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Defining the Term and Content Nation (A Necessary Condition for Understanding the Terms "Nationality" and "National Minority")

> *Defining a nation brings more difficulties than defining a state...*
> A. Gellner, *Nations and Nationalism*, 1993

Abstract

The authors of this article focus on the definition of the term "nation". They introduce various definitions of "nation" offered by European thinkers, including Czechs. They point out that in the ideas of linguists, historians, and politicians of the Revival and post-Revival periods were picked up by Czech sociologists, philosophers, and political scientists of the 20th century. The authors also introduce several individual schools of thought that attempted to study the term "nation".

Key words: nation, nationality, national minority, sociological definition, state.

Słowa klucze: naród, narodowość, mniejszość narodowa, definicja socjologiczna, państwo.

Two key terms that facilitate understanding the nature, forms, development, and goals of social integration (connecting social phenomena into complex units) are "nation" and "nationality". Each of them comprises a number of overlapping and mutually contingent phenomena of economic, social, legal, and spiritual natures. These are studied individually and collectively in different fields of social sciences.

Leading among them is **sociology** – a science about the principles, trends of development, and manifestations of social systems.[1]

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[1]   The term **sociology** was first used for the new scientific field by Augustus Comte (1798–1857). He described the scope of this new field in several works, especially *La partie domestique de la philosophie sociale* (1839); *La partie historique de le philosophie sociale*; *La partie historique de la philosophie sociale en ce que concerne l'état metophysique* (1841); *Systeme de la politique positive au traité de la sociologie*, Paris (1852–1854).

One of the older sociological definitions of the term "nation" was proposed by the French thinker **Ernest Renan**. He characterized it as a spiritual principle created by two phenomena: joint identification with a broad heritage of memory, and the desire to live together and form a cohesive community (for more see his treatise *Qu'est – ce qú une nation*, Paris 1882).

Based on the analysis of the development of various nations, sociologist **R. Emerson** came to the conclusion that a nation is a community of people who feel mutual solidarity in two senses: first, they share significant elements of common heritage and a common destiny; and secondly, they share a sense of nationhood (for more see his study *From Empire to Nation*, Cambridge 1960).

G.J. Mangone in his "Nation"[2] defines the term as being the broadest group of people connected by a common culture and consciousness, living in the same territory, and sharing a common interest in residency and land. He asserts that the strengths of nations are derived from senses of appropriation, history, culture, and language. This also reminds us that a nation may exist as a historical community and cultural alliance without necessarily having political autonomy or a state.

M.H. Johnson in his book *Sociology: A Systematic Introduction* (London 1968) understands the term "nation" as meaning a group of people who live in a specific territory and wish to create their own state. If they already have it, they wish to keep it as the most important social obligation (bond) expressing their feeling of mutual affiliation and joint fate.

Although a common language undoubtedly helps to create and strengthen national sentiment (similarly to religion or common "racial" origin), such factors (individually or jointly) are neither sufficient nor necessary. Many groups with strong national sentiments have different languages, religions, and "racial" origin, as is well documented by such examples as Belgium and Switzerland.

L.J. Landshut in his tract *Nation und Nationalismus*[3] says about a nation that it is sometimes considered to be a type of unique community with a natural right to its own political state, political self-determination, and sovereignty.

R. Holmes in his book *Fundamentals of Sociology*[4] considers a nation to be an ethnic group living in their fatherland or grouped within a specific territory.

Together with sociological thinking about the nature and manifestations of nations in the 19th century we also see a rapid development of research in this area within fields such as **linguistics**, **history**, and **legal science**.

For the Lands of the Bohemian Crown it was vitally important because in this period the struggle of the Czech revival movement and efforts to protect the language and nation against ever stronger Germanization policies of the Habsburg monarchy were peaking. Especially after the armies of the Czech Estates were defeated at the Battle of White Mountain in 1620, the Habsburgs developed a long-running and systematic plan aiming to totally transform all layers of the Czech state and other Slavic nations into a unified

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[2] G.J. Mangone, *Nation* [in:] *A Dictionary of the Social Sciences*, ed. J. Gould, W.L. Kolb, New York 1964.

[3] L.J. Landshut, *Nation und Nationalismus* [in:] *Wörterbuch der Soziologie*, ed. W. Bernsdorf, Stuttgart 1969.

[4] R. Holmes, *Fundamentals of Sociology*, Toronto 1988.

German-speaking and German-thinking mass of subjects. It was an all-encompassing Germanization.

For this reason the leading personality of the first part of the Czech national revival at the end of the 18th century was a linguist – the historian and founder of Slavic studies **Josef Dobrovský** (1753–1829). Because language was considered to be one of the defining features of nations, he dedicated his life to a scientific study of how the language came to be and how its historical development unfolded.

In his essay *Abhandlung über den Ursprung des Namens Tschech*, published in Prague and Vienna in 1782, he explained, among other things, the name and origin of the name "Czech nation". In the Old Slavic the name **Čech** [Czech] was derived from the word "četi", meaning "one, who leads the way", i.e. the leader of a group of Slavs moving towards the west. In the group of Silesian, Moravian, and Polish Slavs, Czechs called themselves first, after the one who led them into the new homeland, just as Silesians were the last.

According to Josef Dobrovský the nation is the society defined with one language and one law working to delight of the collectiveness.[5]

Bohemian enthusiasm led Dobrovský to write a comprehensive linguistic work *Geschichte der Böhmischen Sprache und Literature* and a large essay in Latin *Justitutiones linquae slavical dialecti vereris*, in which he laid the groundwork for a scientific comparative study of Slavic languages as principal features of the identities of Slavic nations.

In the spirit of Josef Dobrovský's thinking, but with much more political optimism, the following younger generation of Czech revivalists believed that language was the essential feature of a nation's existence. Leading this new generation was the linguist, poet and translator **Josef Jungmann** (1773–1847). The meaning of the term "nation" was tersely expressed by Jungmann in his five-part *Czech-German dictionary* as a large society speaking one language, bound by one law, and working towards a common good.[6]

Rapidly developing historical science of the 19th century offered a broader definition of the term "nation". The main and almost classical exponent of this development was the founder of modern Czech historiography **František Palacký** (1798–1876). In his monumental work "History of the Czech nation in Czech and in Moravia" he built on Dobrovský's critical method of studying historical resources and interpreted them as an explanation of the philosophy of Czech history, the meaning of which was freedom and democracy.

Palacký's understanding of what constituted a nation, fully shared also by his son-in-law, politician and lawyer **František Ladislav Rieger** (1818–1903), is most concisely formulated in the first Czech encyclopedia, the Historical Dictionary of the Czech State, published gradually between 1860 and 1874. Under the term "nation" he understands the natural development of human society. The first degree is the family, a union including children and their parents, above it is the clan or kin, whose members are bound by family ties. In the third degree we find nation, as a unit of a certain number of tribes united into one bigger unity, whose main attribute is a common language. (Yet another degree would be **tribe** and **race**).

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[5] See: T.G. Masaryk, *Česká otázka*, Praha 1908, p. 14–17.

[6] J. Jungmann, *Slovník česko-německý*, Sv. II., Entry: Národ, Praha 1836, p. 611.

For example, Czechs are a nation of the Slavic tribe and Indo-European race. In further development of society:

> […] a clan turns into **village**, nation into a **state**. On a higher level of political unity stands **alliance of nations** of one tribe […] Besides language, each nation has also other things in common, which is either the consequence of their innate nature or geographic conditions – physical appearance, affections, habits, traditions, source of livelihood, social status, religion, law, education etc. […] From nation, as we have seen, grows the state and all original states consisted of a single nationality.[7]

A brief summary of Czech understanding of the term "nation" was offered also by *Otto's Encyclopedia* (a large illustrated encyclopedia containing knowledge of the time) published gradually from 1888 by J. Otta publishing house:

> Nation is a term encompassing the members of a single race who have common origin, common language, common manners, traditions, literature and education. This term, if not exactly defined and settled, may sometimes be broader, sometimes narrower: in the broadest sense, for example, we talk about **Slavic** nation as a whole, in the narrower sense about Russian nation, Polish, Czech etc., as parts of the big Slavic nation.

This way we can define also nationality as a set of attributes characteristic of the term "nation". It is primarily **language**:

> […] as the most obvious attribute. For this reason every conscious nation struggling for its existence and trying to avoid denationalization, protects its language in the first place. The word "nation" is often used in the **political** sense, e.g. "Hungarian nation". Included in this are all the nations of the Hungarian state. This use is in fact incorrect and it is often used by those, who in a multinational state deny the individual nations the right to their separate legal existence, reserving such right to the ruling nation.[8]

This ideological framework of linguists, historians, and politicians of the revival and post-revival period was adopted by sociologists, philosophers, and political scientists in the 20th century. The leader of this new wave was **Tomáš G. Masaryk** (1850–1937). He characterized what a nation was by a list of attributes: territory, language, political sentiments, and method of thinking. Nationality is made up of not just the language, territory, and economic-social circumstances, but also literature, poetry, science, philosophy, morality, and religion.[9]

Masaryk reminds us that (1) <u>humanism</u> is not incompatible with, nor does it weaken love for one's nation and one doesn't prove his true love by hating other nations but only by love, (2) patriotism is something other than a patriotic pose. Posing as a patriot may be a matter of business or comfortable indifference walking their old trodden paths.

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[7]   *Riegrův slovník naučný*, Praha 1992, p. 644.
[8]   *Ottův slovník naučný*, Praha 1901, p. 1046.
[9]   See: T.G. Masaryk, *Ideály humanitní*, Praha 1990, p. 67–94; (1) *Obsah pojmu národa*: p. 67; (2) *Vývoj pojmu národnosti*: p. 69; (3) *Národnost a humanita*: p. 72; (4) *Národnost a svědomí*: p. 75; (5) *Velký a malý národ*: p. 81; (6) *Prostředky malého národa*: p. 85; (7) *Poučení z historie*: p. 89; (8) *Kam spějeme*: p. 94.

Masaryk quotes and emphasizes what **Jan Neruda** wrote:

> Yes, twaddling about **nationality** and patriotism is a surpassed standpoint [...]. We are educated to the degree that no longer brings any merit to be a patriot – knowing and honoring one's nationality is the duty of every scholar, but it is also his **easiest** duty, as it is becoming our new duty to elevate our nation to the world-level of awareness and education and thus ensure it is recognized and that its survival is insured. That is our cosmopolitism.

Zdeněk Ullrich (1901–1955), a proponent of objective sociology and of using statistical methods dealt with the question of *nation* in his study *On the problem of defining a nation*.[10]

He differentiates between various approaches of the individualist understanding, emphasizing the necessity of the self-determination of a nation and free act of each individual, leading to his membership in a nation in the spirit of rationalist-liberalist worldview of collective ideology. The main criterion used in the specification of a nation is the ideology within the individual sociologic theories when defining the term "nation".

According to Z. Ulrich a nation is a "group of people that is proclaimed a nation, which means that it exhibits signs that are considered by the ideology to be attributes of the given nation, under the condition that this group is aware of this in the sense of the ideology".

The founder of Czech demography and an expert on population and national issues, **Antonín Boháč** (1882–1950) studied the concept of "nation" in his essay *Understanding a Nation at the Day and Age*. He pointed out that the American and West European understanding of "nation" differs from the Central European understanding, especially in that in Central Europe "nation" is identified by **language**, while in the West it is by **state**. In the West there is no difference between nationality and state citizenship.[11]

The Western European understanding of nation is, according to A. Boháč, based on the ideals of the French revolution, while in Central Europe this idealistic basis was suppressed by romanticism. The essence of nation was sought in the realm of irrationality that considered a nation to be a natural social structure defined by common origin, language, and tradition. He sees the solution in the synthesis of both principles, emphasizing the territorial principle.

Philosopher and sociologist **Josef Král** (1882–1978) addressed this issue in a very valuable lecture *On Nation and the Concept of Nation*, in the Society for Social Research in 1946. He described *it* as a numerous group of people with a common origin, living in a common land, speaking the same language, and materializing by political means solidarity and its own administration.

During the First Czechoslovak Republic it was the **theory of law** that provided the most comprehensive, and for social practices the most inspiring, definition of the term "nation" and "nationality". A proof of legal precision in this area is given by the explanation offered by the representatives of the "normative" school, especially by professor of state and administrative law **František Weyr** (1879–1951) in *Slovník veřejného práva*

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[10] A. Boháč, *Pojetí národa v dnešní době*, "Sociologie a sociální problémy" 1947, vol. 7, p. 190–209.
[11] *Ibidem*, p. 13–26.

československého [Encyclopedia of Czechoslovak public law], Volume II; (the first of five large volumes was published in 1929, last in 1948).[12]

According to Weyr, a nation is generally a part of humanity that shares the same origin, morals, and language, and that has common culture and history. Depending on whether emphasis is put on the ethnological or cultural, historical, and political elements, the term "nation" would be understood either in an ethnological sense, approaching the term "race", or in a cultural and political one. In any case, according to F. Weyr, this term is clearly distinguished only under the condition that there are several such entities, calling themselves, and feeling like, a nation. Clear distinction is also achieved by antagonism that generally occurs between nations and leads to animosity among nations. Weyr calls the affiliation to a certain nation **nationality**, whose first attribute, in modern times, is **language**. That is also seen as an ethnological and cultural element, connecting more individuals into a single national unity.

Weyr also reminds us that sometimes the term **nation** is contrasted with the term **state**, understood in a sociological and political framework. While in the Czech and German languages the term "natural nation" is sometimes simply "nation" (Nation), the term "political nation" (the people of a certain state regardless of their race, language and feeling of cultural affiliation). On the other hand, French and English use the word "nation" to designate it in the political sense.

The Czechoslovak legal order sometimes confuses the two terms in a single word. "The Czechoslovak nation is then understood both as a sum of the members of a certain nation – the Czechs and the Slovaks – as well as the entire population of this state irrespective of their nationality".

According to F. Weyr, because the social phenomena designated as nation comprise such a large number of various elements including the common race, language, residence, religious affiliation, state, and individuals' will for national cohesion, written materials include unclear and varying definitions of the term "nation". Weyr also states that:

> […] a nation, in its purest and most ideal meaning, designates a high number of individuals of the human species who are of the same origin and speak their own language, who in particular create their community (state), confess their particular religion and who have specific features and customs which distinguish them from the others.

For the purposes of public law, it is the relationship between the nation and the state, as well as the legal order, rather than the term "nation" in the cultural, ethnological or, broadly speaking, sociological sense, which is of primary importance. The science of the state commonly defines the term "state" in the social and political sense as comprising three components. One of these components, together with the territorial and the legal organization, is the people. F. Weyr also states that besides the theoretical role that the people play in the common definition of the state, it also represents a practical and political postulate "on the national principle that has been applied in the political history and that means that every nation is entitled to its own state".

Extending this principle in the democratic sense led to the "newer formulation of the principle of self-determination of the nations", as formulated during and after World

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[12]   F. Weyr, *Národ* [in:] *Slovník veřejného práva československého*, Sv. II, reprint, Praha 2000, p. 761–764.

War I by many leading statesmen of the Entente Powers. Because the nation is a living, constantly changing body, the national or self-determination principle essentially means the principle of progress and is politically opposed on one hand by the **principle of legitimacy** (as defended especially at the Congress of Vienna) and on the other hand by the **historical principle**, both of which are conservative in essence. In addition, the national principle also differs in its democratic nature which appears in its modern autonomous form (self-determination of nations). Even accepting the validity of this principle, there still remain a number of states with mixed nationalities (the so-called **nationality** states as opposed to **national** states). It is in these states that the issue of political and legal regulation of mutual relations between the members of different nations arises.

F. Weyr states that leaders may politically or legally solve this issue in various manners: stronger nations may either violently suppress the weaker nations or may nonviolently assimilate those nations which are outnumbered or economically or culturally weaker. In either case, language assimilation plays the primary role (see the fate of the Czech nation in the former Austria). However, the example of Switzerland shows that establishing a system of equality of all the nations in one state may also be a solution.

Whenever these pre-requisites are not met, the principle of equality of nations remains merely a principle on paper (in the collection of legal regulations) but in reality, it is the more populated, economically or culturally stronger nation, or the nation preferred by the ruling dynasty, which dominates.

Finally, F. Weyr addressed the issue of how a state should proceed to regulate nationality relationships. The state should first assess the nationality statistics, the status, the population, and the residential area of individual nations to clarify which characteristics it will consider as the keys to assigning individual citizens to one nation or another at the **population census**.

The state should further analyze whether citizens are to be granted full autonomy to decide on their nationality (the system of **subjective** nationality proclamation) or whether national solidarity is to be considered as an objectively identifiable fact. **Language** is usually statistically considered to be the distinguishing criterion.

In the second half of the twentieth century, when the process of building and subsequent development of a socialist society was carried out in Czechoslovakia, it was the **Marxist** approach to the contents and the use of the term "nation" which was imposed in politics and ideology. It was interpreted as a form of human community which arose historically and replaced nationality. The key attributes of a nation were the common material conditions of life, the common language, and specific character traits exhibited in national individuality of its culture.[13]

Under Marxist-Leninist teaching, the economic foundation giving rise to a nation was based on the extinguishing of feudal fragmentation, the strengthening of economic ties between individual areas inside a country, and the unification of local markets into a national one. It was only the growth of the bourgeoisie which was considered to be the primary force behind the formation of the nations which reflected on their social, politi-

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[13]   On the Marxist understanding of nation see e.g.: *Filozofický slovník*, Praha 1985, p. 430–433; J. Heller, *Ukrajinský národ a stát aneb Bojuje ukrajinský David s ruským Goliášem o národní a státní suverenitu a svobodu?*, http://nestalinsky-marxismus.webnode.cz/news/josef-heller-ukrajinsky-narod-a-stat-aneb-bojuje-ukrajinsky-david-s-ruskym-goliasem-o-narodni-a-statni-suverenitu-a-svobodu/ (access: 11.04.2016).

cal, and spiritual profile. As nations develop, class divisions necessarily escalate and the possibility arises for a revolutionary overthrow of the statist power of the bourgeoisie followed by the establishment of the power of the proletariat whose ultimate aim, after building and developing the socialist society, is a progressive dismantlement of all the national, nationalistic, and class differences through the creation of a communist society.

The so-called "Marxist-Leninist idea of a nation" as an indivisible part of the materialistic understanding of history, was conceived as an opposition to all kinds of theories on the essence, formation, and role of any nations that have ever been developed under the philosophy, sociology, and history of the bourgeoisie.

While the bourgeoisie usually comes to accept the ideology of nationalism and national egoism that brings hatred and conflict among nations, the proletariat raises the ideology and politics of **internationalism** against the bourgeoisie **nationalism**.

According to the Marxist-Leninist teaching, the plasticity of nations changes fundamentally once capitalism is removed. They turn into new **socialist nations** without class antagonisms and with the working class and peasantry as the basis of the society. Under socialism, nations develop and reconcile. In a theoretically developed communist society we would see a special form of historical solidarity of peoples, broader than nation, connecting the entirety of humanity into one family.

After the Munich Agreement, in which the leaders of western democratic powers together with Hitler's Germany decided "about us without us" to separate the Sudetes from the Czechoslovak Republic, and the ensuing occupation and establishment of the Protectorate of Bohemia and Moravia, the Czech nation also felt the implications of the Nazi understanding of a nation.

The Nazis defined "nation" as a natural community of racially and mentally similar people connected by common experience, language, culture, and history, as an organic unit superior to individuals, who are not free by nature, but have their rights and duties based on the fact that they belong to a racially understood national community.

The Nazi understanding of a "nation"[14] was a part of an ideology based on the synthesis of racially justified chauvinism (the right of the superior German nation to conquer living space), passionate antisemitism (the Jewish nation as the enemy of mankind) and an anti-Marxist socialism.

According to the racial thinking that was at the heart of the Nazi worldview the German race was entitled to govern other nations. The notion of superiority of the German nation, as an undeniable right for living space and superior position above other nations, was grounded by the Nazis in their own interpretation of Darwinism as a teaching about the necessary struggle of races and nations for power over others. In their view the nation was to be cleansed from all disruptive elements, embodied in the Jewish race and Jewish influence on the society.

The Nazi program strictly required that only Volkgenossen (tribesmen), i.e. those of German blood, could be state citizens and members of the Nazi party. Jews were to lose their civic rights and be physically liquidated (concentration camps, gas chambers,

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[14] On this e.g. V. Knapp, *Problém nacistické právní filosofie*, Dobrá Voda 2002 (reprint 1947), p. 130–134.

and crematoria). The same fate was reserved for the members of nations occupied by Germans and labelled as enemies of the Reich.

We must recall that the term "nation" is not connected only with the 19th century, but that it was also used before then. The word "nation" comes from Latin word **natio** – born. In the Roman Empire this term was used for people living within the Empire but born outside of it. It was therefore clearly exclusive in nature – nation included also those, who were not "some of us, Romans".[15]

In the Middle Ages, nationality was usually based on where a person was born, in modern times it was usually based on the language. In the past, the term "nation" meant something other than the 19th century meaning that was based on Rousseau. In his Social Contract Rousseau writes that:

> […] this act of association instantly replaces the individual person status of each contracting party by a moral and collective body, composed of as many members as the assembly has votes; and receiving from this act its unity, its common identity, its life and its will. This public person that is formed by the union of all the other persons used to be called a 'city', and these days is called a 're-public' or a 'body politic'. Its members call it a 'state' when thinking of it as passive, a 'sovereign' when thinking of it as active, and a 'power' when setting it alongside others of the same kind. Those who are associated in it are collectively called 'a people', and are separately called 'citizens' (as sharing in the sovereign power) and 'subjects' (as being under the state's laws).[16]

In the Middle Ages in Europe there were nations that included only politically privileged social strata. We therefore speak of a political or estate nation, in which there was a small ruling class and large class of subjects. This already implies that in the Middle Ages the term "nation" was different from what it is today. The then privileged class (aristocracy) soon considered itself to be closer in kin to aristocracy in other nations. They would wed members of other nations' aristocracies, while considering marriage with members of lower classes impossible and socially degrading. In a Middle Ages state only the privileged classes were considered to represent the nation.[17]

Only towards the end of the 18th century was this aristocratic understanding of natio replaced by a democratic one that included all people speaking the same language and having the same rights, at least in the eyes of the law.[18]

In the Middle Ages we may also find the term "natio" used in universities.[19] "Nations" in universities were groups of people bringing together students, and possibly professors, from the same countries. Because universities at that time were primarily corporations in nature, nations within universities were corporations within corporations, as was the case of, for example, guilds in cities.

The number of university nations often differed from university to university, as did their status and powers. Wherever such nations formed, they, as any other societies,

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[15] L. Greenfeld, *Etymology, Definitions, Types* [in:] *Encyclopedia of Nationalism*, Vol. 1, ed. A.J. Motyl, London 2001, p. 252.

[16] J.J. Rousseau, *O společenské smlouvě neboli o zásadách státního práva*, Praha 1949 (the authors cite the reprint from 2002), p. 25–26.

[17] J. Slavík, *Český národ v starším středověku*, Praha 1940, p. 7.

[18] *Ibidem*, p. 7–8.

[19] The medieval understanding of natio was studied by F. Šmahel, *Idea národa v husitských Čechách*, Praha 2000, p. 12–15.

would elect representatives and other functionaries, and keep and use treasuries, registries, seals, etc.[20]

They also participated, to various extents, in the university self-government and thus they could influence the entire university. The representatives of the various nations usually took part in electing the rector and throughout his term they would be both his partners and his opponents.[21]

University nations created a social environment – especially for their members. New students coming to the university town would be able to satisfy their needs to belong somewhere and understand their new environment.

We also encounter the term "nation" in written form (in the sense of 'university nation') in the Decree of Kutná Hora from the 15th century, where it was stated that the Czech nation had three votes at the university, while other nations (Saxon, Bavarian, and Polish) had one.[22] The Czech nation at Prague University included all students and professors coming from Bohemia, Moravia, Hungary, and Transylvania.

In order to see how the term "nation" was understood in Czech political representation in the second half of the 19th century, we must focus on the views of the Old Czechs [Staročeši] led by František Palacký and František Ladislav Rieger, but not only by them.

When studying their speeches in the parliament we notice that they mix together the terms "nation" and "nationality". This can be very well seen in Palacký's *Word on Nationality* from 1868.[23] Palacký in his works considered Czech history to be a struggle of *Slavic element with the German element*. It is clear also in the *Word on Nationality* and it is nothing new. The interesting part is the mixing of the terms "nation" and "nationality".

František Ladislav Rieger used, as is clear in his speeches on civil rights during the Assembly at Kroměříž, the term "Volk" in the sense of "nation" and "people". The national principle merged here with the principle of human rights. Civil rights were in Rieger's view not only civil rights with a national element but also human rights.[24]

The term "nation" was to be found also in literature of the second half of the 19th century. To mention just one out of many, let us recall Jan Neruda and his poem *Jen dál* or *Láska*.

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[20] J. Stočes, *Pražské univerzitní národy do roku 1409*, Praha 2010, p. 31f.

[21] *Ibidem*, p. 53.

[22] „[…] Protože pak národ německý, který nemá vůbec žádného obyvatelského práva v Českém království, v rozličných záležitostech na pražském vysokém učení si osvojit k užívání tři hlasy, jak nás o tom došla věrohodná zpráva, a poněvadž národ český, téhož království pravý dědic, těší se a užívá toliko jednoho hlasu, my tedy, považujíce za nespravedlivé a značně nevhodné, aby v prospěchu obyvatel, kteří po právu na něj mají národ, těžili nadměrně cizinci a přistěhovalci, a oni pak aby se cítili být utiskováni nedostatkem a nevýhodami, přikazujeme vám mocí tohoto listu mocně a přísně, chtíce tak rozhodně míti, abyste ihned, jak jej spatříte, bez všelikého odporu a zdráhání připustili národ český vším způsobem ke třem hlasům při veškerých poradách, soudech, zkouškách, volbách a jakýchkoli jiných jednáních řečené univerzity podle vzoru zřízení, kterému se těší národ francouzský na univerzitě pařížské a jehož užívají ostatní národy v Lombardii a v Itálii, a ponechali jej od této chvíle na věčné časy klidně užívat a těšit se z výsady těchto hlasů, nečiníce jinak, ačli se chcete vyvarovat našeho nejprudšího hněvu". Dekret Kutnohorský, 1409, http://www.ceskaliteratura.cz/dok/dekret.htm (access: 11.04.2016).

[23] F. Palacký, *Words on Nationality* [in:] *Františka Palackeho spisy drobné*, Díl I., ed. B. Rieger, Praha 1898, p. 295–299.

[24] *Řeči Dra Františka Ladislava Riegra*, Obrana § 1 základních práv, Praha 1883, p. 111–113.

The term "nation" was used very often at that time and it could be heard also in speeches by the ruler and the government. Let us recall the Manifest of Franz Joseph of 1859 *To My Peoples*.

It is immediately apparent that the political representation emphasized the national element, while the ruler and government emphasized the land (meaning the territory under the monarchy's jurisdiction), with the nation actually representing the land.

Considering the ambiguity of the terms "nation" and "nationality" throughout history we may ask ourselves a question: How did the national Revivalists understand this term? We must refer to the European thinkers and in particular to the notions of the thinkers of the Enlightenment. How did the nation come to exist according to them?

It is becoming more and more apparent that when thinking about the *nation* we must follow the example of Emanuel Rádl and link nation, language, and state.[25] According to Jan Sokol, the aim of E. Rádl, and later J. Patočka, was to "find a way out of from the seemingly total conflict of neighboring nations".[26]

Jan Sokol in his article on Rádl's understanding of "nation" emphasized that in the Czech National Revival an important role was played by the German philosopher J.G. Herder. Sokol highlighted Rádl's attitude, which Rádl himself considered more western than that of Herder.[27]

According to Herder a nation is a natural continuation of family and tribe, the tribe being therefore the substance of a nation. According to the Western understanding the tribe is a material for forming a nation; the nation is then a community of free citizens who are loyal to the laws they give themselves. According to Herder, a nation is founded biologically on racial instincts, while Western understanding sees the nation as a political unit based on ratio-reason. According to Herder a nation is created by nature, and an individual becomes a member of the nation as a matter of fate. In Western understanding a nation is made by people trying to create the perfect organization of society.

National revivalists saw the nation in connection with the language that was a tool for communication as well as a political tool. The advancement of the Czech language in the political and social contexts became one of their priorities. More political autonomy, according to their views, came together with the language question and their job was to complete the formation of language, literature, science, and education based on their historical basis.[28]

Along with Herder's views of the understanding of the term"nation", the Czech elites were also influenced by the Enlightenment. Herder emphasized that states rise and fall, and a manifestation of national character that connects a nation in a spiritual way is e.g. the language. The Enlightenment thinkers, especially Bolzano and his followers, were more realistic in their understanding of "nation". In their view, a nation was an "attempt to establish r human society, to achieve law and justice for all, who in a similar histori-

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[25] E. Radl, *Válka Čechů s Němci*, Praha 1928; cf. also: J. Patočka, *Dilema v našem národním programu – Jungmann a Bolzano* [in:] J. Patočka, *Náš národní program a dnešek*, Praha 1990, p. 41–56.

[26] J. Sokol, *Rádlovo pojetí národa*, http://www.jansokol.cz/2014/03/radlovo-pojeti-naroda, date of acs (access: 11.04.2016).

[27] *Ibidem*.

[28] *Ibidem*.

cal and social context live within a certain area – the life of a nation is an attempt to fix injustice and wrongdoing that torment and split the society".[29]

Unlike Bolzano, Josef Jungman, who also based his views on the social reality of Czech society, came all the way to nationalism, which for Bolzano never reached such intensity. In his views social solutions to conflicts in multi-national society prevailed, but without any belittling of the language question.[30]

Jan Patočka very correctly accentuated in his writings about the Czech national program the fact that the understanding of what constituted the nation, for Czech political elites who somewhat distanced themselves from the Czech language, albeit connected with one state idea, was to a large extent influenced by the widespread belief among people about the necessity of the advancement of the masses in connection with the requirement of developing the Czech language.[31]

The understanding of a *nation* in the Czech political representation reflected also the idea from the French Declaration of Rights that was a part of the Constitution of 1795. Here the nation is basically equal to the state and people. E.J. Hobsbawm said there was "no logical connection between a group of citizens of a territorial state on one side and the identification of a 'nation' on ethnic, language or any other basis or on their properties that would allow collective recognition of belonging to a certain group".[32]

Also the term "nation" is very hard to define.[33] We can only say that the meaning of nationality changes over time and differs also depending on the culture, values, and language of the given society, as well as on geographic conditions. The sense of belonging to a specific nation more recently also plays an important role for defining its content.

Similarly also, the term "national minority" is hard to clearly define. But certainly also here an important factor for identification with a certain national minority is an individual's sense of belonging.[34]

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[30] Confer with: *idem*, *Dilema v našem národním programu – Jungmann a Bolzano*, p. 41.
[31] *Ibidem*, p. 43.
[32] E.J. Hobsbawm, *Národy a nacionalismus od roku 1780. Program, mýtus a realita*, Praha 2000, p. 23.
[33] This fact was pointed out in his discussions with the co-author Prof. Karolina Adamova by Prof. A. Ort (1926–2014) in the July 2012. The assertion holds also for defining a national minority.
[34] In recent years a number of works were published on the legal definition of nationality and national minority, see e.g.: *Menšiny a právo v české republice*, ed. R. Petráš, H. Petruv, H. Scheu, Praha 2009.

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