration of newcomers guarantees the protection of the Flemish character. All Flemish political actors find this desirable but, as mentioned above, they are not always specific about what the Flemish character is. My analysis of the data suggests that Flemish political actors share the basic idea that protecting the Flemish character fundamentally means, or at least entails, that the Dutch language remains the language of the Flemish public sphere. This includes the administrative use of language, sign boards of all kinds, attempts to convince shopkeepers to use Dutch, etc. The emphasis on the protection of the Flemish character is connected to the preoccupation for the potential loss of social cohesion resulting from ‘the Brussels influence’. This preoccupation is widespread, regardless of whether the Flemish character is understood in a romantic, rural, monolingual way (Utsi interview 06/06/2013), or in an internally diverse and multicultural way (Bonte interview 05/07/2013). However, and perhaps unsurprisingly, it is Flemish nationalists who put a greater emphasis on the importance of social cohesion through language. Consider the following reflection by Piet De Bruyn, MP in the Flemish Parliament for the N-VA and member of the Commission for Brussels and the Flemish Periphery:

‘I believe that you need a community. It is important to have a community where you can express yourself and you can try to solve your problems. And understanding each other is very important to feel...to belong to a community. And it all has to do with language. I would not say that language is the most important issue, but it is very important. If you do not share a common language, it is very difficult to have inter-human relations, to have the understanding you need just to live and to be happy and to have things organised. So I think it is very important. And being a nationalist, I think that the differences between peoples are important as well. They are adding something, they are not just dividing people, but they are adding something to the variety of Europe. And that’s very important. Variety means that we

can learn from each other, not that one is better than the other one. (...) Most people...they really need a community. So that is why is so important for us to protect that specific Flemish character of the Flemish Periphery' (interview 27/05/2013).

This reflection, which echoes the communitarian position examined in chapter two, links to one of the main benefits of integration for newcomers according to these arguments: political and social participation. Following a community-focused approach which does not transcend political liberalism and which is more usually articulated by Flemish nationalists, the main idea here is that integration through the mastering of Dutch is useful (even necessary) for newcomers when they settle in Flanders. Consider as an example the following reflection by Geert Bourgeois (N-VA), former Minister of the Flemish Periphery and current Flemish Minister-President:

'I am for the free movement of people, but if you settle in a new country, it is necessary to integrate. You cannot live in an island. (...) So we always ask newcomers to be able to participate in our public culture. Your personal identity, your personal language, your personal religion, your personal way of life...what you eat, how you dress...this is private culture. But (...) *you should be able to learn the public language. Without this, you cannot speak to your neighbours, you cannot speak with the authorities, you cannot participate in the social life, in the cultural life, etc.* You cannot participate in democracy. If you do not understand what politicians say, how can you make your choice?' (interview 10/06/2013 – my emphasis).

So, learning Dutch is presented as instrumental to integrate politically and socially. It is also deemed necessary to integrate economically:

'If you want to work here, at about 99% of our jobs you need to be able to speak Dutch, to understand what your colleagues are saying. So this is important. We give them courses in Dutch. Now we decided to ask a higher level, A2, the second most basic. And then we give a course of social and labour orientation. If they do not find a job, they have to come to our labour market organisation, which helps people to find a job – also Flemish people. And if they do not speak Dutch, they can be obliged to follow a course to have the tools to have a job. And if they refuse to do it, it is possible that they are no longer entitled to the subsidy for unemployment' (ibid)

In fact, employment is presented as the most important denominator of integration in the policy bill prepared by Liesbeth Homans, the current N-VA Vice-MP of the Ministry of Internal Affairs, Integration, Housing, Equal Opportunities and Poverty Reduction. The bill does not only detail the N-VA's views on integration, but also how the integration policies are to be developed in the short term in Flanders. In doing so, the document stresses yet again that the Dutch language marks the divide between the public and private sphere: 'whichever language citizens speak at home, the public language that binds us together, that we all have to speak, is Dutch' (Homans 2014: 21 – my translation). An emphasis is placed as well on the 'Flemish norms and values' as the yardstick that should guide the integration process and that should bring together 'autochthonous' and 'new' Flemings, although these values are not clearly defined.

The document explains two changes in Flemish integration policies for the period 2014-2019. First, the demands of the policy have been deepened. For example, the Dutch linguistic competence requirement has been raised from *attending* the classes for the A1 level to *passing* the exam for the A2 level. Second, the sphere of application has been broadened, both geographically and in relation to groups. For example, the integration courses have been extended to the Brussels Capital Region and they intend to target specific groups (e.g. labour migrants and EU citizens).

All this links with, and expands, the compulsory *inburgering*⁴³ courses, established in 2003 by the Flemish coalition government led by the liberals. The programme suggests a three-step approach: (1) a Dutch-language programme, (2) social orientation (*maatschappelijke oriëntatie*) courses, and (3) personal coaching for professional integration (Baycan 2015). In addition to its objective of providing immigrants with some level of knowledge concerning Belgian institutions, the second component of the programme specifically emphasises the need for participants to learn 'common Flemish social norms and values'. These courses have a specific target group: new migrants coming from non-European countries and all Belgian adults of foreign origin who were born elsewhere with at least one parent

⁴³ There is no word in English that would correspond to the meaning of the Dutch term '*inburgering*'. The word could be tentatively translated as a process of 'citizenisation', in which immigrants participate in integration courses and are subsequently 'made' citizens.

who was not born in Belgium. The integration courses are obligatory for migrants arriving in Flanders, and failure to comply can result in a significant administrative fine between €50 and €5000, or it might lead to the withdrawal of certain benefits for people who are dependent on social assistance, in addition to posing an obstacle to social housing (ibid).

To summarise, for the political actors defending the maintenance of the MTP, newcomers must integrate and learning Dutch is a requirement to do so. This has interrelated advantages both for Flanders and for newcomers concerning the protection of the status of Dutch as the language of the Flemish public sphere, the preservation of social cohesion, enhanced opportunities in the job market, and the ability to participate politically and socially. The firm application of the MTO is thus deemed to facilitate immigrant integration and these desirable consequences.

6.5 The Political Arguments against the Monolingual Territoriality Principle

The main idea in these political arguments is that the Flemish authorities cause political and economic discrimination to French-speakers living on Flemish soil. Specifically, the argumentative starting point is that in recent years there has been a radicalisation in the attitudes and policies of the Flemish authorities (specifically, the regional and provincial governments). With this radicalisation, Flemish authorities are ‘going too far’ and are putting in danger the linguistic rights of French-speakers living in Flanders, especially the ones living in the Brussels Periphery (a term that is preferred to that of Flemish Periphery). This radicalisation is explained because Flemish politicians, after an initially legitimate fight for the protection of Dutch in Belgium, have developed an abusive conception of their economic success (Debisschop interview 30/05/2013; Maingain interview 08/07/2013). The beginning of the difficulties for French-speakers in the area is situated in 1963, when the linguistic border was ‘arbitrarily’ fixed without consulting the affected population. These difficulties would have been accentuated more recently by restrictive interpretations of the federal language laws such as the ‘Circular Peeters’ discussed in section 6.2.

The most vocal French-speaking party articulating this political controversy, as mentioned above, is the FDF (since November 2015 called *Défi*). This party emerged as a single-issue party focused on the defence of the interests of Brussels and the rights of French-speakers, and it retains a strong focus on these two topics, holding what are frequently perceived as radical views on these matters. In fact, it is common to see the FDF complain about the insufficient commitment of other French-speaking parties to the defence of the rights of French-speakers in Flanders. We find excellent examples of this in the parliamentary debates about the split of BHV and, indeed, this was the main reason for the break-up of the electoral coalition between the FDF and the French-speaking liberals of MR.

The demand for more linguistic rights is not only justified in negative terms, as a response to the ‘excesses’ of the Flemish authorities, but also positively. It is partly grounded on the fact that in some Flemish towns French-speakers are a majority and yet they do not enjoy extensive linguistic rights, a situation that is invariably contrasted with the rights that the Dutch-speaking minority enjoys in Brussels. Damien Thiéry (FDF, now MR), mayor of Linkebeek, summarises this point: ‘it is surprising to see that the 7% of Dutch-speakers in Brussels enjoys more rights than the 90% of Francophones in the Periphery, and certainly in the facility communes!’ (parliamentary debate 12/07/2012b). The positive case for more political rights is also partly grounded on the idea discussed in 6.2.3 that French-speakers should be considered a national minority in Flanders. This creates an interesting paradox in the political rhetoric of (at least) the FDF: it is a party with a political discourse that in many ways falls close to classical liberalism, but in this specific issue it embraces a rhetoric that falls close to liberal nationalism. This is so because the demand for greater political rights is not articulated as an individual right to be granted to inhabitants in Flanders who wish to enjoy them, but as a group-specific right for the community of French-speakers living in Flanders, a cultural group united by language.

In these arguments, the opposition to strict territoriality is instrumental to fight against discrimination. The personality principle, or the defence of the expansion of the Brussels Capital Region into Flemish communes with significant numbers of

French-speakers, is a way to protect the rights of French-speakers in Flanders. The argument of the expansion of Brussels is connected to the inevitable growth of the city and to concerns about the national integrity of Belgium. The point here is that demands about linguistic and territorial aspirations reinforce each other.

The view of these political actors regarding the learning of Dutch was an interesting question. Do they agree that people who settle in Flanders should learn the language and integrate? The common answer was that they accept the predominance of the Dutch language in Flanders, but they contest the minimalist interpretation of the system of linguistic facilities and the lack of linguistic rights for what, in their view, is a national minority in Flemish territory. In the words of Olivier Maingain, president of the FDF:

‘We are not contesting the preponderance of Dutch in Flanders. But would it be such a great problem if French-speakers who live in Flanders have a cultural life (libraries, youth organisations....) in their own language? Would that be a great problem for the preponderance of Dutch in Flanders? And vice versa, I have always said that for Dutch-speakers living in Wallonia as well. If tomorrow there is a Dutch-speaking minority in a Walloon region and they say ‘we would like to have certain cultural services in our language, because it is part of our patrimony’, why should we refuse?’ (interview 08/07/2013 – my translation, my emphasis).

The second part of this extract captures a common feature of these arguments: perhaps to convey a sense of moderation and reasonableness and to counter-attack the accusation of being ‘privilege-seekers’, these actors always mention their willingness to grant similar rights to Dutch-speakers in Wallonia. They are also well aware that this is not likely to happen because there is not a politically articulate demand for it. They are offering in return something that is not wanted because by and large Flemings, as we have seen, do not problematise the monolingual territoriality principle. The first part of the extract, on the other hand, captures the recurrent position that the territoriality and the personality principles are not intrinsically in contradiction, and that it is the interpretation of territoriality made by Flemish authorities which makes them incompatible. To quote again Mr Maingain, who demands a reasonable equilibrium between the two principles:

‘I think neither of the two principles can be accepted if they are exclusively used. We cannot defend the totally free use of language to the extent that we jeopardise the main language of the region or the country in question. We must accept that. But the territoriality principle, to the extreme, becomes a discriminatory policy, and I have given you some examples before. So *we must find an equilibrium. An equilibrium between acknowledging the preponderance of one language in one region or in one country, and the recognition that there can be linguistic or cultural practices that are different*’ (interview 08/07/2013 – my translation, my emphasis).

Explicitly, what it is said is that the territoriality and the personality principles are compatible, and that Flemish authorities make them incompatible by protecting the Flemish identity through the rejection of the identity of French-speakers (Caprasse interview 11/06/2013, Van Eyken interview 29/05/2013). They do this through the implementation of strict territoriality everywhere in Flanders, including areas where French-speakers are a clear majority. For these political actors, opposing strict territoriality means opposing the minimalist interpretation of the system of linguistic facilities made by the Flemish authorities and demanding further linguistic rights for the community of French-speakers in Flanders.

Éric Libert, first *échevin* in Sint-Genesius Rode and member of the FDF, made the point about the Flemish authorities creating the problem for the French-speaking community in the following terms:

‘I am not against this idea [protection of the Flemish character]. I understand well that Bourgeois and others want to protect the Flemish identity. (...) But I want to point out to you that we can on the one hand protect a cultural identity and on the other hand respect other’s cultural identity. There is nothing incompatible. *What Bourgeois did not tell you is that the goal he has is not to protect the Flemish identity but to exclude the French-speakers in Flanders. So it is an aim of exclusion.* I told him when I was a federal deputy: *what we see is a cultural genocide.* From the moment in which you deny...in which you find all ways to deny *one community* to express itself, it is clear that you are not suppressing it physically, but culturally’ (interview 08/07/2013 – my translation, my emphasis).

Yet again, Libert did not articulate a defence of individual rights for French-speakers, but a group-right for the community of French-speakers living in Flanders. The demand is to make compatible the prevalent role for Dutch in Flanders with

group-specific rights for the French-speaking minority, thus putting an end to minimalist interpretations of the language laws and to excesses in the attempts to ‘Flemishice’ (*Flamandiser*) the Brussels Periphery. This reasoning is combined with two considerations that are specifically territorial, one about the growth of Brussels and the other about national integrity. The first consideration is that, like any big city, Brussels has a natural tendency to expand. This process of suburbanisation is argumentatively instrumental to link the expansion of the Brussels Capital Region to the current sociolinguistic composition of some facility communes, and to the desirability of granting further rights to French-speakers (Caprasse interview 11/06/2013).

The second territorial consideration is a concern about national integrity. The main argument put forward is that the progressive institutionalisation of the linguistic border provides the conditions for the eventual split-up of Belgium. This is one of the reasons why the split of BHV is regarded in negative terms (FDF 2013). In the words of Christian Van Eyken: ‘for me it is going too far, because now we have everything to let Flanders go independent tomorrow’ (UF, interview 29/05/2013). Damien Thiéry (FDF now MR) expands on this point:

‘The decision on BHV will be catastrophic for French-speakers in Flanders. It is a great step towards confederalism. I always say that if you move forward knowing that Flemish politicians are nationalists...This is the second step towards confederalism. The first was the [fixation of the] border. The second was BHV. And the third will be Brussels. They will end up saying ‘Brussels is only a city, Brussels is for us’. I say regularly: Brussels is the economic lung of Belgium. *Imagine that Brussels was not really a region, and located in Flanders...independence would have happened 10 years ago!* That’s the biggest reason’ (interview 06/06/2013 – my translation, my emphasis)

The creation of the Brussels metropolitan region is presented as a way to link Brussels with its Periphery (Brotcorne, cdH, parliamentary debate 12/07/2012a), and it can be seen simultaneously as a way to prevent Flemish independence and to prepare for such eventuality. The controversial aim of some French-speaking politicians from Brussels to create a ‘territorial corridor’ between the Brussels Capital Region and Wallonia through Sint-Genesius Rode is a by-product of the

preoccupation about the territorial integrity of Belgium. And the fact that French-speakers in the Flemish Periphery will still be able to vote for Brussels candidates is celebrated as ‘a great achievement’ linking ‘the big periphery of Brussels to the electoral territory covering the French-speaking Community, beyond the linguistic border’ (Bacquelaine, MR, parliamentary debate 12/07/2012a). These proposals have in common that they problematise the language border and the monolingual territoriality principle.

6.5.1 Core Concept: Discrimination

The core concept in relation to which the other elements are organised is that of discrimination: French-speakers are being discriminated against by the Flemish government, especially in the Flemish Periphery. This discrimination has two main dimensions: the political and the economic.

Politically, the accusation is that there is a lack of democracy resulting from interpretations of the language laws that derive in discriminatory practices. This is shown in two aspects: first, in terms of political representation, by the non-nomination of mayors in some facility communes. Second, in terms of political deliberation, by the problems caused by the prohibition of using French in city hall meetings. The mayor of Linkebeek and only non-nominated mayor at the time of writing, Damien Thiéry, elaborated on the two aspects in the following way:

‘The system is vicious in the sense that the Flemish government says that everyone has the right to receive the electoral convocation in their language but, and that is the principle of the circular [Peeters], we must send them in Dutch first to everyone and those who wish to have it in French must come to the city hall to make the change. *In communes where there are 80 or 90% of Francophones, that is a notorious discrimination!*’ (parliamentary debate 12/07/2012b – my translation, my emphasis)

‘It is impossible to have a democratic debate if you cannot speak your own language. It is surreal, but it happens. So you have 13 French-speakers in the town council and 2 Dutch-speakers, but we are obliged to speak only Dutch. If you say one word in French, the whole session is not valid, suspended. And how can the authorities see that? Every town council has a special employee from the governor, dependent to Minister Bourgeois, who comes to check the functioning of the meetings. An inquisitor sent from the

governor on behalf of Minister Bourgeois! You should come to one of the meetings, if you can. *The only discussion you have is between the two Dutch-speakers and the mayor, or one of the échevins. Because the others are not bilingual. Well, they understand everything, but they cannot speak or they are not fluent. And they have fear, they are scared. So the democratic debate does not exist.* (...) That is also the reason why nobody from the population comes to listen to what happens, we have 86% of French-speakers and if they do not understand...' (interview 06/06/2013, my translation, my emphasis)

Interestingly, the first remark in this second extract captures the main argument in Will Kymlicka's *Politics in the Vernacular* (2001). This links back to the point made above that these political actors, although they use in general a political rhetoric that falls close to classical liberalism, in this particular topic sometimes make claims that fit better with the group-specific, liberal nationalist approach. The problem mentioned by Mr Thiéry was confirmed by the town secretaries (*gemeentesecretaris*) in Drogenbos and Kraainem, with whom I had the chance to talk. They went as far as saying that some local politicians had an insufficient knowledge of Dutch and, therefore, they were unable to understand technical reports and decisions taken in plenary sessions.

However, the logical counter-argument to Mr Thiéry's second remark is that this problem would not exist if all French-speaking politicians had a sufficient knowledge of Dutch, which after all is the only official language in Flanders. This was Mr Thiéry response, who focused on the need to encourage (but not impose) the knowledge of Dutch:

'It is a good point, of course. And I encourage everybody to be bilingual or trilingual, and the examples are my son and myself. You have to encourage, but you cannot oblige. Why? Because these people who come to live in Linkebeek know that they have the facilities and that they can make use of them. And that is probably the reason why Minister Bourgeois wants to eliminate facilities, with the argument that it disincentives the learning of Dutch. But the way he does it is not positive, the perception is of aggressiveness' (interview 06/06/2013 – my translation).

Economically, the accusation of discrimination is that the system of facilities prevents these communes from obtaining economic subsidies from the Flemish

government that they would otherwise be able to obtain. This has implications on a range of issues, such as the funding of public libraries (municipalities need to have 80% of the books in Dutch to get subsidies, but paradoxically around 80% of the population in these municipalities is estimated to have French as their first language); sports, cultural and youth associations (they need to be officially registered to obtain subsidies, and they must be monolingual in Dutch to do that); and education (Flemish authorities are reluctant to work with facility municipalities because they do not want to pay for a bilingual service in officially monolingual Flanders).

One of the problems with the Flemish authorities' application of strict monolingual territoriality, it was sometimes argued, is that it is not circumscribed to the public sphere. Christian Van Eyken (UF), the only French-speaking MP in the Flemish Parliament, argued that private associations are discriminated against because they are not entitled to receive public funding. However, the fact that Van Eyken is referring to public funding may be seen as undermining the claim that this is a discrimination in the private sphere.

'They want everyone who comes to live in Flanders to integrate in the Flemish culture, also in their private lives. I can understand that in the social life: you speak in Dutch with the administration and so on. But in your own home you are free to speak what you want. (...) And a private association, a sports club, and so on, are also private. (...) All those sports clubs, cultural clubs, associations of youth...they cannot have subsidies from the commune because they are French-speaking associations. And that is a discrimination. *In Linkebeek, 80% of the population is French-speaking. And most of the youth movements are French-speaking. And they do not receive money from the authorities. They should have the chance to take part in the Francophone Federation, but it is not possible.* That is what I am saying. There are violations, there are discriminations that we find on a daily basis' (interview 29/05/2013 – my emphasis).

I would like to conclude this section by making a slightly different but necessary point. This section might convey the impression that all French-speaking politicians in the Flemish Periphery share the above arguments. This would not be entirely true, since my analysis puts an emphasis on the political actors who articulate the dispute, and they are in turn those who have strong opinions about this topic. For this reason, I would like to make a short reference to the mayor of Drogenbos, Alexis Calmeyn

(Drogenbos Plus – Liste Bourgmestre). Calmeyn (interview 14/06/2013), like the Flemish mayors of Wemmel and Vilvoorde, made a distinction between ‘political debates’ (such as the split of BHV and the ratification of the FCNM), and ‘the local level’, where the debates are different. But Calmeyn went even further to become an outlier: a French-speaking politician in the middle of the controversy (quite literally, since Drogenbos is one of the communes with linguistic facilities) who refused to engage in the debate. He insisted that his only preoccupation was to manage the city, that the Flemish interpretation of the language laws should be respected, and that the system of facilities should not be used as a political weapon in the community debates but appreciated as a richness. Hopefully his case shows that the arguments presented in this section, while indeed predominant among French-speaking political actors, are not unanimous.

6.6 Concluding Remarks

This chapter sought to provide insight into how political actors in Flanders articulate the linguistic dispute about the Flemish Periphery and, in particular, about the six facility communes.

I have shown that, for most Flemish political actors, the strict application of the monolingual territoriality principle (MTP) is instrumental to achieve the central goal of integrating newcomers, protecting in passing the territorial integrity of Flanders and the status of Dutch as the language of the Flemish public sphere. Integration is also presented as positive for newcomers because it gives them the required linguistic competences to participate in the job market and in the Flemish social and political life. For the French-speaking political actors articulating this dispute, among which the FDF (now *Défi*) enjoys prominence, strict MTP must be opposed to protect the French-speaking minority in Flanders from the alleged political and economic discrimination that Flemish authorities inflicts upon them. It must also be opposed to reflect the democratic majorities and the linguistic composition in many towns of the Flemish Periphery, which are dominated by French-speakers.

The fundamental tension in this political dispute is thus between the willingness of Flemish authorities to integrate newcomers, on the one hand, and the negative or discriminatory consequences of integrationist policies for the rights of French-

speakers living in Flanders, on the other. This political debate is thus about rights, but it is also about territory. There are defenders and opponents of strict monolingual territoriality in Flemish areas with significant French-speakers, and there are also competing territorial aspirations between the territorial integrity of officially monolingual Flanders and the territorial expansion of the bilingual Brussels Capital Region. Hence, in practice, the political debate in Belgium is not between the territoriality and the personality principles, but between competing territorial aspirations. Brussels is the fastest-growing region in Belgium and it is surrounded by Flemish territory, which suggests that the tensions in the border between the two regions are likely to continue.

There is a remarkable similarity between the political arguments *defending* the MTP in Flanders and the ones *defending* the Catalan use of languages in education: in different forms, both present these measures as instruments to achieve immigrant integration and social cohesion. The main difference is that in Flanders these political actors seek a homogeneous and monolingual public sphere, while in Catalonia the defending political actors argue for a preferential treatment for the Catalan language in education, partly as a result of the fact that Castilian is co-official and dominant in many other areas. There are other contextual differences (for example, the protection of territorial integrity is an issue in Flanders but it is not in Catalonia), but the crucial similarity is that both aim at immigrant integration and social cohesion in one way or another.

At the same time, there is a remarkable similarity between the most vocal parties *opposing* the Flemish MTP and the ones *opposing* the Catalan conjunction model. In Belgium, the FDF stands for the protection of the rights of French-speakers in Flanders against the perceived abuses and excesses of the Flemish authorities. Likewise, in Catalonia *Ciutadans* displays a classical liberal rationale presented as radically incompatible with the nationalist character of the linguistic discourse and practice of the Catalan authorities. However, there are two crucial differences between the two parties' rhetoric. First, the FDF combines classical liberalism with demanding the recognition of French-speakers in Flanders as a national minority, thus combining the vocabulary of classical liberalism with that of minority rights, which is characteristic of liberal nationalism. In contrast, *Ciutadans* speaks about

individual rights only, although the party's rhetoric relies on the linguistic and national dimensions present in the Spanish constitution. Second, the FDF has a territorial or regionalist dimension relating to the defence of Brussels' interests and its 'democratic expansion' into Flemish territory that is missing in the case of *Ciutadans*. These differences are best explained by the historical contingencies described in chapter four, and by the theoretical and contextual factors discussed in the next chapter.

There is a final point to be made about the gap between the political debate, which is still focused on the contrast between French-speakers and Dutch-speakers, and the sociological reality of the Flemish Periphery, which is increasingly heterogeneous and international. The political debate is anchored in the first migration of French-speakers from Brussels who settled in the Flemish Periphery and 'Franchised' the area. Both Flemish nationalists and the FDF contribute to the Flemish vs. French-speakers dualism in political rhetoric, paying less attention to the increasingly heterogeneous linguistic composition of the Periphery. In addition, the opposition between French-speakers and Dutch-speakers reproduces a view of linguistic groups as bounded and monolingual which is empirically inaccurate. People interact, intermingle, and learn different languages. French-speakers learn Dutch, Dutch-speakers learn French, and bilingual households are common. The gap between the political debate and the sociological reality will probably be reduced in the short and mid run. The consensus among Flemish political actors to foster integration and to protect the Flemish character through the mastering of Dutch will continue, but the rhetoric focus is likely to shift from the risks of 'Frenchification' to the challenges of internationalisation.

In the next and final chapter, I answer the research question of this thesis. Specifically, I explore to what extent there is a correspondence between (1) the debate about the compatibility between individual and group-specific rights laid out in chapter two, and (2) the competing arguments in Catalonia and Flanders examined in the previous and the present chapters. The next chapter also includes some speculative reflections as to the theoretical and contextual factors that might explain why political actors make their cases the way they do.

Chapter 7. Mapping the Political Arguments:

Debating within Liberal Nationalism

This chapter maps the political arguments articulating the linguistic disputes in Catalonia and Flanders in relation to the academic literature on the compatibility of liberalism and nationalism. This aims to contribute to the understanding of the linguistic disputes. It also hopes to shed light on the ability of the academic debate, which was mostly held in Quebec, to ‘travel’ and account for other contexts.

We saw in chapter two that there is broad consensus in the academic literature in favour of liberal culturalism, in itself an umbrella term that includes liberal nationalism. More generally, there is the assumption in most of the social sciences that the values that should underlie a legitimate polity are the universal norms of political liberalism. The problem is that these normative consensuses on high-level values do not translate into political consensus on the ground, as evidenced by the linguistic disputes in Catalonia and Flanders. Liberal principles conflict in varied cases and circumstances, and they are applied to political communities which may be contested by alternative nationalist projects. A contextual approach to political theory takes these factors into account. This approach helps to shed light on the normative elements enmeshed in linguistic disputes, and on the ability of the academic debate to frame such disputes.

This chapter argues that the political arguments relate to scholarship about the compatibility of individual and group-specific rights as follows. Firstly, the set of arguments defending the Catalan conjunction model fall fundamentally, but not perfectly, within liberal nationalism. Following Kennedy’s (2013) distinction between two faces of liberal nationalism, I shall argue that the academic arguments are a form of ‘*Liberal nationalism*’ and the political arguments are a form of ‘*liberal Nationalism*’. In the former, cultural and national demands are means of attaining typical liberal goals; in the latter, the emphasis is on national interests. Secondly, the set of arguments opposing the Catalan conjunction model displays basically the vocabulary of classical liberalism, which relies in turn on elements that fall under liberal nationalism. Thirdly, the arguments defending the strict application of the monolingual territoriality principle in Flanders fall fundamentally within liberal

nationalism. As in the Catalan case, this takes the form of ‘liberal *Nationalism*’, although the national dimension is more explicit in Catalonia. Finally, the arguments opposing strict Flemish territoriality combine liberal nationalism and classical liberalism.

The findings suggest that the four positions in the two debates rely in different forms and to different degrees on liberal nationalism. Thus, a core argument that emerges out of this chapter is that liberal nationalism provides a useful framework for interpreting the disputes, but with some caveats. While liberal nationalism is the dominant position both in the academic debate and in the political disputes, the type of liberal nationalism articulated at the two levels is not exactly the same.

The chapter is structured in two main parts. Part one maps the political arguments in Catalonia and Flanders in relation to the debate within scholarship on individual and group-specific rights. Part two tests the expectations set out in chapter one and discusses the affinity between the political and academic arguments, reflecting in particular on why political actors follow the approaches they do.

7.1 Mapping the Political Arguments in Catalonia and Flanders

7.1.1 The Political Arguments for the Catalan Conjunction Model

The political arguments defending the Catalan Conjunction Model (CM) fall fundamentally within liberal nationalism. However, they do not fit perfectly with the form of liberal nationalism that is dominant in the literature (Kymlicka’s autonomy argument), which is too liberal and not enough nationalist to frame the political arguments. It is a form of ‘*Liberal nationalism*’, following Kennedy’s distinction (2013), in which cultural and national demands are means of attaining typical liberal goals. Instead, the political arguments are a form of ‘liberal *Nationalism*’: the emphasis is not on individual but on national interests, which brings certain aspects of the arguments close to the communitarian critique. However, the arguments do not display an emphasis on general community interests and values, but on the specific interests of the nation. In this section, I also draw attention to the paradox that Kymlicka’s understanding of national groups, designed

to protect sub-state nations, is difficult to apply to the Catalan case. In fact, it can be seen as counter-productive to make the case for language protection.

Specifically, the aspects of this set of arguments that fall within liberal nationalism are the following:

- *Nationalism*

Liberal nationalism is, after all, a type of nationalism. The main concern in this set of arguments is the unity of the Catalan nation vis-à-vis the challenges of massive immigration and assimilationist pressures from the central government (the latter links with Kymlicka's point that minorities deserve rights to offset nation-building efforts by majorities). The main goal is the protection of national cohesion, and the main tool is the preferential treatment given to the Catalan language in education. The Catalan Parliament supports this system, and the attempts to change it from Madrid are perceived as illegitimate. Thus, nationalism is here a political project which defines (1) who the relevant people are, (2) what collective goals they have, and (3) the idea that the nation should be self-governing. But nationalism here is also a form of identity, one in which language plays a central role.

- *The notion of open integration through language*

The Catalan language is presented as the 'meeting point' (*punt de trobada*) between newcomers and residents in Catalonia. This connects with Kymlicka's point that liberal nations exhibit a conception of national identity in which the terms of admission are relatively thin, and one of them is usually 'learning the language'. This is not to deny that learning a language comes with a cost, nor that conceptions of national identity not built around a language (for example, in Scotland) can be seen as 'thinner'. The point is that, for liberal nationalism, membership to the national group is open to anyone who wants to join and it is not restricted to those of a particular race, ethnicity, religion, etc. This links with Kymlicka's notion of a common national culture (which he calls a 'societal culture') centred on 'a shared language'.

Note, however, that ‘learning the language’ and ‘a shared language’ are problematic concepts to support preferential treatment for Catalan, because Castilian is the first language of a majority of Catalans. Kymlicka’s understanding of groups, and his strong identification of a particular language and culture with a given nation, do not fit well in cases of stable bilingualism like Catalonia. This is probably the reason why the concept of ‘Catalonia’s own language’ is preferred at the political level. Context shapes arguments: it is difficult to argue that the reason why Catalan should be the language of instruction is that it is ‘the language of Catalans’ because, although almost everyone knows it, the Catalan language is the first language and the most used language of only a minority of Catalans. Instead, the concept of ‘the language of Catalonia’ (*llengua pròpia*) is most commonly used, which shifts the focus from individuals to the group. This concept goes probably beyond political liberalism, as Branchadell argues (1997: Ch4), because it personifies a territory, ascribing to it the possession of a language.

- *The need of a national culture to achieve equal opportunities*

This reasoning is central in the set of arguments defending the Catalan CM. The argument is that the system guarantees the knowledge of Catalan, and therefore it provides everyone with the required linguistic skills to compete in the job market. The underlying assumption is that, without the CM, there would be segments of the population who would not learn Catalan. The liberal commitment to equality of opportunity requires equal access to training and jobs, and liberal nationalism typically argues that this can best be achieved within national political units.

This argument echoes the Gellnerian view of the diffusion of mass education in a common language as a way of ensuring an adequate labour force. As we saw in chapter three, Gellner argued that linguistic homogenisation is a tool for economic integration and the enhancement of economic opportunity, since it permits citizens to become members of a mobile and flexible workforce throughout the country. But there are three important differences between the Gellnerian view and the view of Catalan political actors defending the conjunction model. Firstly, for Gellner this was a functional requirement of the modernisation of the economy and was not initially done in order to promote equality of opportunity. In contrast, what we are

dealing with in the political arguments is a *deliberate* political enterprise, in which tools are implemented to address a collective goal decided by the Catalan legislature: the protection of national cohesion and equal opportunities. Secondly, Gellner was not thinking of sub-state political units but of nation-states, seen as the equilibrium condition of modernity.

Thirdly, and perhaps most importantly, in Catalonia the political argument defending equal opportunities through the diffusion of the Catalan language is an argument *in favour of bilingualism*. There was no political actor in my empirical research who argued that it is not necessary to learn Castilian. The political arguments defending the system are built upon the assumption that all Catalans are perfectly competent in Castilian, and that this is desirable. Unlike the Gellnerian view, and unlike the Flemish view, the emphasis on the diffusion of a common language is also an emphasis on the diffusion of bilingualism.

- *'Mildly illiberal': lack of coercion but restriction of individual freedom to choose*

It is clear that Catalan nationalism follows typical liberal nationalist constraints. For example, it does not attempt to coercively impose a national identity on those who do not share it, and it allows different types of political activities in the public sphere. The liberal distinction between public and private spheres is also followed, and the debate is about the use of languages in publically funded schools. However, it is also clear that the current education system does not permit parents to choose Castilian as the language of instruction of their children. While there is an element of choice (we saw in chapter five that parents can choose the *atenció personalitzada*, which consist in special lessons in Castilian in the same classroom), that is restricted to the 'first education' phase (3-8 years), and it is perceived as clearly insufficient by the opponents to the system. For them, this restriction of parents' freedom to choose is illiberal.

Kymlickean liberal nationalism offers a qualified defence of the permissibility of using some 'mildly illiberal' policies when it comes to the integration of immigrants in sub-state nations. The Catalan system aims fundamentally at immigrant

integration and social cohesion, so his reasoning is very pertinent. Kymlicka's main argument is that these 'mildly illiberal' policies are instrumental in integrating newcomers and, as a result, in preventing minority nationalism from becoming insecure and ethnic. Kymlicka is cautious and makes his endorsement of 'limited deviations from liberal norms' dependent on how great the violation of liberal norms would be. However, given his support of linguistic laws in Quebec, which are arguably more coercive than the Catalan⁴⁴, it seems reasonable to assume that his liberal nationalism would probably endorse the Catalan conjunction model.

The reason why the set of arguments defending the Catalan system does not fit perfectly with liberal nationalism is the following:

- *'liberal Nationalism': The emphasis is on national interests and not on the instrumental role of a national culture to achieve individual freedom*

The typical liberal nationalist argument in the literature (Kymlicka's autonomy argument) is that participation in a national (societal) culture, far from inhibiting individual choice, is what makes individual freedom possible and meaningful. The starting point is the individual's interests, and then a link is established between individual autonomy and some sense of community. This is more a '*Liberal nationalist*' than a '*liberal Nationalist*' perspective, and it is not what I found in my empirical research. In this set of arguments the fundamental goal is not enhancing individual freedom but protecting social (national) cohesion, strengthening the role of Catalan as the public language of Catalonia in the process.

For one thing, applying the notion of societal culture (or a similar one) to the case of Catalonia is very difficult. Again, context matters. In Catalonia there are two main languages in official terms and in usage, and Castilian is the first language of a majority of Catalans and the dominant language in Barcelona and its periphery. This is too messy a context to use the notion of societal culture to argue in favour of the system. It is also too messy to build arguments upon 'the sort of interests that people have in their language', which is what many language justice theorists do, as we saw

⁴⁴ This is not true, however, of the use of languages in education. English-speaking Quebecers may send their children to English-speaking schools if at least one of the parents was educated in English in Canada. It is somewhat of a hereditary right.

in chapter three. Not only because ‘*their language*’ is a problematic notion given the sociolinguistic profile of Catalonia, but also because the argument could easily be reversed: ‘the sort of interests that people have in their language’ could justify the right of Castilian-speakers to choose educating their children in their language. The notion of a bilingual societal culture would be a more suitable conceptual tool to make sense of the Catalan case, but this would require a reconceptualisation of the notion as theorised by Kymlicka.

One could also argue that the typical liberal nationalist academic argument is too philosophical in nature to be found in political rhetoric. I find merit in this point, but there are examples of cases for the Catalan CM in a strong Kymlickean fashion and in an ‘accessible’ way. Albert Branchadell (1997), a political theorist who has engaged in the public debate about the CM, provides an example of this. His main argument is that the Catalan language must be normalised not because it is ‘the language of Catalonia’, but because it is the language of the Catalan-speaking cultural minority in Spain. For Branchadell, the system could be defended on liberal grounds as a measure of minority protection. But he is very much alone in making a ‘*Liberal nationalist*’ case. The political arguments use the concept of Catalan as ‘the language of Catalonia’, and they combine it with consequentialist arguments about social cohesion to defend the system, as we saw in chapter five.

7.1.2 The Political Arguments against the Catalan Conjunction Model

The political arguments opposing the Catalan conjunction model (CM) fall fundamentally within classical liberalism, but they rely on liberal nationalist elements. I draw on ‘the myth of the civic nation’, a concept coined by Yack (2012), to argue that the *practice* of liberal democracies is not only based on political notions such as choice and solidarity, but it also includes cultural elements and connections with pre-political identities. In this section, I also draw attention to the paradox that Barry’s defence of equal opportunities, devised to oppose forms of minority protection like the Catalan system, becomes an argument in favour of the system when applied to the Catalan context.

Specifically, the elements of this set of arguments that fall within classical liberalism are the following:

- *The primacy of individual rights over coercive policies of cultural or collective nature*

The starting point of these political arguments is the protection of individual rights (not national interests). The claim is that Catalans should have the freedom to be educated also in Castilian, as recent rules by different courts make clear. This should have priority over collective considerations about social cohesion that give precedence to Catalan. The argument is that the Catalan government harms that freedom and requires that publically funded education use Catalan as the only language of instruction. The primacy given to individual freedom connects with Brian Barry's egalitarian strand of liberalism. Generally, Barry argues for the protection of the rights of those who wish to pursue individual goals of self-government. Specifically, he focuses on the interests of individuals in being protected against groups to which they belong. He is concerned about coercive measures imposed by those who want to protect cultures on those who do not. We saw in chapter two that Kymlicka is also concerned about this, which he calls 'internal restrictions'. But the similarities end here, as Barry disagrees with any form of liberal culturalism.

The notion that there is a clash between individual rights and culturalist or collectivist policies grounds both the political arguments against the Catalan conjunction model and Barry's approach. While Kymlicka seeks to reconcile the two on the grounds that societal cultures are tools for individual autonomy, Barry argues that the politicisation of cultural differences is a challenge to freedom and equality. Unsurprisingly, 'Culture vs equality' is the title of one of the sections in his book about multiculturalism (2001). For Barry, the proper liberal answer to situations of cultural and national diversity is to give priority to individual rights over coercive cultural demands. He argues that if we do the opposite, following for instance Taylor's emphasis on indefinite cultural survival, we run the risk of turning human beings into 'mere cyphers, to be mobilized as instruments of a transcendent goal' (ibid: 67), beyond the interests of the individual bearers of the culture. This position

recalls the classical liberal view that individual freedom and political pluralism sit uneasily with expressions of communal and national goals and loyalties.

Note, however, that Barry's reasoning is grounded on a contrast between those 'remaining true to some ancestral culture' and 'those who do not share that objective', which is something of a straw man, and too simple to do justice to the political arguments. Barry writes: 'the notion that birth is fate – that simply in virtue of being born into a certain ethnic group one acquires the (potentially enforceable) duty to maintain its "ancestral culture" – is continuous with a kind of ethnic nationalism that is profoundly at odds with liberalism' (2001: 65). However, we saw in chapter five that the case for the Catalan conjunction model is not made on such crude traditionalist basis. Neither is the case against the Catalan CM made on the basis of a lack of interest in the protection of the Catalan language. The political disagreement is, rather, about the measures that must be implemented to balance language protection with individual rights' protection.

- *The defence of equal treatment and the notion that unequal treatment entails discrimination*

The political actors opposing the Catalan system propose to replace it with a system that gives equal presence to Catalan and Castilian in the classrooms. The argument is that this would respect the right of parents who want to educate their children also in Castilian, and it would avoid discrimination against students whose first language is Castilian. The defence of equal treatment, and the notion that unequal treatment entails discrimination, connects with Barry's fundamental point that citizens of a liberal state should be entitled to the same legal and political rights⁴⁵. Given that all individuals are of equal moral worth, they must be treated equally through a framework of egalitarian liberal laws. For him, liberal justice requires equal treatment.

⁴⁵ Barry's notion of equal treatment refers to Dworkin's *right to treatment as an equal*, which is the right to equal preoccupation and respect in the decisions about how to distribute goods and opportunities. It does not equate to Dworkin's *right to equal treatment*, despite the similarity in the form, which refers to the right to an equal distribution of goods and opportunities (Dworkin 1977: 227, cited in Branchadell 1997: 18).

Crucially, for Barry the members of a group are not entitled to special rights if their cultures put them in a situation such that they are in some way less well placed to benefit from the exercise of the rights that provide the standard resources and opportunities than others. If equal treatment results in the dominance of international languages like Castilian over smaller languages like Catalan, that is acceptable because ‘the egalitarian liberal position is that justice requires equal rights and opportunities but not necessarily equal outcomes defined over groups’ (2001: 92).

There is a paradox when we apply Barry's defence of equal opportunities to the Catalan context. For him, ‘this [the defence of equal opportunities] must be taken to mean that everybody should have an opportunity to acquire the country’s language, to achieve educational success in that language, and to gain employment on the basis of those qualifications without suffering discrimination’ (ibid: 107). Now, this is precisely the position of those *defending* the Catalan system. Barry wants to argue against forms of unequal treatment aimed at minority protection like the Catalan system, but his argument to do so resembles very closely the one made by the defenders of the system. The reason of this paradox, I suspect, is the strong nation-state bias in which his liberal account operates. Barry equates ‘society’ with state, and ‘language’ with ‘state language’. But empirical evidence shows that sub-state territories like Catalonia have developed strong national projects based on language that compete with the majority nationalism of the state. I expand below on the problems of sticking to the value of equality in cases where the boundaries of political communities are contested.

- *The mistrust of nationalism*

The political actors opposing the Catalan conjunction model perceive Catalan nationalism as the cause of the dispute. In their view, nationalists use the system to consolidate their national project, and in the process they exclude Castilian, forge nationalists, and infringe constitutional rights. The opponents of the system see themselves as the liberal resistance to the nationalist ‘excesses’ of the Catalan government, which include but transcend the field of education, and which put in danger pluralism and freedom in Catalonia. This echoes the classical liberal rationale confronting liberal values with nationalist enterprises.

Similarly, Brian Barry sees nationalism as being at odds with liberalism for being anti-universalistic in its thrust. He argues against ‘the politicization of group identities where the basis of the common identity is claimed to be cultural’ (ibid: 5). For him, liberal principles and national community are hardly compatible, unless it is in the form of a ‘civic nation’. Otherwise ‘nationalist passions’ pose threats to liberal politics, undermining individual autonomy and cultural pluralism. Barry follows this view through the concept ‘civic nationality’ (2001: 80), but he is by no means alone in this strand of thinking. Examples include Ignatieff’s distinction between ethnic and civic nationalism (1993: Ch1) and Habermas’s defense of constitutional patriotism, premised on the assumption that a focus on political values is a way of avoiding nationalism.

I take issue with this view, because it seems to me that it misrepresents the *practice* of liberal democracies. In fact, this is the underlying reason why the set of arguments opposing the Catalan system does not fit perfectly with classical liberalism. The following feature of the political arguments opposing the Catalan CM falls within liberal nationalism:

- *The cultural and national dimension in the core concepts of constitutional rights and indoctrination.*

Firstly, the *cultural* dimension in the core concept of constitutional rights is the following: the demand for *equal* presence of Catalan and Castilian in the education system crucially depends on the *unequal* linguistic design created by the Spanish constitution. Article 3.1 establishes Castilian as the only language of the state and, therefore, the only language whose knowledge is a duty for all Spanish citizens. In fact, and as we saw in chapter five, the duty to know Catalan was one of the features of the 2006 Catalan Statute of Autonomy that was deemed unconstitutional by the Constitutional Court in 2010.

I draw attention to the constitutional regulation of languages for two reasons. First, citizens are not equal as far as language rights and duties are concerned. Castilian-speakers are allowed to take their language rights with them across Spain, which means that the ‘right to choose the language of education’ applies only to Castilian,

and it does so because of the prevalent role given to that language by the constitutional legislator. This structural linguistic inequality sits uneasily with the classical liberal case for liberal equality as equal treatment. A consistent egalitarian vision of the state would ‘advocate the adoption of Catalan as an official language of the state on an equal footing with Spanish, (...) [and would] defend the right of Catalan speakers to use their language in public institutions in Madrid’ (Costa 2003: 427). Second, the Castilian language is imposed institutionally: it is the only language of the state and, relatedly, the only language whose knowledge is a duty for all Spanish citizens. This linguistic imposition sits uneasily with the classical liberal case for freedom as non-interference. So the point is that in this set of arguments there is a defence of, and reliance on, a constitutional linguistic design that does not distribute linguistic rights equally and that imposes the knowledge of Castilian.

Secondly, the *national* dimension in the core concept of indoctrination is the following: the political actors opposing the system criticise the depiction of Catalonia as a nation in school materials because such description does not match what the constitution says. Article 2 applies the term nation only to Spain, which is defined as ‘the common homeland of all Spaniards’. The argument is that the teaching of ‘nationalist concepts’ in Catalan schools, which is perceived as a mechanism to forge future nationalist voters, is worrying because it neglects basic constitutional principles. The problem is that constitutional principles do not only regulate the basic distribution of rights and obligations among citizens. *In practice*, they also reflect and reinforce particular national frames. Hearn makes the point that liberal democracies routinise rather than transcend nationalism (2006: Ch7). This makes it inadequate to frame the dispute in terms of constitutionalists vs. nationalists. In Spain there are competing national frames, and the fact that one of them is constitutionalised does not take the national component out of it. What is being criticised is the opposition to the idea that Spain as a whole is the only nation.

To summarise, my argument here is that this set of arguments is built upon cultural and national elements, which are hidden in the vocabulary of constitutional rights, and which by their very nature fall closer to liberal nationalism. As Yack notes (2012), liberal constitutions do not only stipulate the moral and political principles

that must rule the living together of a particular political community. This is the ideal of liberal democratic *theorists*, not liberal democratic *states*. There is a contradiction between the national dimension highlighted here and the mistrust of nationalism mentioned above. The reason is that legality and national neutrality are equated, as a result of which constitutional principles are naturalised. This is the ‘myth of the civic nation’, which obscures more than it reveals because culture cannot be removed from politics and because there might be national frames in competition. Yack summarises this ‘myth’ eloquently:

‘The myth of the civic nation defends the Enlightenment’s liberal political legacy against nationalism by employing the very concept – political community as voluntary association – whose plausibility has been undermined by the success of nationalism. The liberal legacy of individual rights and political rationality has developed within political communities that impart a kind of inherited cultural identity quite unforeseen by Enlightenment liberals. *The battle to preserve the legacy is taking place within the framework provided by such communities, not between ethnocultural and civic forms of the modern nation.* Within that framework we have every reason to construct and defend distinctions between more or less inclusive forms of national community. But in doing so we should not fool ourselves into thinking that what we are constructing is a freely chosen and purely civic form of national identity’ (ibid: 42 – my emphasis).

7.1.3 The Political Arguments for the Monolingual Territoriality Principle

The political arguments defending the strict application of the monolingual territoriality principle (MTP) in the Flemish Periphery fall fundamentally within liberal nationalism. They are very similar to the arguments of the defenders of the Catalan CM. Crucially, there is a national dimension that defines Flanders as the relevant political community and Dutch as the language of the Flemish public sphere. The main difference is that these arguments have a less open nationalist outlook than the arguments defending the Catalan CM. This set of arguments is thus less ‘liberal *Nationalist*’ than the Catalan case for the CM. It is not a form of ‘*Liberal* nationalism’, however, since the argumentative focus is on community interests in themselves. This brings this set of arguments close to the communitarian critique, although the national dimension is very much present. The comparison

between the political arguments in the two case studies runs through this and the next section. I also draw attention to the pertinent issue of *when* newcomers become legitimate petitioners for further linguistic rights.

Specifically, the aspects of this set of arguments that fall within liberal nationalism are the following:

- *Nationalism*

The main concern in this set of arguments is the protection of the Flemish character vis-à-vis the challenges of ‘Frenchification’ and internationalisation of the Flemish Periphery created by ‘the problem of the influence of Brussels’. The Flemish character is an ambiguous notion referring to the protection of social cohesion, the protection of Dutch as the public language in Flanders, or both. This term, like ‘Catalonia’s own language’, personifies a territory and might thus be seen as being beyond liberalism. Strict territoriality is generally perceived as instrumental to integrate newcomers. Like in Catalonia, this is a defensive response to the consequences of migratory waves. Unlike in Catalonia, there is not an added preoccupation about assimilationist pressures from the central government, since the Belgian state does not put forward language rights for a particular group.

Nationalism is here a political project which establishes (1) who the relevant people are and (2) what collective goals they have. There was a (3) element in Catalonia (the idea that the nation should be self-governing) that is explicit there, partly because of the clash between the Catalan and the Spanish governments and legislators. In Flanders it is implicit, although it comes to the forefront in specific debates about whether the federal or the Flemish legislation should be given priority. Nationalism is in this set of arguments also a form of identity, one in which language plays a central role. And this is the same in Flanders and Catalonia.

The fact that the national dimension is less explicit in the Flemish arguments than in the Catalan arguments could be explained by the institutional design of Belgium, the dominant position of Flemish elites at the state level, and the achievement of most goals of the Flemish Movement. In short, the Flemish position can ‘afford’ to appear less openly nationalist because the institutional context in which it operates is more

favourable. The territoriality principle and the territorial borders between Brussels and Flanders are enshrined in the constitution, so the demands can be articulated in terms of law compliance and respect for the constitutional status quo.

- *The notion of open integration through language.*

This is very similar indeed to the arguments defending the Catalan system. The Dutch language is presented as the instrument to integrate newcomers into the Flemish public life. This refers both to the mastering of Dutch by newcomers and the protection of Dutch as the language of the Flemish public sphere (that is, the language of the administration, sign boards, and so on). The first is exactly the same in Catalonia, while the second is also present but less prevalent in the Catalan case. The notion of open integration through language links with Kymlicka's point that liberal nations exhibit a conception of national identity in which the terms of admission are relatively thin, and one of them is usually 'learning the language'. More generally, it links with his notion of a common national culture centred on 'a shared language which is used in a wide range of societal institutions (schools, media, law, economy, government, etc.), rather than on common religious beliefs, family customs, or personal lifestyles' (Kymlicka 2001: 25).

Note that, in the case of Flanders, the notions 'learning the language' and 'a shared language' are not as problematic as in Catalonia. We saw in above that these notions do not fit well with the Catalan case due to its diverse composition and stable bilingualism. Kymlicka's strong identification of a particular language and culture with a given nation fits better in Flanders, which is a more homogeneous society with a hegemonic language – or 'linguistic queen', in Van Parijs's (2011) terms. This is not surprising, because there is an affinity between the territoriality principle and Kymlicka's view, as pointed out in chapter three. The only Flemish area where notions such as 'learning the language' and 'shared language' are problematic is precisely the Flemish Periphery. There, the territoriality principle has exemptions and the French language is strong, which creates the possibility for raising the question 'which language?' and proposing French as a language standing on an equal legal footing with Dutch.

Despite these contextual differences, the general phenomenon and dynamic are the same in Catalonia and Flanders: migratory waves put under pressure the ‘autochthonous’ language of the sub-state nation. In both cases, this pressure is geographically focused on the capital and its suburbs, where most migrants seeking job opportunities settle. This creates a sense of cultural insecurity that in Barcelona and its suburbs is addressed through the idea of integration through education, and in the Flemish Periphery is addressed more generally through the idea of integration through strict territoriality. This sense of cultural insecurity is also a sense of national insecurity, largely because the Catalan and Flemish nationalist projects were historically built upon language, as we saw in chapter four. Partly as a result of this, the term of admission to the nation in the two cases is linguistic acquisition, which fits with liberal nationalist accounts.

- *The need of a national culture for political and social participation.*

This reasoning is important in the set of arguments defending strict territoriality in Flanders, and it links with the notion of integration. The argument is that strict territoriality facilitates integration, as a result of which newcomers are able to participate in the labour market and in the local and political life. The references to the importance of integrating to compete successfully in the job market is similar to one of the key arguments in Catalonia: the system guarantees that Castilian-speakers learn Catalan and, as a result, that they are not disadvantaged in the job market. The liberal commitment to equality of opportunity requires equal access to training and jobs, and liberal nationalism typically argues that this can best be achieved within national political units. Like the Catalan arguments defending the CM, the national language plays a central role in bringing together newcomers and ‘autochthonous’ members of the national political unit. Unlike in Catalonia, however, this unit and its articulation in the public sphere is monolingual. And there is also an emphasis on ‘Flemish norms and values’ that is absent in Catalonia.

- *'Mildly illiberal': lack of coercion but restriction of individual freedom to choose*

This point is very similar to the case of Catalonia. Flemish authorities follow typical liberal nationalist constraints, the liberal distinction between public and private spheres is also generally respected (but see Janssens (2008) for some examples on interference in the private sphere, such as what language shopkeepers should use), and the debate is fundamentally about the use of languages by the public administration in the facility communes. However, it is also clear that the current system does not permit French-speakers living outside the six facility communes to receive documents in their language if they request it, not even in areas where they are a majority (if, for the sake of the argument, we accept the view of language groups as discrete and homogeneous). Nor can French-speaking politicians elected in French-speaking lists express themselves in their language in the local councils.

We saw above that Kymlicka's liberal nationalism offers a qualified defence of the permissibility of using some 'mildly illiberal' policies when it comes to the integration of immigrants in minority nations. A relevant question, which Kymlicka does not seem to answer, is *when* these newcomers are no longer immigrants to become regular members of the sub-state nation. There is a strong interest in Catalonia and Flanders to integrate the newcomers from the first, internal migratory waves (Castilian-speakers from other parts of Spain, French-speakers from Brussels). And now people born in Catalan and Flemish territory demand further linguistic rights to exercise a linguistic option in favour of Castilian and French. This has the backing of the linguistic constitutional design in Catalonia, but not in Flanders. And Kymlicka writes that 'liberal nationalism allows political activities aimed at giving public space a different national character (...) [and] people are free to urge the adoption of a different official language' (2001: 40). So, while the main point here is that 'mildly illiberal' coercive policies can be defended by liberal nationalists, the issue of *when* newcomers become legitimate petitioners of further linguistic rights is also pertinent.

However, this set of arguments does not fit perfectly with liberal nationalism. The reason is the same I presented to make this point in section 7.1:

- *‘liberal Nationalism’*: The emphasis is on national interests and not on the instrumental role of a national culture to achieve individual freedom

In a nutshell, the main idea is that, although the Flemish position is less explicitly nationalist than the Catalan, it also displays a form of nationalism that goes beyond the *‘Liberal nationalist’* argument presented by Kymlicka. For him, membership in a national culture is instrumental for individual autonomy. The Catalan and Flemish positions use vocabulary that recalls this academic position, but their goals (and justifications) are different. Simply stated: they do not want to protect individual autonomy but the interests of the political community, and they want to do so through the language of the political community.

7.1.4 The Political Arguments against the Monolingual Territoriality Principle

The political arguments against the strict application of the monolingual territoriality principle in the Flemish Periphery combine elements of liberal nationalism and classical liberalism. The most surprising result of my data analysis is that the liberal nationalist components are explicit and habitual. Following Expectation 1 as laid out in chapter one, I anticipated this set of arguments to be fundamentally articulated in classical liberal terms, similar to the arguments against the conjunction model in Catalonia. However, this is not what I found.

Specifically, the elements of this set of arguments that fall within liberal nationalism are the following:

- *‘We are a national minority in Flanders’*: the use of the language of minority rights

The case for further linguistic rights for French-speakers in Flanders is made using different arguments, one of which is the consideration of French-speakers living in Flanders as a national minority.

In this argument, there is a departure from the standard classical liberal position because a cultural group is recognised as subject of rights and entitlements. This ‘we’ transcends individuals and the aggregating of individual rights claims, falling closer to liberal nationalism for three main reasons. First, the subject is a cultural

group, and not individual inhabitants in Flanders who wish to enjoy certain linguistic rights. Second, this cultural group is defined as a national group through a common language – which links with Kymlicka’s idea that a nation is characterised by a distinctive language and culture. Third, this group is mobilised politically to obtain the goal of further rights for its members. Their status as a national minority is deemed to justify measures of ‘external protection’, in Kymlicka’s terms. Fundamentally, this would consist in protecting French-speakers from the excesses of the Flemish authorities.

Now, there can be little doubt that the use of the language of minority rights is, at least in part, strategic. We saw in chapter six that French-speaking political actors would like the Belgian state to ratify the Framework Convention for the Protection of National Minorities (FCNM). More generally, these political actors consider that appealing to European institutions is a useful tactic to go beyond the consociational character of the Belgian federation, which makes the suppression of the territoriality principle politically impossible. But the adoption of a certain vocabulary for strategic reasons is not a surprising feature of political rhetoric. The pertinent point is that, regardless of the reason for it, the French-speaking demand is articulated as a *group-specific right for the community of French-speakers* living in Flanders. A national community united by language.

- *The concern about the integrity of Belgium*

Another argument against strict territoriality is that the progressive institutionalisation of the linguistic border provides the conditions for the eventual split-up of Belgium. Interestingly, opposing strict territoriality not only helps granting further rights to French-speakers living in the Flemish Periphery, but also contributes to prevent the break-up of Belgium. Demands such as the transformation of Brussels into a ‘fully-fledged region’ and its ‘democratic expansion’ into Flemish territory go in that direction. The controversial aim of some French-speaking politicians from Brussels to create a ‘territorial corridor’ between the Brussels Capital Region and Wallonia through Sint-Genesius Rode shows that the opposition to strict territoriality does not only aim to prevent the

independence of Flanders, but also to prepare French-speaking Belgium for such eventuality.

This concern sits uneasily with classical liberalism, which focuses on individual interests and tends to show scepticism towards community attachments. Why would an individual as thought of by classical liberal thinkers care about the break-up of a state? Of course, one could answer that the reason is that the state is the result of an agreement between individuals that protects basic rights and freedoms. This could be part of the answer. But it seems to me that being preoccupied about the territorial integrity of a *specific* state and about the consequences of a break-up for French-speaking Belgians fits better with a strand of political liberalism that gives *explicit* legitimacy to group-specific attachments and perspectives, such as liberal nationalism.

While the data suggests a concern about the integrity of Belgium and the interests of French-speaking Belgians, I am aware that the French-speaking identity in Belgium is particularly complex. For French-speakers, different political communities of reference might coexist, such as the regional (Wallonia and Brussels), the community (the Federation Wallonia-Brussels), and the state (Belgium). In fact, Brussels is increasingly becoming a political community in its own right, partly as a result of the regionalisation process in Belgium. Due to this potential plurality of French-speaking identities in Belgium, it is possible for some of these political actors to claim that French-speakers in Flanders are a 'national minority' while they undertake measures to strengthen the ties between French-speakers in Brussels and Wallonia and, at the same time, they display elements of state nationalism such as the concern about the integrity of Belgium. This is a complex picture, one in which territorial, linguistic, and political definitions of the group coexist. The basic point I want to make is that, in this complex picture, there is a group-specific concern that sits uneasily with classical liberalism.

However, this set of arguments does not fit perfectly with liberal nationalism. The following element fits better with classical liberalism:

- *The defence of equal treatment and the notion that unequal treatment entails discrimination*

The main idea in the arguments against strict territoriality is that the Flemish authorities cause political and economic discrimination to French-speakers living in Flanders. Politically, the accusation is that there is a lack of democracy resulting in practices such as the non-nomination of mayors in some facility communes and the problems caused by the prohibition of using French in city hall meetings. Economically, the accusation is that the system of facilities prevents these communes from obtaining economic subsidies from the Flemish government that they would otherwise be able to obtain. The underlying notion is that French-speakers in the Flemish Periphery should enjoy the same degree of rights as Dutch-speakers. The defence of equal treatment, and the notion that unequal treatment entails discrimination, connects with Barry's core point that citizens of a liberal state should be entitled to the same legal and political rights.

Incidentally, Barry disagrees with the territoriality principle, and he sees Belgium as 'the quintessential example of the Kymlickean idea of groups living in parallel universes' (2001: 312). This is in line with the point made above that there is an affinity between territoriality and Kymlicka's reasoning. For Barry, Belgium has the same problem as Kymlicka's defence of asymmetrical federalism: the assumption that distinctive cultural attributes are the defining feature of groups. He argues against this assumption (which he includes under the label 'the politics of difference') to his preferred 'politics of solidarity', in which 'citizens belong to a single society and share a common fate' (ibid: 300). Drawing on Yack's concept of 'the myth of the civic nation' in section 7.1.2, I made the point that this contrast is in my view misguided.

A qualification is needed here. While the political actors opposing strict territoriality share with Barry the stress on avoiding discrimination and demanding equal treatment, the detail of the argument varies. These political actors do not share Barry's criticism to the 'culturalisation of groups', as they themselves defend this view when they demand the recognition of French-speakers in Flanders as a national minority. In addition, they do not demand the abolition of the territoriality principle.

What they usually demand is a bilingual, rather than monolingual, form of territoriality in the Flemish Periphery.

7.2 The Affinity between the Academic and Political Arguments

7.2.1 Testing the Expectations

This thesis had two expectations. In this section I test their validity based on the analysis done in the previous sections.

E1: Political actors that advocate Catalan and Flemish linguistic rights will express themselves in the vocabulary of liberal nationalism, whereas those opposing the same will express themselves in the vocabulary of classical liberalism.

This expectation was correct for political actors advocating Catalan and Flemish linguistic rights, and also for those opposing them in Catalonia. However, it was incorrect for political actors opposing Flemish linguistic rights.

Indeed, we have seen that political actors advocating Catalan and Flemish linguistic rights expressed themselves in a similar vocabulary, one that falls basically (but not perfectly) within liberal nationalism. In both cases, the focus is on group-specific goals (around social cohesion and immigrant integration), the main tool for national integration is language, and national membership is seen as instrumental to achieve equal opportunities and to participate in the Catalan and Flemish social and political life. I have argued that the political vocabulary is more nationalist and less liberal ('liberal *Nationalism*') than the academic position ('*Liberal* nationalism'). I have also argued that the vocabulary in Catalonia is more explicitly nationalist. I did not expect openly communitarian arguments due to the general discredit of collectivism and, while this expectation was generally correct, in both cases there are recurrent notions (such as 'Catalonia's own language' and 'Flemish character') which are susceptible of communitarian interpretations.

The political actors opposing Catalan and Flemish linguistic rights express themselves differently. As expected, those in Catalonia express themselves in the

vocabulary of classical liberalism: they give primacy to individual rights and are suspicious of demands of cultural or collective nature; they demand equal treatment; and they mistrust nationalism. The emphasis is on the protection of the sphere of free individual decisions, without political interference. However, contrary to what was expected, those in Flanders express themselves in a vocabulary that is at times explicitly liberal nationalist. The case for further rights for French-speakers is not only made on individual basis and upon classical liberal concepts such as freedom, choice or autonomy, but also on group-specific basis for the national minority of French-speakers living in Flanders.

E2: The conflict is not between classical liberalism and liberal nationalism, but between competing forms of liberal nationalism.

This expectation has been validated. Remarkably, the four positions rely in different forms and to varying degrees on liberal nationalism. We have seen that the national element is particularly clear in the Catalan and the Flemish cases for language rights, and more acute in the former. It is also evident in the French-speaking opposition in Flanders, which adopts at times the explicit vocabulary of minority rights. Finally, while the explicit vocabulary of the opponents to the Catalan system fits with classical liberalism only, I have shown that there is a cultural and a national dimension embedded in the constitutional principles used to make their arguments, and that these dimensions fall under liberal nationalism. This is so because liberal constitutions such as the Spanish are not neutral on linguistic and national terms. This view is a myth. In practice, Castilian is the only constitutionally recognised state language (which gives prevalence to this language over the rest), and Spain is the only constitutionally recognised nation (which reinforces, rather than transcends, one of the national frames in competition).

7.2.2 Discussion

This final section includes some speculative reflections as to why political actors follow the approaches they do. This is a pertinent question that emerges from the previous analysis. The following reflections do not add up to a single argument (although they are related), nor do they constitute a causal explanation in the usual

sense. Rather, they direct the attention to the likely relevance of a number of contextual and theoretical factors.

7.2.2.1 Contextual factors

The way political actors make their cases in linguistic disputes is partly influenced by the context in which they operate. Specifically, I would like to draw attention to institutional, linguistic, and economic factors. I have referred to them in passing in the previous sections. The first is different between Catalonia and Flanders, while the second and the third are largely similar – although the geographical exceptionality of Brussels creates some divergence.

- *The constitutional distribution of language rights*

A favourable constitutional context helps to make the case in a way that looks more classical liberal than liberal nationalist. That is, in a way that emphasises ‘legal’ considerations and the protection of rights over ‘identity-related’ considerations about culture. The fact that the Spanish constitution gives preference to Castilian, making it the only state language, permits the opponents to the Catalan system to use the classical liberal vocabulary of rights. They can ‘afford’ to make their case in a more legalistic way because their linguistic attachments are backed up constitutionally.

The defenders of strict Flemish territoriality also enjoy a favourable institutional context: the territoriality principle and the borders between the Brussels Capital Region and Flanders are enshrined in the constitution and, therefore, the demands can be articulated in terms of law compliance. This permits them to soften the openly nationalist vocabulary, as we have seen, but in this case it does not permit to move from liberal nationalism to classical liberalism. Why is that? I conjecture that the reason has to do with the statuses of the languages in competition.

- *The statuses of the languages in competition*

Dutch in Flanders and Catalan in Catalonia enjoy a high status. They are public languages and their knowledge is necessary to be successful in the job market. This is particularly true in Flanders, where, following the monolingual territoriality

principle, Dutch is the only official language. However, Dutch and Catalan are small languages in comparison with the languages with which they compete for linguistic prevalence, French (and, increasingly, English) and Castilian, which are international languages. In Catalonia both the constitutional design and the relative statuses of the languages are favourable to the Castilian language, while in Flanders the constitutional design benefits Dutch but the relative statuses of the languages benefits French. The latter is not significant in most of Flanders because it is rather homogeneous, but it is crucial in the contested Flemish Periphery, where the linguistic prevalence of Dutch is contested due to the significant number of French-speakers (and, increasingly, other non-Dutch speakers). The fact that many of these residents are strongly oriented to Brussels, to which they commute and where French is dominant, adds to the difficulties for the Dutch language. These considerations about the statuses of the languages in competition are important because both sub-state nations attract high numbers of newcomers for economic reasons.

- *Economics*

Catalonia and Flanders are productive areas of their respective states, and therefore they attract significant numbers of migrants. In Flanders this is true fundamentally of the Flemish Periphery, and the main reason is the expansion and attraction effect of Brussels, as we saw in the previous chapter. In Catalonia, the key issue is the low knowledge and use of Catalan in comparison to Castilian resulting from migratory waves attracted in particular by the economic dynamism of Barcelona.

The similarity in both cases is thus that immigration flows engender a fear of minoritisation (which in Flanders applies to the Flemish Periphery only), leading to the set-up of coercive policies aimed at integration. A purely classical liberal case, with its emphasis on freedom as non-interference, does not work well to justify this kind of coercive policy. Liberal nationalism, with its emphasis on the importance of language, culture and nation, provides a more suitable vocabulary to deal with the challenging structural conditions related to massive migration and competition with international languages.

Incidentally, it also provides a suitable vocabulary for the opponents to strict Flemish territoriality. They do not have the support of the institutional design and adopt sometimes the vocabulary of minority rights to protect and enhance their linguistic rights in Flanders. The structural position in the state also plays a role in the adoption of this vocabulary: it is easier for French-speaking political actors to use the language of minority rights in Flanders because they are a minority at the state level too. As a result, they are more used to mobilise around this vocabulary, and they are more aware of the ‘risks’ of being a minority. The geographical position and exceptionality of Brussels also plays a role in the adoption of this vocabulary. Perhaps if Barcelona was closer to the border with the rest of Spain, Castilian-speaking newcomers settling in its suburbs would have also articulated territorial claims.

7.2.2.3 Theoretical Factors

The way political actors make their cases in linguistic disputes is not only influenced by the context in which they operate, but also by what principles they think will give most legitimacy to their case. I draw attention here to the hegemony of liberal values (which makes it difficult to make strong and open communitarian cases), and to the related attractiveness of classical liberalism. These theoretical factors are constant in the two cases, and therefore they do not explain differences between them but one crucial similarity: the fact that the four positions in the two debates rely, in different forms and to different degrees, on liberal nationalism.

- *The dominance of liberal values and the discredit of collectivism*

The view that the values that should underlie a legitimate polity are the norms of political liberalism is well-established. Strong collectivist views are generally discredited. This is the result of historical factors such as the fate of the two World Wars and the establishment of the United States as the most dominant political and economic state since then, and it is likely to have an effect on how political and academic arguments are shaped. Political actors and academics have incentives to make their cases for language protection and the importance of national membership within liberal frameworks. Otherwise they run the risk of being discredited as illiberal, which has become for many a synonym for unacceptable. This is one the

reasons why liberal nationalism is in one way or another predominant in the four positions that articulate these linguistic disputes. It is also one of the reasons why the dominant position in the academic debate circumscribes its defence of national membership to its instrumental role for individuals.

It is true that there is not one single liberal framework: there are different liberal values, which often compete against each other, and liberals differ both on what values they give primacy to, and on how they interpret them. We saw this in chapter two. Political liberalism is best understood as an umbrella term, and its empirical application is untidy. But the point here is that the prevalence of 'liberal values' has become a taken-for-granted, gut-level conviction for many, and it is in turn embedded in one way or another in most Western institutional designs. While there is room for muddling through what the key values are and how they should be understood, there are little incentives to go beyond them. Nationalism has to be liberalised to be legitimate.

The academic literature goes further in this liberal endeavour than the political arguments. Kymlicka writes that 'activists in Quebec or Flanders or Catalonia have also been liberal reformers (...) because they believed that participation in a national culture, far from inhibiting individual choice, is what makes individual freedom meaningful.' (2001: 209). My point is that this is *not* the reason why they have been liberal reformers. These political actors display arguments that fall fundamentally within liberal nationalism, but their justifications are built upon the national interests of the political community. There is something powerful and pervasive in the national attachments many people experience in 'the real world', and, as suggested in chapter two, liberal nationalist thinkers run the risk of being unable to account for them if, in their efforts to build 'acceptable' liberal theories, they circumscribe their defence of national membership to its instrumental role for individual autonomy.

- *The myth of the civic nation, or the practical problems of classical liberalism*

The view that political communities are purely civic institutions grounded on choice is untenable. This is the 'myth of the civic nation', which obscures more than it

reveals because culture cannot be removed from politics, and because liberal political communities impart a kind of pre-political inherited identity. It is however an attractive myth, because it gives extra legitimacy to political communities, focusing on political choice rather than cultural heritage. This is very useful for states to construct the illusion that they transcend culture and approach universal goals better. The problem is that this misrepresents political reality.

The problems of classical liberalism *in practice* are one of the reasons why we also find liberal nationalist elements in accounts using a strictly classical liberal vocabulary. If I am correct, these elements are embedded (but made invisible) in the classical liberal vocabulary. The reality is that the notion that emerged with the liberal revolutions, the nation as a political community through the concept of citizenry, does not transcend culture, nor does it sublimate community attachments to turn them into attachments to values. It is thus problematic to contrast ‘the politics of difference’ with the ‘politics of solidarity’, as Barry does, because liberal democratic states have not replaced cultural heritage with mutual concern and solidarity. In addition, solidarity must be applied to specific political communities, but demarcating political communities is not without problems when there are competing national frames, as in Spain and Belgium. It is also problematic to oppose ‘constitutional principles’ to ‘nationalism’, because the former cannot avoid codifying cultural and national principles in a way that, often, will inevitably privilege some cultures and national frames over others.

7.3 Conclusion

This final chapter has addressed the research question of this thesis: do proponents and opponents in the linguistic disputes in Catalonia and Flanders prioritise individual or group-specific rights? To operationalise the key concepts and answer the question, I have mapped the political arguments in relation to the academic debate about the compatibility of individual and group-specific rights.

The chapter has shown that the four positions in the two debates participate in different forms and to different degrees of liberal nationalism. The set of arguments defending the Catalan conjunction model in education and the Flemish monolingual

territoriality principle fall fundamentally within liberal nationalism, but not perfectly, because some elements are more nationalist ('liberal *Nationalism*'), perhaps even communitarian, than the academic position ('*Liberal* nationalism'). The arguments opposing Flemish monolingual territoriality also display explicit liberal nationalist arguments through the vocabulary of minority rights, which are combined with classical liberalism. Finally, the set of arguments opposing the Catalan conjunction model displays basically the vocabulary of classical liberalism, but implicit in that vocabulary there are elements that fall under liberal nationalism.

The chapter has also tested the validity of the two expectations set out in chapter one, and it has speculated as to the reasons that might explain why political actors adopt the sort of arguments they do. Specifically, I have drawn attention to the importance of a number of interconnected contextual and theoretical factors.

The Conclusion of the thesis recaps the main argument and connects the two main contributions that this thesis seeks to make with the wider issue of the relationship between liberalism and nationalism. The Conclusion also presents a list of ten summary theses. After addressing the three main limitations of the thesis, it concludes thinking ahead about three future projects that could build upon the research undertaken in this thesis.

Conclusion

This thesis posed the following research question: do proponents and opponents in the linguistic disputes in Catalonia and Flanders prioritise individual or group-specific rights? To answer the question, the thesis combined normative scholarship about liberalism and nationalism with empirical research about the competing political arguments and about the context and circumstances in which they are articulated. Specifically, the thesis mapped the competing political arguments in light of the academic debate about the compatibility between individual and group-specific rights.

The core argument of the thesis is that the Catalan and Flemish linguistic disputes occur within liberal nationalism. Proponents of the conjunction model (CM) in Catalonia and of the strict monolingual territoriality principle (MTP) in Flanders prioritise group-specific rights around social cohesion and immigrant integration, arguing in a form of liberal nationalism that is more nationalist than liberal, especially in Catalonia. Opponents in Flanders combine liberal nationalism (the demand of group-specific rights for French-speakers in Flanders) with classical liberalism (the emphasis on the protection of individual rights against the pursuit of allegedly discriminatory policies by the Flemish government). Finally, opponents in Catalonia argue in a form of classical liberalism that relies on liberal nationalist elements. This is so because their case for parents' right to choose the language of instruction for their children, and their accusations of indoctrination, draw on constitutional precepts that reinforce the rights of Castilian-speakers and Spain as the national frame of reference. A core argument that emerges out of this thesis is thus that the four positions in the two debates rely in different forms and to different degrees on liberal nationalism.

More generally, the thesis addressed the issue of the relationship between liberalism and nationalism at both theoretical and empirical levels. Theoretically, the thesis assessed critically the merits and problems of the three main positions in the debate in normative political theory: classical liberalism, the communitarian critique, and liberal nationalism. I sided with the liberal nationalist position, which is the dominant position in the debate, chiefly because I find merit in the following three points: (1)

the classical set of common civil and political liberal rights is insufficient to deal with situations of cultural and national pluralism; (2) unequal treatment does not necessarily entail unfair treatment; and (3) we must be aware of the nation-building efforts of many state's national majorities. However, I sided with the liberal nationalist position critically: specifically, I called into question its conceptualisation of national groups, in which there is, in my view, an excessive identification of a particular language and culture with a given nation; and, relatedly, an empirically implausible view of groups as determinate, bounded, and homogeneous entities whose existence is undisputed. Finally, I suggested that issues of belonging and community, as opposed to the instrumental role of culture for individual autonomy, deserve greater attention as justifications for minority rights. Restricting the normative defence of national attachments to its instrumental role for individual autonomy runs the risk of being unable to account for 'real world' interests and attachments. In the real world, as evidenced by the Catalan and Flemish linguistic disputes, issues of belonging, and related aspirations of national survival and prevalence, play a significant role.

The thesis complemented the conceptual lenses provided by scholarship on liberalism and nationalism with literature focused on language. Specifically, it addressed the pertinent issue of the relationship between language and nation as addressed by Romantic thinkers and nationalism scholars, as well as the topic of the value of linguistic membership as addressed by political theorists. We saw that the tradition of thinking of language as an important element of the nation, which is a belief that features explicitly in the arguments of many proponents in Catalonia and Flanders, runs deep, although Romantics see the link as natural and nationalism scholars see it as constructed, complex, and dynamic. Concerning the issue of the value of linguistic membership, we saw that the common position in the language justice literature holds that individuals have identity interests in language. Language justice theorists usually make their cases in strong forms of moral individualism, and they do not consider what I labelled as 'national interests in language'. I suggested that shifting directly from individual to language rights runs the risk of missing the crucial link that may exist – namely, nationalism, as evidenced by the cases of Catalonia and Flanders and their historical experiences spelled out in chapter four.

Empirically, the thesis traced the forging of a link between language and nation in Catalonia and Flanders and examined the competing political arguments about language in the two cases. Using Miroslav Hroch's scheme for a conceptual and systematic comparison, the historical analysis stressed the contingent nature of the association between language and nation and the active role played by cultural activists and political elites in forging it. The thesis highlighted the similarities between the two cases in Phases A and B, during which the cultural and political versions of Catalanism and the Flemish Movement emerged partly as a reaction to the processes of nation-building carried out by liberals in Spain and Belgium during the 19th century. These processes fostered an existing diglossia that was grounded on an unequal conception of the languages. In contrast, the two cases went through very different political and demographic experiences in Phase C, which contributed to the emergence of two distinct forms of linguistic disputes: the Flemish 'territorial' dispute and the Catalan 'educational' dispute. Despite this and other differences, the deeper issues are similar in the two cases: two national projects built upon language, the challenge created by a process of internal immigration through which newcomers speaking a more 'international' language (French and Castilian) settle in the capital and its suburbs, and the set-up of policies aimed at integration which are contested on normative grounds.

The careful analysis of the competing political arguments showed that normative issues, which form the subject matter of political theory, are also very much present in the 'real world'. The arguments of the political actors defending the Catalan conjunction model (CM), which establishes the Catalan language as the only language of instruction in publically funded schools, are built around the core concepts of social cohesion and Catalonia's own or common language. Their underlying argument is that it is through the Catalan language, whose knowledge is guaranteed by the CM, that social cohesion is protected and immigrant integration is achieved. In contrast, the arguments of the political actors opposing the CM are built around the core concepts of constitutional rights, brain-washing and discrimination. Their main argument is that the CM is a nationalist imposition of the Catalan government that infringes the individual right of parents to choose the language of instruction of their children. In Flanders, the arguments of the political actors

defending the strict application of the monolingual territoriality principle (MTP) are built around the core concept of integration and the concern for the protection of the territorial integrity of Flanders and the status of Dutch as the language of the Flemish public sphere. In contrast, the arguments opposing strict MTP are built around the core concept of discrimination: strict MTP must be opposed in order to protect the French-speaking minority in Flanders from the political and economic discrimination that Flemish authorities inflict upon them.

The crucial similarity between the political arguments *defending* the Catalan CM in education and the MTP in Flanders is that both present these measures as instruments to achieve immigrant integration and social cohesion. But they do so in different forms: in Flanders the aim is a homogeneous and monolingual public sphere, in line with the MTP enshrined in the constitution, while in Catalonia the arguments are for a preferential treatment for the Catalan language in education, partly resulting from Castilian's status as the co-official and dominant language in many other areas. At the same time, the crucial similarity between the political arguments *opposing* the Catalan CM and the strict application of the MTP in Flanders are the classical liberal rationales focusing on the protection of rights against the impositions of nationalist governments. There are two differences, however: first, in Flanders the classical liberal vocabulary is combined with an explicitly liberal nationalist vocabulary, while in Catalonia it is not; second, the arguments in Flanders have a territorial or regionalist dimension relating to the defence of Brussels' interests and its 'democratic expansion' into Flemish territory that is also missing in the case of Catalonia.

The findings of this thesis suggest that nationalism is an important factor in making sense of the intellectual puzzle with which I introduced this thesis, namely that the normative consensus on political liberalism does not translate into political consensus in these specific cases. To be sure, this mismatch is partly explained because political liberalism is internally diverse, as we saw in chapter two. Different liberal principles might collide when applied to real cases, requiring compromises. But it is also explained because the very application of liberal principles is realised within political communities which are *also* forms of cultural inheritance that

routinise, rather than transcend, nationalism (Hearn 2006, Yack 2012). In practice, in the ‘real world’, liberal democracies and nationalism coexist⁴⁶. This is further problematised by the fact that, in political communities with competing national projects such as Catalonia and Flanders, conflicting liberal views coincide with conflicting national projects. These national projects hold different views as to who – which people – deserves to rule itself, and this disagreement is important in making sense of the intellectual puzzle.

In short, the point here is that, while in Catalonia and Flanders there is a normative consensus on liberal democracy, this does not translate into political consensus not only because political liberalism is a wide camp and political actors embrace different liberal approaches, but also because the issue of who comprises the ‘demos’ remains contested. The fact that the four positions in the two debates participate in some form of liberal nationalist thinking draws attention to the saliency of nationalism in our contemporary liberal democracies.

It is hoped that the findings of this thesis will make two main contributions:

First, to contribute to the *understanding* of the linguistic disputes in Catalonia and Flanders. I hope to have shown that the disputes are not the result of political actors holding fundamentally different values, but the result of the combination of different liberal approaches and competing national projects and views. These are not disputes between liberals and nationalists, nor are they between liberals and non-liberals or between non-liberals. These are disputes between liberal nationalists, in the sense that the four positions in the two debates mobilise to different degrees and in different forms around issues of rights and community that fall into that strand of liberal thinking. The findings suggest that in order to make sense of these linguistic disputes, we need to recognise that nationalism plays just as important a role in our social lives as liberal democratic principles. In addition, through the use of the comparative method, it is hoped that this thesis will contribute to the understanding of how and why language became a national marker in Catalonia and Flanders, and

⁴⁶ In the end, it is important to remember that nationalism is a partial, rather than a total ideology: ‘nationalist principles tell us who should have the final say over a state’s instruments of authority, not what tunes to play on them. This is one of the reasons why nationalism combines so easily with other ideologies, from liberalism and conservatism to fascism and even socialism’ (Yack 2012: 129).

how and why the two different linguistic disputes emerged and are articulated, emphasising similarities and differences. While there was an obvious comparison to be made between Catalonia and Flanders concerning language and nationalism, the cases had not been compared so far.

Second, to make a *theoretical* contribution by examining the capacity of the academic debate on liberalism and nationalism, mostly designed in the context of Quebec, to travel well to the cases of Catalonia and Flanders. The academic debate arises *precisely* because we are thrown into a part of the world where nationalism is endemic and political liberalism is dominant, and this raises both conceptual and real-world problems. Crucially, the findings call into question the ability of the typical liberal nationalist argument (Kymlicka's autonomy argument) to account for the national attachments many people experience in the real world. As mentioned above, the findings suggested that liberal nationalist scholars run the risk of being unable to account for these attachments if, in their efforts to build acceptable liberal theories, they circumscribe their defence of national membership to its instrumental role for individual autonomy. The challenge is to build forms of liberal nationalism that stress issues of belonging without reifying groups.

Liberal nationalism, and political liberalism in general, must be sensitive to political realities. In my view, this involves coming to grips with the saliency, strength and complexity of nationalism. This applies to classical liberalism, whose strong nation-state bias tends to reinforce state nationalism while making it 'banal', that is, 'overlooked, forgotten, even theoretically denied' (Billig 1995: 17). But it also applies to forms of liberal nationalism that may be too detached from the issues of belonging and community that underpin actual national attachments and disputes.

Ten Summary Theses

The following list of core theses is presented not in order of importance, but roughly in the order that they were made in the text, although some points were made in different forms in various places. This is not a list of each chapter's conclusion, which can be found in the last section of each chapter. It is instead a collection of reflections made throughout the thesis, sometimes at length and at

others in a shorter form, that connect in different forms to the wider issues of the relationship between liberalism and nationalism while also touching upon the issue of the relationship between language and nationalism.

1

The disagreement about whether liberal equality entails equal treatment or can accommodate forms of unequal treatment plays an important role in the debate within scholarship about the compatibility between individual and group-specific rights. The classical liberal position à la Barry is that liberal equality means equal treatment, while the liberal nationalist position à la Kymlicka is that liberal equality in some case requires unequal treatment (e.g. in the form of minority rights). This is not only a theoretical discussion: competing views on what equality entails play a clear role in the Catalan linguistic dispute. I think it is problematic to stick to the principle of equality in cases where the boundaries of political communities are contested because equality *presupposes* a political community of citizens to whom the principle applies equally. Demarcating the relevant people or ‘demos’ is a contested matter when competing national projects coexist, as in Catalonia and Flanders.

2

Kymlicka’s liberal nationalist argument is the dominant position in the literature and it has many strengths, but in my view it establishes an excessive identification of a particular language and culture with a given nation. In so doing, he reproduces an implausible view of the world characterised by monolingualism, by sharp boundaries that neatly juxtapose linguistic groups, and by the fact that members of linguistic communities are undivided with regard to the issue of identity (what De Schutter calls ‘discrete language ideology’). More generally, Kymlicka shows a tendency to reify groups as bounded and homogeneous entities. This conceptualisation of groups has become instrumental in making an influential case for legitimising minority protections, but in some cases it is built on flimsy empirical grounds. Indeed, his theory struggles to account for ‘messy’ empirical contexts like the Catalan case, where two languages (two societal cultures?) coexist. It also raises the issue of whether languages result in the same societal culture for communities such as the Flemings and the Dutch. Finally, the excessive attention to culture runs

the risk of obscuring the key role played by cultural and political actors in politicising cultural differences, as discussed in chapter four.

3

Scholarship in the field of nationalism studies emphasises in different forms that the relationship between languages and nations is contingent, complex and dynamic. Importantly, the view of Romantic thinkers like Herder and Fichte, according to which the relationship between language and nation is natural, does not allow for conceptualising dual identities, bilingualism or multinational political units, three basic features of Catalonia and the Flemish Periphery. The expectation that there is a necessary congruence between language and nation is again proved to be problematic.

4

There is an affinity between the Kymlickean liberal nationalist position and the Van Parijsian monolingual territoriality principle. They both conceptualise groups as territorially concentrated and culturally homogeneous. In addition, they both place an emphasis on the protection of ‘societal cultures’ and languages because of their relevance for individuals (specifically, for their autonomy and dignity). And they both focus on addressing inequalities *between* groups. In addition, while Kymlicka’s theory has many differences with Herder’s, it echoes at a basic level a culturalist and homogeneous understanding of national groups, one in which language plays a central role. The wider idea here is perhaps that political communities are not necessarily spaces of normative harmony and cultural homogeneity, but spaces of debate where political, national, and linguistic borders are rarely congruent. In other words, national disputes are not necessarily conflicts *between* nations, but *within* nations. This makes ‘collective’ aims essentially contested.

5

The academic debate about whether we should follow the territoriality or personality principle, which is often used to frame the linguistic disputes in Belgium, is in my view misleading. For one thing, the personality regime is *necessarily* instantiated in a particular territory. In the absence of a global democracy, rights are always territorial. For another, ‘territoriality’ does not necessarily correlate with

monolingualism. So we could more fruitfully frame this debate stating that some authors defend *territorial* monolingualism while others demand *territorial* bilingualism. Even then, we should agree that the latter is insufficient to provide equal recognition and equal treatment in contexts where more than two languages are spoken.

6

Liberals in Spain and Belgium engaged during the 19th century in processes of nation-building that prioritised some languages and cultures (French in Belgium, Castilian in Spain) over others. These processes fostered an existing ‘diglossia’ grounded on an unequal conception of the languages (on a lack of ‘parity of esteem’, in Van Parijs’s words). In short, liberalism and nationalism in practice went hand in hand.

7

Historical contingencies explain why the linguistic dispute in Flanders is mostly ‘territorial’ and mostly ‘educational’ in Catalonia. The move towards the territoriality principle in Belgium after the First World War progressively satisfied many demands of the Flemish Movement, but it created the conditions for the emergence of the current linguistic dispute in the Flemish Periphery due to a mismatch between the language regime and language use. This mismatch was fostered by a process of ‘Frenchification’ first and ‘internationalisation’ later. In Catalonia, the combination of two reinforcing factors (Franco’s dictatorship and a massive internal migratory wave) weakened the Catalan language and created Castilian-speaking areas in Barcelona and its periphery. The ‘normalisation’ of the Catalan language proceeded alongside the process of ‘national reconstruction’ under the governments of Convergence and Union. However, the Catalan left was crucial in the adoption of the immersion system, which would later become the conjunction model. Indeed, Catalan socialists and communists opposed the creation of a dual school network for fear that it would break up society into two linguistic communities. The most recurrent arguments today in favour of the system echo this concern.

8

Nationalism is particularly manifest in the Catalan linguistic dispute. Political actors defending the CM conceptualise Catalonia as their national community of reference and the Catalan language as the language of the nation. This national dimension to their arguments is intertwined with instrumental considerations about the efficacy of the CM in teaching both Catalan and Castilian and, consequently, protecting social cohesion. While the national dimension among the political actors opposing the CM is not explicit, it is implicit in the core concepts of constitutional rights and indoctrination. The first neglects the prevalent role given to Castilian by the constitutional legislator, and disregards that the Castilian language is also imposed institutionally. This is a difference with contemporary Belgium, where the state does not seek to advance ‘majority’ language rights and the two widespread official languages (French and Dutch) are formally on equal footing within the borders of the country. The second concept criticises the depiction of Catalonia as a nation in school materials because such description is not constitutional, but this overlooks the national element in applying the term nation only to Spain. The underlying issue here, I believe, is that liberal constitutional principles do not necessarily transcend identity issues.

9

The Flemish linguistic dispute is about rights (like Catalonia’s) and territory (unlike Catalonia’s). The fundamental tension in this political dispute is between the willingness of Flemish authorities to integrate newcomers, on the one hand, and the negative or discriminatory consequences of integrationist policies for the rights of French-speakers living in Flanders on the other. There are also competing territorial aspirations between the territorial integrity of officially monolingual Flanders and the territorial expansion of the bilingual Brussels Capital Region. Thus, in practice, the political debate in Belgium is not between the territoriality and the personality principle, but between competing forms of the territoriality principle.

10

The way political actors make their cases is influenced both by the context in which they operate, and by the principles they think will give most legitimacy to their

position. A number of contextual and theoretical factors help us understand why political actors make their cases the way they do. Among the former, it is important to consider the constitutional distribution of language rights, the statuses of the languages in competition, and economics. Among the latter, it is important to consider the dominance of liberal values and the discredited nature of collectivism, as well as the myth of the civic nation (or the practical problems of classical liberalism).

Limitations of the Research

Firstly, the most important limitation in a project of this kind is the one created by the researcher's personal limitations. My limitations are especially relevant concerning the way I have addressed the challenge of combining normative scholarship and empirical research. It is clear to me that normative issues are also present in the 'real world' and that there are important gains to be made by both sides if we bring them closer, as argued at some length in chapter one. In fact, many contemporary political theorists combine the two in one way or another. However, they are often silent on questions of method and approach. And, when they are not (see Leopold and Stears 2008), their reflections do not seem terribly conclusive. The lack of a method to undertake the challenging task of combining two dimensions that operate at different levels puzzled me. There are obvious challenges as to how to operationalise complex normative debates so as to turn them into useful conceptual lenses, and as to how to determine what passes for evidence of the different academic positions in the data gathered during my fieldwork. Given that my general approach in this thesis is more diagnostic than prescriptive, I have carried these concerns for some time.

The way I decided to go about this was to restrict the intellectual dispute about individual and group-specific rights to a basic core set of principles in competition. I then interpreted the content of my data, exploring to what extent the different political arguments relate to the academic arguments. I decided not to make use of a qualitative data analysis computer programme because of the fragmentation of the data that it encourages and, while I read books on discourse analysis, most of them seemed too tied up with post-modernist ontologies and too formalised to the point of

just referencing words (which is too positivistic, ironically enough). So my approach has been to look at what political actors are saying and to interpret it, in the way that historians do interpretation, while emphasising context and historical awareness. My approach has stressed interpretation and understanding rather than transliteration of terms. This is one possible way to bring together normative and empirical work, but it is one very dependent on the researcher's interpretative skills, and therefore I regard my personal limitations as the first source of limitations in this research.

Secondly, there is a limitation concerning the generalisability of the results. The findings resulting from the mapping of the Catalan and Flemish political arguments in light of scholarship about liberalism and nationalism cannot be generalised in a positivist sense to other cases of linguistic disputes in political communities with alternative national projects, such as Quebec and the Baltic states. The exact way the political arguments relate to the academic arguments will obviously vary from one case to another, depending in part on contextual factors such as the ones traced in chapters four and seven. For this reason, the contribution to *understanding* spelled out above has to be circumscribed to my two case studies. However, it is also true that the findings hope to tell us something broader about the phenomenon of linguistic disputes in political communities with competing national projects. The careful comparison of two contrasting and comparable cases of linguistic disputes has drawn attention to the centrality of notions such as 'national language' and 'national cohesion', and more generally to the significance of nationalism and its coexistence with different forms of political liberalism. This might also be true of other generally similar (though obviously different in their specificities) cases, where problems and puzzles associated with the liberal limits of linguistic laws and the relationship between language and nationalism also play a prominent role in the political agenda.

Thirdly, I find it important to point out that the conceptual framework and the empirical data of the thesis are circumscribed to Western liberal democratic values and contexts. I am aware that things are probably different in other contexts, where values might differ. Of course, the scholars who have articulated the theoretical debate about liberalism and nationalism cannot radically depart from the political

notions and experiences that have been developed through time in the West. The way the linguistic disputes are articulated is closely connected to the fact that political liberalism is dominant and nationalism is endemic in this part of the world. As a result, the findings cannot be generalised to other cases where these conditions are not met. This represents in my view a third source of this research's limitations.

Thinking Ahead: Further Research

Building upon the research done in this thesis, further research might well be conducted on three main topics:

Firstly, further research could adopt an empirical approach focused on the understanding of linguistic disputes. This could be done by introducing variation in the selection of cases, for example by incorporating cases where nationalism is not as significant as it is in Catalonia and Flanders, or by selecting cases outside Western liberal democracies. Another possibility would be to contrast these new cases with a further case of linguistic dispute in political communities with alternative national projects, such as Quebec. This first line of future research would aim at strengthening my understanding of the phenomenon of linguistic disputes. This would complement both contributions from political science about the political origins of language policies (see, e.g. Cardinal and Sonntag 2015) and those from political theory regarding the normative consequences of language policies (see, e.g. Kymlicka and Patten 2003), in exploring the nature of the controversies that language policies often engender.

Secondly, further research could adopt a political theory approach centred on articulating a new form of liberal nationalism that brings in issues of belonging and community. In the thesis I have suggested that the typical liberal nationalist argument, Kymlicka's autonomy argument, runs the risk of being unable to account for 'real world' national attachments. There is also the aforementioned problem about the tendency to conceptualise national groups as discrete and homogeneous.

Thirdly, further research could adopt a combined empirical and political theory approach that expands on notions of community in today's liberal democratic states, an issue that featured prominently in the thesis. For example, the focus could be on

how state-driven nationalism operates in the present (through education, popular culture, social policy, etc.) This could take the form of an in-depth case study of the United States or France, taken as paradigmatic cases of banal nationalism.

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Appendix

Index of Interviews

Catalonia

- Arenas, J. Pedagogue responsible for the set-up of the immersion system. 17/01/2013.
- Batalla, A. Former CiU MP in charge of linguistic issues. 13/03/2013.
- Caja, F. President of ‘Catalan Civic Living Together’. 07/05/2014.
- Casals, M. Former President of *Òmnium Cultural*. 30/04/2014.
- Casals, T. Teacher and spokesperson of *Somescola*. 18/12/2014.
- Castillo, Á. President of the ‘Federation of Associations of Mothers and Fathers in Catalonia’ (FAPAC). 07/05/2014.
- García Cuevas, M. J. PP spokesperson on linguistic matters. 15/03/2013.
- López-Dóriga, E. President of the ‘Association for Tolerance and Bilingualism’. 04/03/2013.
- Losada, A. President of the ‘Assembly for a Bilingual School’. 30/12/2014.
- Marco, F. Member of the Executive Board of *Plataforma per la Llengua*. 08/05/2014.
- Mejías, C. Former C’s MP in charge of linguistic issues. 05/02/2013.
- Prats, J. M. President of the ‘Federation of Associations of Fathers and Mothers of Free Schools of Catalonia’ (FAPEL). 22/12/2014.
- Pujol, J. Former president of the Catalan government. 03/01/2013.
- Sanvicen, P. PSC spokesperson on linguistic matters. 19/03/2013.
- Vallverdú, T. ERC MP in charge of linguistic issues. 22/03/2013.
- Vidal, M. ICV MP in charge of linguistic issues. 19/02/2013.
- Saurí, E. Spokesperson of the CUP on linguistic matters. 19/12/2014.

Flanders

- Anciaux, B. (sp.a) Senator of the Flemish Socialist Party and former leader of *Volkswie*. 19/06/2013.
- Bonte, H. (sp.a) Mayor of Vilvoorde. 05/07/2013.

Bouckaert, B. (LDD) Former MP in the Flemish Parliament. Former Member of the Commission for Brussels and the Flemish Periphery. 16/05/2013.

Bourgeois, G. (N-VA) Former Vice-Minister-President and Flemish Minister for Civic Integration, Home Affairs and the Flemish Periphery. 10/06/2013.

Caprasse, V. (UF) Mayor of Kraainem. 11/06/2013.

Calmeyns A. (Drogenbos Plus – Liste Bourgmestre) Mayor of Drogenbos. 14/06/2013.

De Block, E. (Open Vld) Mayor of Merchtem. 18/06/2013.

De Bruyn, P. (N-VA) MP in the Flemish Parliament. Member of the Commission for Brussels and the Flemish Periphery. 27/05/2013.

De Leener, R. (Taal Aktie Komitee) Activist. 30/05/2013.

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Eggermont, J. Town secretary in Kraainem. 11/06/2013.

Frans, E. General director of *vzw De Rand*. 12/06/2013.

Libert, E. (FDF – now Défi) First Échevin in Sint-Genesius Rode. 08/07/2013.

Maingain, O. (FDF – now Défi) President of the party. Federal MP. Mayor of Woluwe-Saint-Lambert. 08/07/2013.

Peumans, J. (N-VA) President of the Flemish Parliament. 15/07/2013.

Picqué, C. (PS) Former Minister-President of the Brussels Capital Region and Vice President of the *Parti Socialiste*. 24/07/2013.

Segers, W. (N-VA) Mayor of Dilbeek. *The interview was cancelled and the answers to the questions were returned in written form on 04/07/2013.

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Van Eyken, C. (UF) MP in the Flemish Parliament. 29/05/2013.

Van Hoobrouck, F. (UF) Former mayor of Wezembeek-Oppem 08/06/2013.

Van Rompuy, E. (CD&V) MP in the Flemish Parliament. Responsible of linguistic matters. 21/05/2013.

Vansteenkiste, W. (WEMMEL list) Mayor of Wemmel. 12/06/2013.

Index of Documents

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Sessió número 14.1 (ordinària) 14/11/2013.

Sessió número 15.1 (ordinària) 27/11/2013.

Sessió número 16.1 (ordinària) 12/12/2013.

Sessió número 17.1 (ordinària) 06/02/2014.

Sessió número 20.1 (ordinària) 20/03/2014.

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Sessió número 2.1 (ordinària) 06/02/2013.

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