Medieval heteronomy, modern nationalism: Language assertion between Liège and Maastricht, 14th-20th century

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Nationalism research has two vexed questions, which are mutually related. One of these concerns the *terminus a quo* (or *ante quem non*) for the ideology called nationalism; the other concerns the primacy of cultural (ethnic) identity, or else socio-political circumstances, in the rise of nationalism. The first question may be called that of modernism, the second that of constructivism.

Is nationalism a modern ideology, arising only as part of a modernization process, possibly as late as the nineteenth century; or is it something with far longer roots, and can we identify nationalist attitudes as far back as the Middle Ages, or even among the ancient Romans or Greeks? This modernism question dovetails with the constructivist question: Is national identity, national solidarity or national awareness a historically constructed ideology, a byproduct of the history of ideological developments; or is it a transhistorical category of collective human identity, a basic factor in human aggregation?

The answer one is inclined to give to either one of those questions will strongly correlate with one's stance as regards the other. Modernists on the whole are constructivists and vice versa, whereas, conversely, primordialists (or other varieties of anti-modernism) will be more inclined towards an essentialist viewpoint and vice versa.

The result has been a protracted debate on the existence and nature of premodern nationalism or national sentiment.[1] That debate has by now ground into an entrenched stalemate. I think we can rescue the underlying historical

[1] The debate which in its dialectical stages since the 1980s has been linked to the names of Ernest Gellner, Anthony Smith and John Breuilly, is too well-known to be source-referenced exhaustively. Some synoptic waymarks are Balakrishnan & Anderson (1996) and Hall (1998). More recently, there is the special issue of *Nations and Nationalism*, X, 2004, 1-2, on "History and National Destiny: Ethnosymbolism and its Critics".

issue from this stagnation, and the present article is intended to give a little shove to that effect.

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To begin with, it will be helpful to maintain conceptual and phraseological clarity.[2] If we see nationalism in the broad sense of the word (as the Oxford English Dictionary defines it: "Devotion to one's nation; national aspiration; a policy of national independence"), we can obviously find examples in point from many centuries. Historians will frequently point to documents such as the Scottish Declaration of Arbroath (1320) by way of example.[3] And although the word *nationalism* as such does not appear until 1844 (which, incidentally, should also give us cause to reflect), certainly terms like *natio* or *gens*, or their vernacular derivatives, were used, sometimes with unfamiliar un-modern meanings, but often also in the sense of the aggregate which still goes by the name of *nation* nowadays.

However, the case is quite different if one uses the term nationalism in the stricter, technical sense, denoting an ideology which is characterized by three fundamental assumptions:
[1] Nationalism *sensu stricto* sees nations as fundamental units in the taxonomy of human diversity, and characterized as such by their different cultures, languages or characters;
[2] it therefore holds that the most organic and just organization of the state and of sovereign polities is by nationality;
[3] and accordingly it holds that the nation (as per point [1]: a peer-group with a shared culture and language) is or should be the individual's primary focus of political allegiance, outweighing other aggregates such as liege, class, tribe/clan, region or religion.

Here, historians can date the rise of each of these assumptions separately (linked, famously to names like Vico, Herder and Rousseau) and likewise firmly date their convergence into a specific ideology which in turn inspired

[2] Part of this clarification must be geographical. In the following pages, I speak exclusively of *European* manifestations of nationalism. Worldwide, anticolonial and post-colonial aspirations and movements towards national independence may go by the name of nationalism but take place in a different historical period and under different material and ideological conditions. While I hope to present some insights of wider, Europe-wide applicability, I cannot pretend to address global, extra-European patterns. I realize that this implies that I consider the European type of nationalism a specific one, as indeed I do; but that is a different argument, as is the problem of a possible intra-European differentiation.

[3] The text can be found on the internet, e.g. http://www.constitution.org/scot/arbroath.htm and many patriotically-Scottish websites besides. A recent study is Barrow (2003).

the various national movements of post-Enlightenment Europe.[4] This describable, datable process provides a firm *terminus a quo*. We cannot pretend that the Industrial Revolution started with the Romans, just because we know that there was steam then, and occasional engines. Yes, there was steam, there were engines, but there was no steam engine.

Discussions will be that much clearer and more fruitful if they are based on an *a priori* agreement as to the nature of the term "nationalism" and a proper conceptual distinction is maintained between "national sentiment", "nationality" and nationalism *sensu stricto*. Much as Lollards and Hussites may anticipate the Protestant reformation, without being themselves part of it; much as Wat Tyler and the Levellers anticipate Chartism without being part of it, so too we may find statements, phrases, rhetoric from older periods which anticipate nationalism, whilst yet not being nationalistic in themselves. The anti-English resistance and invocation of freedom and autonomy in the Declaration of Arbroath testify to national sentiment in Scottish history; but the Declaration's signatories were no members of the Scottish National Party. Nor would they have dreamt of voting for the Scottish National Party, because (feudal noblemen as they were) they probably would have been horrified at the very notion of "voting" or of a franchise in the first place. I rehearse this silly "what-if" anachronism merely to explode it; for it is precisely this silly anachronism which tacitly underlies, and vitiates, the often-encountered attempts to see continuity or even ideological identity between modern nationalism and pre-modern feudal assertions of local prerogative.[5]

Yet, on the other hand, it must be admitted that anachronism is the very stuff of history, and of ideologies. The Arbroath signatories would not have made much sense of modern nationalism; but modern Scottish nationalism does stand under the aegis of the Declaration of Arbroath, citing it again and again in order to anchor contemporary concerns in the length and depth of history; and, what is more, this act of retrospective adoption has itself been going on for decades, if not for centuries. It is therefore as historically present and operative as it is anachronistic. Historians can not afford to lean back smugly whenever they deflate another "invented tradition", fanciful image of the past, or anachronistic construct; once these retroactive appeals are identified they need themselves to be taken into account, seriously, as serious operative factors in historical developments. "Authentic" or "distorted" has nothing to do with it: history is the history of appropriating the past. The only

[4] For instance, Leerssen (1999).

[5] For an attempt to explode the anachronistic assumption of medieval or primordialist-ethnic roots for modern nationalism, see Geary (2002).

ones who should eschew anachronism are historians themselves, in their analysis and in their conceptual apparatus.

We may broadly subscribe to at least the possibility that nations are constructed by nationalism (and the case of Estonia, cited by Gellner in his famous "Warwick Debate" debate with Anthony Smith, seems incontrovertible as an example).[6] The assumption of a pre-existing cultural sense of identity, or ethnicity, which in the second instance may become vested with the political agenda of nationalism, is therefore not automatically justified. It follows that, if a pre-existing sense of ethnicity is invoked to explain the rise of nationalism, its existence and its mode of persistence or transmutation into a modern ideology must be argued and demonstrated from case to case – something which even serious historians will often neglect to do, presenting rhetorical similarities *between* centuries as proof of a historically persistent continuity *across* centuries.

Even in the more established (that is to say: institutionally continuous) cultural communities of Western Europe we must wonder if in the Middle Ages a sense of nationality carried with it the same overtones and implications as it does in later centuries. Was nationality really that much more important, as a moral category, than astrological birth-sign or social class, let alone religion? And did a sense of nationality stand in the same relation either to the cultural sphere or to the sphere of constitutional politics as it developed later on? Nationalism not only invokes a notion of shared ethnicity, but, more particularly, does so in addressing a relationship between culture and politics. And this relationship may be more complex, over time, than we realize at first. We need to assess which factors in this relationship are variant or invariant. I want to illustrate this by looking at the importance of language in political thought.

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Modern nationalism crucially considers language the very core of ethnicity. That this should be so is understandable: the romantic German thinkers who were instrumental in shaping and disseminating the ideology also formulated a language philosophy which saw a nation's language as the very breath of its moral essence. The Flemish dictum that "the language is the nation entire" (*de tael is gantsch het volk*), coined by the poet Prudens Van Duyse (1804-1859), and used both as a motto and as a name for an influential association

[6] Printed in the special issue of *Nations and Nationalism* (Smith & Gellner, 1996, 357-370).

for Flemish cultural emancipation, established in 1836) sums up this all-pervasive attitude (Deprez, 1998, I, 1020-1021; III, 3047). For nineteenth-century nationalists, from Iceland to Bulgaria and from Finland to Catalonia, the badge, hallmark and indeed the substance of national specificity consisted in the presence of a national language. In this light, Miroslav Hroch's finding that national movements often start with linguistic scholars, lexicographers and grammarians, comes as no surprise (Hroch, 1968).

Accordingly, linguistic discrimination is always deeply resented and tends to inflame nationalist anger like nothing else. The Flemish Movement for example is and has been, centrally, a linguistic emancipation movement, fanned at every step by the marginalization and subordination of Netherlandic in the Belgian state.[7] Among the most galvanizing moments in that movement's history are acts of linguistic injustice, in particular a notorious murder trial (1863) held entirely in French, although the Flemish defendants, Coucke and Goethals, were ignorant of that language (Fredericq 1906-1909, II, 98-101). The resulting miscarriage of justice (the defendants were condemned to death and executed, and, as later appeared, innocently so) did much to fan the vehemence of the Flemish movement. Similar cases are known from the same period from other European minority languages, such as Welsh or Irish Gaelic. Monoglot Welsh- and Irish-speaking subjects were interrogated and judged by British authorities in a display of arrogant linguistic heedlessness, which in turn provoked widespread and deeply-felt indignation and fanned nationalist activism.

It is remarkable, however, that linguistic concerns date back much further than the beginning of romantic linguistic philosophy or modern nationalism. A particularly striking case comes from the Belgian area; in fact from a part of what is now Belgium notorious for its linguistic clashes in the last half-century: the area in the city triangle between Maastricht, Liège and Aachen.

For centuries, this area has been a borderland where the Netherlandic, German and French languages meet.[8] The three cities are and have since Carolingian times been fixed in their linguistic appurtenance: Netherlandic for Maastricht, Francophone for Liège, German for Aachen. These cities' linguistic spheres of influence have waxed and waned over time, but not by much. In present-day Belgium, the heart of this city triangle has been contested terrain between Flanders and Wallonia. The Voer area (Fr. *Fourons*)

[7] Main sources used here are the encyclopaedic NEVB (1998), and the older but still valuable Fredericq (1906-1909).

[8] More generally on this area and its cross-border dynamics: Leerssen (1993); Leerssen Jansen and Jacobs (1994).

was transferred from the French-speaking province of Liège to the Netherlandic-speaking province of Limburg in 1962 as part of a nationwide language-political arrangement.[9] The local population by and large shares a dialect close to Low-German (also spoken in the adjoining Dutch and German countryside), but is sharply divided on what they consider their "official" language of choice, philologically-related Netherlandic or sociologically-accustomed French. This division, which was aligned with long-standing political factionalism in the local communities, accordingly split the population along "pro-Flemish" *versus* "pro-Walloon" lines of allegiance. This discord in turn obtained a symbolic value in national politics. As a result, the picaresque faction-fights and brawls of these rural villages escalated under nationwide participation to bring down the Belgian national government in 1987.

Remarkably, we notice that an equally touchy sense of linguistic identity and linguistic difference was at work in precisely the same area as long ago as the fourteenth to sixteenth century.[10] The area in question was at that time a feudal *seigneurie*, the County of Dalhem, which was ruled from Brussels by the Dukes of Brabant. Brabant as a duchy was bilingual in administration and Dalhem as a county was bilingual in population: the languages were called *Romance* (forerunner of the present-day French, possibly with Walloon dialect colouration) and *Diets* (forerunner of present-day Netherlandic); the border between them has shifted little over the centuries. The nearest urban and administrative centre, Limbourg, kept law books in both languages for the administration of court hearings in higher appeal.

In the course of the late Middle Ages and early modern period, we see repeated attempts from the Brabant authorities in Brussels to rationalize the administrative structure of this outlying county. The first attempt occurred shortly after the Duchy of Brabant had been taken over by the House of Burgundy between 1396 and 1406. The new ducal chancery requested (in Latin) that each local village court (*schepenbank*) write down its customs and legal traditions and forward them to Brussels.[11] (The move was evidently intended to suppress the tendency among the local village courts to lodge higher appeal cases with nearby non-Brabant courts such as Aachen.[12])

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[9] Generally, Kesteloot (1998, III, 3521-3526) and Deweerdt, De Metsenaere & Verhulst (1998, III, 2949-2962).

[10] I have described the case at slightly greater length in Leerssen (1991) and Leerssen (1999).

[11] The materials are given in Janssen de Limpens (1977).

[12] On Brabant attempts to exercise its privileges *de non appellando* and *de non evocando* in these borderlands, positioning Brussels as the only proper higher court, see Nève (1972).

An interesting pattern emerges from the replies forwarded to Brussels by the local village courts: they all dutifully record their local customs and by-laws, but in each case stipulate jealously that they administer law in their own language (as the case may be, in *Romance* or *Diets*). What is more, many replies emphatically tell the Brussels authorities that they expect to conduct their correspondence with the ducal capital in their own language and will accept no letters or communication in any other language.

Over the next centuries, renewed instances of centralization and regularization call forth similar reactions. By the seventeenth century, the Brabant authorities have gone so far as to recognize two separate county courts: one for the Romance-speaking population at the town of Dalhem, one for the *Diets*-speaking population at the county's old fiscal centre, 's-Gravenvoeren (*Fouron-le-Comte*). And the story does not end there: when, as a result of the independence of the United Provinces, the County of Dalhem was to be partitioned between Spanish and Dutch states in the wake of the Treaty of Westphalia (1648-1662), the ensuing, long-negotiated division turned out to follow the line of the jurisdiction of these two county courts and, accordingly, of the linguistic frontier.[13]

That would appear a textbook illustration of nationalism as defined by Gellner: political borders are being mapped on to cultural (linguistic) ones. Much as an administrative-linguistic frontier was drawn in 1962 to divide the quarrelling Flemish and Walloon factions in modern day-Belgium, so too a political border drawn up in 1648-1662 followed a linguistic trajectory – in both cases, ending up between the town of Dalhem and the village of 's-Gravenvoeren. And in both cases, the locals strenuously and suspiciously inform the distant Brussels authorities that they will only do business in their own language. However, despite the obvious parallel between this case and Gellner's definition of nationalism (the congruence between political and cultural frontiers), the old County of Dalhem squarely fails to fit Gellner's modernist thesis, and instead comes to us from the most rustic backwardness of the periphery of the medieval Duchy of Brabant.

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What are we to make of this case? Do we have an example of true-blue medieval nationalism here? My own conclusions are mixed. On the one hand, the case of Dalhem points at blind spots in rigid modernism, on the other

[13] The division and its long-drawn-out negotiations are described in Haas (1978).

hand it illustrates the danger of anachronism if we take it as a *prima facie* case of cultural primordialism.

To take the danger of anachronism first. We would make a grave error if we see the linguistic assertiveness of the local village courts in the same light as nineteenth-century national-linguistic activism. Among romantic nationalists, influenced as they are (directly or indirectly) by the thought of Herder and Fichte, the native language is to be defended and cultivated as the moral essence of the nation's specificity and character. Languages are asserted against neighbouring languages, often in geopolitical terms as "language areas", witness Arndt's famously popular song (*Was ist des Deutschen Vaterland*), and thus count as markers in a distinction of one nation from another.[14] The Finnish language is what makes Finns different from either Swedes or Russians; for the Flemish, their very nationhood is implied in their language (witness the dictum by Van Duyse (1804-1859), *De tael is gantsch het volk*); in Ireland, it is (from the mid-nineteenth century onwards) most prominently the Gaelic language which embodies the nation's radical difference from England and the United Kingdom.

Thus, nineteenth-century *sensu stricto* nationalism invokes language as a cardinally important factor in a *self-other* distinction, between nations and neighbours, in a "horizontal" dynamics of Othering and identification across the European cultural landscape. This, I believe, is a specifically modern, latter-day usage. It overlays the far older, and persistent, "vertical" dynamics of asserting local or particular rights *vis-à-vis* a central authority. There, tensions and distinctions take shape, not across a culturally diverse landscape, but across a social spectrum of power, privilege, and customary rights. The *échevins* of Cheratte who state that they conduct business in *Romance* and the *schepenbank* of Mheer which lets it be known that its language is *Diets* do not oppose each other, but jointly assert their right to local particularism against the suzerain ducal authorities in Brussels.

This distinction between "horizontal" (geocultural) and "vertical" (sociopolitical) language assertion is crucial, and superficial similarities between fifteenth- and twentieth-century data should not blind us to this important underlying difference. The "vertical" assertion of language rights against a distant feudal authority is a matter of local particularism, defending customary rights against the threat of arbitrary government and power arrogation, part and parcel of feudal politics. Its thrust is not towards any notion of autonomy, but rather towards what I term *heteronomy*: the recognition and acceptance of diverse cultures and legal régimes within the state. Such heter-

[14] Generally Leerssen (1999).

onomic assertions of local customary rights fed into revolts against centralizing arrogations of arbitrary feudal power, such as we see in the Low Countries and Switzerland; as such they are a source tradition of the rise of the modern civic state; but one source tradition among many, and not to be conflated with modern nationalism. Heteronomism is, if anything, a forerunner of modern democratic and federalist thought.

To that extent, the case of the County of Dalhem illustrates the danger of anachronism that arises from the eagerness to spot similarities across centuries and to magnify similarity into sameness. However, there is also another conclusion to be drawn. The "horizontal", modern-nationalistic invocation of language has not abrogated or displaced the older, "vertical" one. The right to speak one's own language to one's government is obviously felt as a natural right in the fifteenth century, and it continues undiminished in the nineteenth century (and indeed the twentieth and twenty-first). Court cases incomprehensible to the defendant continued to cause outrage; the possibility of a European central government at Brussels, heedless of the cultures and languages of the European Union's various member states, continues to cause apprehension. Thus, under a latter-day overlay of "horizontal" (inter-ethnic) language conflict, the older "vertical" assertion (between speakers and government) is as forceful as ever. Modernists should be aware, then, that there are powerful culture-political, identitarian forces at work which can antedate, by centuries, the rise of nationalism *sensu stricto* (witness the aforementioned Declaration of Arbroath).

By the same token, language activism ought to be carefully distinguished in its horizontal and vertical dimensions (and their complex interactions). Modernists should recognize that not all language arguments and linguistic apprehensions expressed in modern-day Europe are actuated by nationalism or nationalist xenophobia, but that they reflect an older, heteronomist reflex, whose present-day continuation is federalism rather than nationalism.

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Middeleeuwse heteronomie, modern nationalisme: Taalaanspraken tussen Luik en Maastricht, 14de-20ste eeuw

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SAMENVATTING

Theorieën over natievorming en nationalisme staan sinds enkele jaren voor het dilemma tussen constructivistisch modernisme en essentialistisch primordialisme. Twistpunt daarbij is de vraag, of natiebesef een ideologisch product is van de historische ontwikkelingen sinds de late achttiende eeuw, of anders een bestendige menselijke conditie die zulke historische ontwikkelingen heeft aangestuurd. Dit artikel poogt in deze dilemmatische kwestie te bemiddelen. Veel verwarring zou vermeden kunnen worden bij een helder gedefinieerd gebruik van de termen "nationaal" en "nationalisme". Daarbij is vooral een historische benadering, die rekening houdt met conceptuele, ideologische en politieke verschuivingen over de eeuwen, onontbeerlijk. Dit wordt geïllustreerd aan de hand van een voorbeeld over de lange termijn: taalpolitiek in het tweetalige gebied tussen Luik en Maastricht. In de twintigste eeuw vormde dit gebied in de Belgische politiek een nationaal *flashpoint*: de kwestie Voeren. Rechtshistorisch bronnenonderzoek wijst uit, dat taal-assertiviteit in deze regio (in het *ancien régime* het Graafschap Dalhem) tegenover de Brusselse autoriteiten terugreikt tot in de vijftiende eeuw. Daaruit resulteerden zelfs op talige leest geschoeide administratieve en politieke grenstrekkingen. Dat men dus reeds ver vóór de moderniseringsprocessen van de negentiende eeuw in de constitutionele politiek te maken had met culturele, talige loyaliteit is onloochenbaar. Niettemin zou het fout zijn om daaruit een volledig failliet van het constructivistisch modernisme af te leiden. Vóór- en vroeg-moderne taal-assertiviteit lijkt zich uitsluitend langs een verticale, sociopolitieke as te bewegen: tussen onderdaan en machthebber. Hoewel die vertikale-sociopolitieke vector niet verdwijnt na 1800, wordt er een nieuwe dimensie aan toegevoegd: een horizontale, interculturele vector, die de ene etnische gemeenschap door middel van taal afzet tegen andere taalgroepen en naburige taalgebieden. Die horizontale, interculturele vector in taalpolitieke argumenten is specifiek negentiende- en twintigste-eeuws, en men dient zich ervoor te hoeden om ze ook in oudere bronnen te willen ontwaren. Oudere

taal-assertiviteit is gericht, niet op autonomie, maar op heteronomie. Het voorbeeldgeval dient daarom zowel modernisten als primordialisten tot waarschuwing, en wijst beiden op de noodzaak van een gedegen historisering van het nationalisme-onderzoek.

Hétéronomie médiévale et nationalisme moderne: les revendications linguistiques dans le territoire situé entre Liège et Maastricht (14e-20e siècle)

JOEP LEERSSEN

RÉSUMÉ

Depuis quelques années, les théories concernant la formation des nations et le nationalisme sont enfermées dans un dilemme entre le modernisme constructiviste et le primordialisme essentialiste. Le nœud de discorde réside dans la question de savoir si la conscience nationale est un produit idéologique né de l'évolution historique depuis la fin du 18e siècle ou s'il s'agit d'une permanence de la condition humaine qui génère de tels développements historiques. L'article se pose en médiateur. En premier lieu, une définition claire des termes "national" et "nationalisme" permet d'éviter pas mal de confusions. En second lieu, une approche qui envisage les glissements séculaires conceptuels, idéologiques et politiques s'impose. Elle est illustrée par une étude de cas à long terme: la politique linguistique dans la région bilingue située entre Liège et Maastricht. Au 20e siècle, ce territoire constitue un *flashpoint* national dans la politique belge: la question des Fourons.

Le dépouillement des sources juridiques du passé montre que dans cette région (le comté de Dalhem sous l'Ancien Régime) l'affirmation de la langue face aux autorités de Bruxelles tend à se réduire jusqu'au 15e siècle. Le tracé des frontières administratives et politiques fondé sur l'usage des langues en est même le résultat. Il est donc indéniable que dès avant le processus de modernisation du 19e siècle, la loyauté culturelle et linguistique entre en ligne de compte. Il serait néanmoins faux d'en déduire la faillite complète du

modernisme constructiviste. En effet, l'affirmation de la langue qui se profile avant et tout au début de la période moderne semble se mouvoir sur un axe sociopolitique vertical, c'est-à-dire, entre le sujet et le détenteur du pouvoir. Bien que ce vecteur ne disparaît pas après 1800, une nouvelle dimension s'y ajoute: un vecteur horizontal, interculturel qui, par la langue, oppose une communauté ethnique aux autres groupes linguistiques et aux régions linguistiques voisines. Ce dernier est spécifique aux 19^{e} et 20^{e} siècles et ne peut donc s'appliquer aux sources antérieures. En effet, l'affirmation plus ancienne de la langue ne vise pas l'autonomie mais l'hétéronomie. Cette étude de cas devrait donc servir d'avertissement aussi bien aux modernistes qu'aux primordialistes et montre à chacun la nécessité de fonder l'étude du nationalisme sur une base historique sérieuse.