# CHAPTER I

# EVOLUTION OF THE PRINCIPLE OF SELF-DETERMINATION

The aim of this chapter is to outline the origin of the principle of self-determination. Since the concept is an evolving one, it is essential to trace the history and development of the principle. This chapter deals with the meaning of self-determination, approaches, self-determination in the ancient world- Greek, Chinese and Indian view of self-determination, American and French Revolution, the founding of Germany and unification of Italy, the Indian freedom struggle, the Wilsonian principle of self-determination and the view of Marx and Lenin.

### MEANING OF SELF-DETERMINATION

The word self-determination is derived from the German term selfestbestimmungsrchat. German radical philosophers often used this term in the eighteenth and nineteenth centuries. During this period certain national groups had developed the principle of self-determination as a natural corollary of ethnic-political and linguistic demands. Cassese believed that the principle has been understood in political philosophy as:

(1) a criterion to use in the event of territorial changes of sovereign states;

(2) a democratic principle legitimising the governments of modern states;

(3) an anti-colonial postulate; and (4) a principle of freedom for nations or ethnic or religious groups which constitute minorities.

Hurst Hannum, "Self-Determination in the Post-Colonial Era", In Donald Clark and Robert Williamson, ed., Self-Determination: International Perspectives (New York: MacMillan Press, 1996), p.12.

Antonio Cassese, Self-determination of Peoples: A Legal Reappraisal (Cambridge University Press, 1995), p.32.

"It is the right of all people to determine their political future and freely pursue their economic, social and cultural development." It can be politically expressed through independence, self-government, local autonomy, merger or association. Thus the principle of self-determination can be described as "accommodating" one. 5

This principle operates both in internal as well as external spheres. Internal self-determination is expressed when a group of people wishes to determine their political future and protect economic and cultural rights through self-government or autonomy under a federal set-up. Internal self-determination according to Cassese includes freedom to choose one's own government, control over natural resources, and non-interference in others' matters especially between two fighting groups<sup>6</sup>. The Gorkhaland and Bodo land struggle in India and indigenous peoples' movements in various parts of Latin America are examples of internal self-determination. External self-determination implies removing foreign domination and colonisation of one country as it happened in the case of the Afro-Asian countries from the yoke of European colonialism.<sup>7</sup>

Ronen identified five categories of self-determination. They are: (a) national self-determination, (b) class determination, (c) minority self-determination, (d) non-European racism, and (e) ethnic self-determination.<sup>8</sup>

<sup>&</sup>lt;sup>3</sup> Umozurike Oji Umozurike, Self-Determination in International Law (Harnden, Connecticut: Arche Books, 1972), p.3.

ibid., pp.3-4.

Hurst Hannum, Autonomy, Sovereignty and Self-Determination: The Accommodation of Conflicting Rights (Philadelphia: University Of Pennsylvania Press, 1990), p.8.

<sup>6</sup> Cassese, n.2, pp.66-67, 70,72.

The internal colonialism often occurred in the form of exploitation of one region by another. In other words, the urban centres appropriate economic resources of rural periphery. Hurst Hannum, n. 1, pp.7-10.

Dov Ronen, The Quest for Self-determination (London: New Haven, 1979), p.21.

The term self-determination can therefore be termed as an umbrella concept.

# APPROACHES TO SELF-DETERMINATION

Scholars like Yaeltamir see it as a liberal principle. According to her, "Nation is a community conscious of its particularistic existence..."

She adds that culture is a focal point for national self-determination. It is different from civil rights struggle in liberal democracies. People sacrifice their civil rights for the sake of the nations they want to be recognized. "The ability to conceive certain social and political institutions as representing a particular culture and as carrying the national identity is at the heart of yearning for national self-determination."

Rupert Emerson believes that man is a national animal; therefore "government must rest upon the consent of the governed...." He further says that for full-fledged self-determination, recognition is essential. He argued that the right to self-determination should be explicitly embodied in the constitution of the states or international community as a whole. 12

Arguing for national self-determination, Alfred Cobban held "any territorial community, the members of which are conscious of themselves as members of a community, and wish to maintain the identity of their community, is a nation." This wish to become a state is called self-determination. In other words, the theory of self-determination "involves an

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Yaeltamir, *Liberal Nationalism* (New Jersey: Princeton University Press, 1993), pp.57, 60.

o ibid., pp.72-74.

Rupert Emerson, From Empire to Nation (Cambridge, Massachusetts: Harvard University Press, 1967), pp.296-299.

ibid., p.300.

Alfred Cobban, National Self-determination (London: Cambridge University Press, 1945), p.48.

effort on the part of these cultural nations to become state-nations."14

There are two types of nations: cultural nation and political nation. In modern times, state and nation are synonymous. The notion of "cultural-nation" led to the belief that unless a "cultural-nation" is created, the political nation cannot be strengthened. The authoritarian states during pre-World War II and some third world multi-cultural states were involved in 'cultural-nation-making' in the post-war period.

In the democratic approach, national self-determination has been defined as government based on the consent of the governed, and not national government per se. 15 According to the democratic school, nation is defined by territory and not by ethno-culture. Moreover, this approach considers self-determination as equal to democratic self-government. It viewed American Revolution as a focal point because American Revolution was seen as democratic rather than national self-determination. It was inspired by ideas like the inalienable rights of man and no taxation without representation. As Thomas M. Frank puts it, "Self-determination postulates the right of a people organised in an established territory to determine its collective political destiny in a democratic fashion and is, therefore, at the core of the democratic entitlement."

Nationalism and democracy commonly mean popular sovereignty and participation. Thus Neuberger puts it a third way that is, combining national independence and democratic aspects and rejection of foreign

ibid., p.50.

Benyamin Neuberger, "National Self-Determination: Dilemmas of a Concept," Nations and Nationalism (Cambridge), vol.1, no.3 (1995), pp.297-325.

ibid., pp.300-301.

Thomas M. Frank, "The Emerging Right to Democratic Governance", American Journal of International Law, (Washington D.C.), vol.86, no.3 (1992), p.52.

rule.<sup>18</sup> Recent history has witnessed fight for national self-determination and national independence.<sup>19</sup>

Some authors viewed self-determination as a human right principle. After the American Revolution it was considered as a natural right. It assumed that the principle of self-determination is compatible with the rule of law, democracy and human rights.<sup>20</sup> Individualistic theory argues that each human being has certain fundamental rights; right to self-determination is one among them. These rights are compounded with other rights such as right to speech and right to association. Hence, Freeman argues that man has to determine his political relation with his state.<sup>21</sup> This human rights aspect of self-determination has become popular in the post-World War era. In this context, the principle of self-determination may assume various characters:

- Right to resist tyranny, for example freedom struggle by the people of East Timor in Indonesia, Kurds in Iraq and Turkey;
- Right to freedom of association, e.g. Irish struggle in Northern Ireland (U.K.);
- The democratic principle of popular sovereignty, e.g. the struggle for democracy under the leadership of Aung San Su Chi in Myanmar;
- Nationalist value of cultural community, e.g. the formation of
   German empire in mid-nineteenth century; and

<sup>&</sup>lt;sup>8</sup> Neuberger, n.15, p.302.

Byron N. Tzou says that self Determination means national Self-government and also independence. The author takes Taiwan as case study. Byron N. Tzou, "Does principle of Self Determination apply to Taiwan?", *Issues and Studies* (Taipei), vol.6 (1992), p.85.

Michel Freeman, "Democracy and Dynamite: The People's Right to Self-determination", *Political Studies* (Oxford), vol.44, no.4 (September 1996), p.747.

ibid., pp.752-756.

• Realistic view of the world order, e.g., accommodating minority rights in the Treaty of Versailles.<sup>22</sup>

To understand the principle of self-determination it is essential to study its various stages of growth in history.

# THE IDEA OF SELF-DETERMINATION IN THE ANCIENT WORLD

The desire for self-determination is ancient but the idea is modern.<sup>23</sup> The desire for democracy or republican government can be traced back to Greek civilization. The Greek city-states had some form of democratic governments. Athens was one of the important city-states practicing democracy. After the fall of Peisistratus and his sons, democracy flourished until the death of Pericleus (431 B.C.).<sup>24</sup> During the same period, Athens not only practiced democracy but also helped other states to follow. Demosthenes, in his speech on the "Liberty of Rhodes" in the Athenian Assembly asked Athens to invade Rhodes because it was occupied by Masoulus, who had established oligarchy. He said, "Indeed, I would not hesitate to maintain that I think it better that the Greeks should be our enemies under democracy than our friends under oligarchy." He said, "If the world sets its face towards right, it would be dishonour that Athens alone stand apart. But when the rest of the world is preparing for iniquity, that Athens alone should lay claims to right without any positive action,

<sup>&</sup>lt;sup>22</sup> ibid., pp.756-757.

ibid., pp.748-749.

Bertrand Russell. *History of Western Philosophy* (London: Routledge, 1996), pp.77-78.

A.N.W. Saunders, *Greek Political Oratory*, trans. (Middlesex: Penguin, 1970), pp.181-183.

seems to me not exemplary but cowardly because men's actual effectiveness which determines their validity of their claims."

The idea of democracy was later developed by Aristotle in 'Politics'. While describing the various governments, he argued that monarchy is better than aristocracy and aristocracy is better than polity. Corruption of the best is worst; therefore tyranny is worse than oligarchy, and oligarchy worse than democracy. In this way, he arrives at qualified democracy. Therefore, among actual governments, democracy tends to be the best.<sup>27</sup> He believes that men who are equally free should be equal in all. The major defect in Athenian democracy was that women and slaves were not given citizenship. Hence we cannot call Greek democracy a true one.

The origins of self-determination, or the concept of democratic government or republican idea were not attributed only to the Greeks; they also existed in the East, as in India and China. Although Chinese civilization developed an Empire-state, it contributed to the idea of popular government in its philosophy. A good example is of the philosopher Mencius who in his book VII, section B says, "People are of supreme importance! The altars to the gods of Earth and Grain come next: last comes the ruler. That's why he who gains the confidence of the multitudinous will be the son of J'ien..." Similarly Hrun Iru<sup>29</sup> (312 B.C. - 238 B.C.) wrote describing the kingly government; he said, "when common people are satisfied with his government, then only Prince can secure his position."

<sup>&</sup>lt;sup>26</sup> ibid., p.186.

<sup>&</sup>lt;sup>27</sup> Russell, n.24, p.201.

Sebastian de Grazia, ed., Masters of Chinese Political Thought: From the Beginnings to the Han Dynasty (New York: Viking Press, 1993), p.147.

In Chinese political thought, the group called Confucians consisted of a trio: Confucius (551-479 B.C.), Mencius (372-289 B.C.) and Hrun Tru (312-238 B.C.), ibid., p.154.

This can be described as based on the consent of the people. Further he mentions that, "The Prince is the boat; and the common people are the water. The water can support the boat, or the water can capsize the boat." 30

In India, the democratic element was found in the Vedic times. During that time, various assemblies ran the state administration. Among them, *Samiti* was significant one. *Samiti* is a sum of two words *Sam* and *iti* meaning *meeting together*, or, *assembly*. This assembly, apart from electing the king, discussed matters relating to state.<sup>31</sup> The *Samiti* was the national assembly otherwise "Assembly of the Whole People" (*Visah*). In the Atharva Veda, Book VI, 64 and the Rig Veda, (x.191.3), the prayer hymns mention about union, common samiti and common policy of state - "a common aim and a common mind."<sup>32</sup>

As Bloomfield says, "Same be their counsel, same their assembly, same their aim, in common their thought." The above statement makes it evident that *samiti* discussed matters related to the state. The hymns found in Rig Veda are latest, therefore one can say that samiti was the product of development stage of the Vedic period. These hymns show that debate played an important role.

Some authors compare *samiti* with folk assembly of Germany. But in these folk assemblies only noblemen were allowed to speak; common people were merely present. In the Germanic folk assemblies, debate had not taken place. Hence it is inappropriate to compare samiti with West

ibid., pp.153-155.

K.P. Jayaswal, *Hindu Polity: A Constitutional History of Indian Hindu Times* (Bangalore: Bangalore Printing and Publishing Company, 1967), edn 4, p.12.

ibid., p.13.

Bloomfield, cited in ibid., p.13.

European folk assemblies.34

Before *samiti*, *Vidata* was the platform for political-religious matters. *Samiti* and *Sabha* evolved from this assembly as political fora. The members of the whole community participated in the *samiti*. <sup>35</sup>

The republican character of the state was developed in India during the post-Vedic period. Later Vedic literatures such as Rig Veda *Brahmana*, Yajur Veda and its *Brahmana*, Aitareya *Brahmana*, and even Buddhist literature *Majjhima Nikaya* used the term *Gana Sangha*. The meaning of *Gana* is number, i.e., rule by number or rule by many. Some literatures use *Ganarajya* or *Vairajya*. The meanings of these terms are the same as *Ganasangha*. For example, *Majjhima Nikaya* mentions both terms side by side. Megasthenes recorded that kingship was dissolved and democratic governments set up in various places.<sup>36</sup> At the same time Aitareya Brahmana spoke of Uttara Kurus and Uttara Madras where *Vairajya* (non-monarchical government) was formed.

Similarly, Kautilya refers to *gana samghas* and divided them into two categories: *raja-sabddopajan* (living by the title of king) and *varta-sastropajwan* (living by agriculture, trade and fighting).<sup>37</sup>

The former was identified with *Lichchavis*, *Vrijis* and *Mallas*. *Kamboja* and *Gandhara* figured in the latter group. <sup>38</sup> In course of time, republics disappeared due to emergence of empire-state. Surprisingly, the idea of democracy or republican government did not prevail in Indian

Tacitus Morivus and others, *Populis Germanise*, cited in ibid., p.14.

ibid., p.20-21.

Mc Gindle, The Epitome of Megasthenes, cited in ibid., p.21.

Ramaprasad Dasgupta, A Study in Hindu and European Political Systems (Calcutta: Dipti Printing, 1958), pp.212-213.

ibid., p.214.

political thinking. Even in Europe, the idea of self-determination or democracy or popular sovereignty are products of seventeenth and eighteenth centuries.

### THE AMERICAN REVOLUTION

America was colonised in the seventeenth century by the European powers, especially Britain which established thirteen colonies. Apart from native Indians, the people of America comprised of immigrants from England or other parts of Europe. Instead of treating immigrants as citizens, the British government treated them as colonial people. British attitude aroused the Americans against the government. Henry Parker points out the reason for the revolution,

The remarkable material and cultural progress of the colonies during the middle decades of the eighteenth century was accompanied by the growth of a new kind of self-assurance. Surveying the past achievements and future prospects, many Americans felt that they were fully capable of controlling their own destiny and that they were developing a way of life of their own which made them more than solely transplanted Europeans.

Thus America became the land of opportunities for Europeans seeking economic betterment.

The British government decided to raise taxes on American goods, which became a major cause of the Revolution. By 1765, Prime Minister Greenville imposed a five per cent stamp duty on American goods. Americans boycotted British goods with the slogan, "taxation without representation was tyranny."40 In May 1775, the thirteen colonies' leaders met in Philadelphia (which was known as the Continental Congress), and

ibid., p.104.

341.26

Henry Bamford Parkes, The United States of America: A History (New York: Alfred A. Knoff, 1953), V, 43631:191-N4 N9 edn 2, pp.212-213.

decided to declare independence. The Congress authorised Thomas

Jefferson to draft the declaration. The American Declaration of

Independence was adopted on the fourth of July 1776.

The American Declaration of Independence was the first document, which proclaimed the principle of self-determination of the people in human history. It states,

... all men are created equal, that they are endowed by their creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, governments are constituted among men, deriving their just powers from the consent of the governed. That whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundations on such principles, and organising its powers in such form, as to them shall seem most likely to affect their safety and happiness.<sup>41</sup>

Thus American Declaration of Independence became the guiding principle for popular sovereignty. Speeches and writings of various leaders played a catalytic role in the American Revolution. Among them, Thomas Jefferson and Tom Paine were important. While commenting on the object of the Declaration of Independence, Jefferson says,

The respect to our rights and the acts of the British government contravening those rights, there was but right opinion on this side of the water. All American Whigs thought alike on these subjects. When forced, therefore, resort to arms for redress. An appeal to the tribunal of the world was deemed proper for our justification. This was the object of the Declaration of Independence. 42

Tom Paine's "Common Sense" aroused Americans to fight against the British government. He wrote that society is the product of our wants and government of our wickedness.

Society in every state is a blessing, but government even in its best state is but a necessary evil; in its worst state an intolerable one: for when we suffer, or are exposed to the same miseries by a government which might in a country without government, our calamity is heightened by reflecting that we furnish the means

Thomas Jefferson's letter to Henry Lee, 8 May 1805, Monticello, ibid., p.6.

Thomas Jefferson, "The American Declaration of Independence", Representative Political Writings of Thomas Jefferson (Bombay: Popular Prakashan, 1967), p.1.

by which we suffer.43

In similar vein, Paine wrote about the popular government.

Every man is a proprietor in society, and drawn on the capital as a matter of Right... It has been thought a considerable advance towards establishing principles of freedom to say that government is a compact between those who govern and those who are governed; but this cannot be true, because it is putting the effect before the cause; for as man must have existed before government did not exist, and consequently there could originally exist no governors to form such compact with. The fact therefore must be that the individual themselves, each in his own personal and sovereign right, entered into a contract with each other to produce a government: and this was only mode in which governments have arisen, and the only principle on which they have a right to exist.<sup>44</sup>

Popular Participation became the foundation of American democracy. This principle inspired people and enabled them to gather against British oppression. While commenting on democracy, Jefferson said, "I consider the people who constitute the society or nation as the source of all authority in that nation; as free to transact their common concerns by any agent they think proper..." Further he says, people can change the form of government or an individual or an organisation itself. However, the acts done by the government are binding on the people.

Tom Paine, commenting on American Revolution, said,

What Archimedes said of the mechanical powers may be applied to reason and liberty. "Had we", said he, "a place to stand upon, we might raise the world". The Revolution of America presented in politics what was only theory in mechanics. So deeply rooted were all the governments of the old world, and so effectually had the tyranny and the antiquity of habit established itself over the mind, that no beginning could be made in Asia, Africa, or Europe, to reform the political condition of man. Freedom had been hunted round the globe; reason was considered as rebellion; and the slavery of fear had made men afraid to think. But such is the irresistible nature of truth that all it asks, and all it wants, is the liberty of appearing... and no sooner did the American Governments display themselves to the world than despotism felt a shock and man began to contemplate redress.<sup>47</sup>

American Revolution inspired many across the world. Its impact was also

Tom Paine, "Common Sense", In Howard Fast, ed., *The Selected Works of Tom Paine and Citizen Tom Paine* (New York: The Modern Library/Random House, 1943), p.6.

ibid., pp.122-123.

Statement made by Jefferson on 28 April 1793, during Cabinet Meeting, Jefferson, n.41, p.81.
 ibid., p.81.

felt on the French Revolution.

### FRENCH REVOLUTION

If there was a single event that changed the course of history in Europe, it was the French Revolution. In 1789, during reign of Louis XVI, Estate-general<sup>48</sup> met after a gap of one hundred and seventy five years to solve the economic crisis. During the session, the commoners demanded abolition of privileges of nobles and Clergy. On fourteenth July 1789 people of Paris stormed the Bastille (which was a prison and symbol of tyranny) and freed the prisoners marking the beginning of revolution.<sup>49</sup>

In the meantime, the Third Estate proclaimed itself as National Assembly of France and they demanded a Constitution for the whole of France. After the abolition of privileges of nobility and Clergy, the National Assembly prepared the Charter of Liberty or Rights of Man (September 1789). The 1789 Constitution proclaims,

Men are born, and always continue, free and equal in respect of their rights. Civil distinctions, therefore, can be founded only on public utility. The nation is essentially the source of all sovereignty; not an any individual or any body of men, be entitled to any authority which is not expressly derived from it. 50

Tom Paine, "Rights of Man", In Fast, n.43, p.189.

Estate-General was the French Parliament, which comprised of three Estates namely, Clergy, Nobles and Commoners. These three estates sat separately and voted separately. The first two joined together to block the proposals of the Third Estate.

C.H.Hayes, History of Modern Europe (London), pp.601-602.

Declaration of Rights of Man and of the Citizen, cited in Philip Lee Ralph and others, World Civilizations (New York: W.W. Norton, 1991), edn 8, vol.2, p.185.

The French Constitution made all citizens equal before law. It proclaimed property as well as liberty, security and resistance to oppression, freedom of speech, religious tolerance and liberty of the press as inviolable natural rights. All citizens were guaranteed equal treatment in the court. Sovereignty was an affirment and was liable to be taken away if the power was abused. After the adoption of the Constitution, French Monarchy became a limited one. Louis XVI was guillotined in 1793 and subsequently France became a Republic.

The major defect in the French Republic was that only taxpayers were eligible to vote, hence only half of the adult males qualified for franchise. Article 4 of the Declaration of the Rights of Man and the Citizens of 1789 promised the full enjoyment of natural rights by every member of the society. However, the extent of these rights was to be determined by law alone. Less than a year later, in 1790 the French National Assembly passed a Resolution stating, "the French Nation renounces the undertaking of any war for the purpose of conquest and that it will never employ its forces against liberty of any people."

In 1791, Avignon and Combat of Venaissin joined voluntarily with the French Empire. In this merger, French National Assembly used Plebiscite as an instrument to identify the people's will. Since then, plebiscite had become a means to determine the popular will.<sup>54</sup> The

ibid., p.198.

Johannes Mattern, The Employment of the Plebiscite in the Determination of Sovereignty (Baltimore, 1920), p.54.

ibid., pp.54-55.

According to Mattern, Universal suffrage is an indispensable attribute of the plebiscite. The origin of plebiscite goes back to Roman times. It derives from the term plebiscitum, ibid., p.12.

# National Assembly declared,

In virtue of Rights of France to the United States of Avignon and the combat of Venaissin and that in conformity with the freely and solemnly expressed wish of the majority of the communes and citizens of these two countries to be incorporated with France, the said two United States of Avignon and the Combat Venaissin are, from this moment, an integral part of the French Empire...<sup>55</sup>

Similarly the French forces occupied Savoy and Nice. These territories were annexed after conducting plebiscites, but Johannes Mattern criticised these plebiscites saying that French forces intimidated the people for a favourable vote. <sup>56</sup>

Thomas Jefferson stated, "The French have been guilty of great errors in their conduct towards other nations, not only insulting uselessly all crowned heads but endeavouring to force liberty on their neighbours in their own form." The sentiments of the Revolution echoed across the Continent. The English poet William Wordsworth described the French Revolution as "bliss" and was happy to be alive. The German philosopher Johann Gottfried Von Harder commented that it was the most important historical moment since the Reformation. Thus French Revolution created a political momentum not only in France but also in other places such as Germany and Italy.

# **EMERGENCE OF GERMAN EMPIRE**

Until 1871, there was no country called Germany but the German race has existed since long. Though they were divided into various petty

ss ibid., p.58.

<sup>&</sup>lt;sup>56</sup> ibid., pp.60-61.

Letter to Thusas Mann Rardolph, June 24, 1793, Jefferson, n.48, p.88

<sup>&</sup>lt;sup>58</sup> Ralph and others, n.50, p.201.

principalities they had a common language and culture, which, enabled them to identify against other groups. The French Revolution influenced German people and made them realise their history and culture.

The first step towards the creation of a single Germany was made by Napoleon in 1806, when he created Rhein confederation. Then came Prussian sponsored Customs Union, *Zollverein* in 1818. After the Prussian initiation, the German Empire was founded in 1871 under the leadership of Bismarck, Chancellor of Prussia.

While Bismarck used political power to achieve a Germany, the idea of a unified Germany was developed by German philosophers throughout eighteenth century, among whom John Gottfried Von Herder (1744-1803) was probably the most important and influential. His treatise reflects the philosophy of human history. He believed in the idea of progressive development, and traced the advancement of human civilization in European society from the time of the Greeks. According to him, civilization is neither an artificial product nor a product of the elite. It is the product of the common people, the *volk*. No civilization could be considered sound if it did not continue to express its own unique historical character, its *volksgei*. Herder did not argue that one *volksgei* was better than another but he insisted that each nation must be true to its particular heritage. <sup>59</sup>

Apart from Herder, there were a few other philosophers who influenced the course of political thought in Germany. Among them, Fitche (1762-1812), Professor in the University of Jena, believed in the importance

<sup>&</sup>lt;sup>59</sup> ibid., p.311.

of the individual's inner spirit, the creator of its own moral universe. Fitche welcomed the French Revolution, despite the contemporary Franco-German antagonisms and hailed it as an emancipator of the human spirit. However, he changed his opinion after the French conquest of most of German territories and adopted the notion of Herder's *volksgei*. He no longer remained an advocate of the individual spirit, but championed the cause of the spirit of the community, expressed in its customs, traditions and history. In 1808, he gave a series of lectures, which stressed the spirit of the German nation and its superiority over other nations.<sup>60</sup> The campaign for the German nation had a snowball effect in other places such as Italy.

### Unification of Italy

After the Napoleonic regime, the map of Europe was redrawn by the Vienna Congress in 1815. In that Congress, Austria received Venice and Lombardy, which were Italian territories. Moreover, Austria did not allow any attempt towards the unification of Italy. Sardinia was the only kingdom, ruled by an Italian King (Charles Albert, 1831-1849). He introduced various reforms including a constitution for his kingdom. Similarly, Pope Pious VII wanted to have unified Italy but under the Papacy. There was another school of thought prevailing in early nineteenth century, which wanted a democratic republic of Italy.

After the fall of Napoleon Bonaparte, there were many secret societies fighting for Italian unification. Among them, Carbonari (charcoal-burners) was important. It attracted many Italian youth including Joseph

<sup>60</sup> ibid., p.312.

Mazzini, considered as the 'the father of Italian unification'. He participated in the resurrection of Carbonari in the 1830s before launching his own organisation called 'Young Italy' in 1831.<sup>61</sup>

Mazzini believed in democracy and republicanism. The motto of his movement was that revolution must be made by the people, and for the people. <sup>62</sup>He spent considerable part of his life in exile. He believed that revolution could come only through education and propaganda. Thus, young Italians' priority was propaganda.

According to Mazzini, "God and the People, (that is), the Fatherland and Humanity, are the two inseparable terms of the device of every people striving to become a nation." Further, he stated that every great nation has two stages of life.

The first may be devoted to self-constitution, to inward organisation, to the fitting up, so to say, of the implements and activities through which a nation can undertake the work appointed, and proceed to fulfil the task which has been ordained for her by God for the good of all mankind...

The second begins when, after having secured and asserted her own self, after having collected and shown to all the strength and the capability which breathe in her for the task,

the nation enters the list of humanity, and links herself, by noble deeds, with the general aim.  $^{64}$ 

Though Mazzini was a believer of republicanism, he could not convince all Italian people. Finally, Italian unification occurred under the leadership of Victor Emmanuel II (King of Sardinia).

N. Gangulee, ed., *Guiseppe Mazzini: Selected Writings* (London: Lindsay Drummond, 1945), p.14. ibid., p.109.

ibid., p.320.

Letter to an American friend, 1863, ibid., p.103.

# INDIAN NATIONAL MOVEMENT

The wind of nationalism sweeping across Europe, reached other parts of the world. The rise of German empire and the unification of Italy gave fresh breath to Afro-Asian colonies in their national awakening. Against this background, the Indian National Congress was founded in December 1885 to wage a struggle against British colonialism.

## As Bipan Chandra puts it,

The Indian National Movement was undoubtedly one of the biggest mass movements modern society has ever seen. It was a movement that galvanised millions of people of all classes and ideologies into political action and brought to its knees a mighty colonial empire. Consequently, along with the British, French, Russian, Chinese, Cuban and Vietnamese revolutions, it is of great relevance to those wishing to alter the existing political and social structure.<sup>65</sup>

British colonialism, since mid-eighteenth century, economically exploited and culturally alienated Indian people. Spread of modern education and events in Europe influenced Indian Nationalist movement.

Western leaders like Mazzini inspired Indian leaders. As Surendra Nath Banerji says,

The conception of united India, derived from the inspiration of Mazzini, or at any rate of bringing all India upon the same common political plutform, had taken firm possession of the minds of the Indian leaders in Bengal. Upon my mind the writings too Mazzini had created a profound impression. The purity of his patriotism, the loftiness of his ideals and all embracing love for humanity, expressed with the true eloquence of the heart moved me as I had never before been moved.<sup>66</sup>

Generally the structure of nationalism consists of two equally powerful components: traditional data: (such as race, language, literature,

Bipan Chandra and others, *India's Struggle for Independence* (New Delhi: Penguin Books, 1988), p.13.

Sir Surendra Nath Banerjea, A Nation in Making: Being the Reminiscence of Fifty Years of Public Life (London: Oxford University Press, 1925), pp.38-40.

tradition and territoriality), and egalitarian ideology: (such as freedom, equality and fraternity). The predominance of traditional data characterised early third world nationalism, and that of western nationalist egalitarian politics.<sup>67</sup> Indian Nationalism could be viewed from this perspective. Indian Nationalism can be understood as a fusion of traditional data and egalitarian ideology. Leaders like Bal Gangadhar Tilak and Aurobindo Ghosh represented the former, while M.K. Gandhi and Jawaharlal Nehru belong to the latter.

Tilak was one of the earliest leaders who demanded *Swaraj*.<sup>68</sup> In his writings and speeches, he elaborated the adverse moral and material effect of British rule. He gave a rational explanation that the British government failed to deliver its duty because it is foreign in character. For Tilak, *Swaraj* was a natural right of people or nation.<sup>69</sup> In Tilak's own words,

The idea of Swarajya is spoken of it shows that there is some kind of rule. Swa that is that and ours this idea originates at that end. This is plain. When such a condition arise it is begins to be thought that there should be Swarajya and men make exertions for that purpose. You are at present in that sort of condition those who are ruling over you do not belong to your religion, race or even country. To put it briefly, the demand that the management of our affairs should be in our hands is the demand for Swarajya. 70

Tilak insisted that the people should govern society, for the interests and welfare of the people. *Swaraj* means democracy or people's rule.<sup>71</sup>

Like Tilak, Aurobindo Ghosh also used the past for creating an

Dawa Norbu, Culture and the Politics of Third World Nationalism (London: Routledge, 1992), pp.1-2.

The term swaraj could be interpreted as a self-rule. Indian leaders preferred to use this term in lieu of the term self-determination.

Shanta A Sathe, "Tilak's Connotation of the Concept of Swaraj", In N.R. Inamdar, ed., *Political Thought and Leadership of Lokmanya Tilak* (New Delhi: Concept, 1983), p.36.

Bal Gangadhar Tilak's Home Rule Speech at Belgaum, 1 May 1916, Bal Gangadhar Tilak: His Writings and Speeches (Madras: Ganesh & Co, 1919), p.105-118.

Samgra Tilak, vol.4, p.61, cited in Sathe, n.69, p.38.

Indian identity or Indian self. Tilak and Aurobindo were known as extremists in the Indian freedom movement. Aurobindo defines the principle of self-determination as,

The principle of self-determination really means this that within every living creature, man, woman and child and equally within every human collectively growing or grown, half developed or adult there is a self, become which has the right to grow in its own way, to find itself, to make its life a full and a satisfied instrument and image of its being. This is the first principle, which contained and overtops all others; the rest is a question as conditions, means, expedients, accommodation, opportunities, capacities, limitations, none of which must be allowed to abrogate the sovereignty of the first essential principle.<sup>72</sup>

Aurobindo was very active in the Indian freedom struggle during the beginning of the twentieth century. He was one of the few Indian leaders who followed the world events keenly. He criticised the League of Nations for its failure in not incorporating the principle of self-determination in its Covenants. According to Aurobindo,

...the botched constitution and limping action of the League of Nations is this result of this ancient manoeuvre. The League has been got into being by sacrificing the principle, which govern the idea behind its inception. The one thing that has been gained is a formal regularised and established instrument by which the governments of the leading nations can meet together habitually, consult, accommodate their interests, give some kind of consideration to the voice and the claim of the small free nations, try to administer with a common understanding certain common or conflicting interests, delay dangerous outbreaks and collusions or minimise them when they come, govern the life of the nations that are not free and not already subjects of the successful empires under the cover of mandate instead of the rough and the tumble chances of a scramble for markets, colonies and dependencies. The machine does not seem to be acting even for these ends with any remarkable efficiency, but it is at least something, it may said that it can be got to act at all.<sup>73</sup>

The end of World War I saw a major change in the Indian National movement. Gandhi's entry in the national movement changed its character. He tried to bring all sections of the Indian society into the

Shri Aurobindo Ghosh, War and Self-determination (Pondicherry: Shri Aurobindo Ashram, 1957), edn 2, p.39.

<sup>&</sup>lt;sup>73</sup> ibid., pp.8-9.

freedom struggle. He explained *swaraj* in his work "Hindu Swaraj and Indian Home Rule". <sup>74</sup>

Unlike Tilak, Gandhi ruled out the dominion status for India like Canada or South Africa, which they enjoyed during the first half of the twentieth century. Having a flag, army, navy and wealth did not form his conception of *swaraj*. In his own words, "...we want English rule without the English man. You want the tiger's nature but not the tiger; that is to say, you would make India English. When it becomes English, it will be called Englishtan. This is not the *swaraj* that I want." His conception of *swaraj* is,

When we are slaves, we think that the whole universe is enslaved. Because we are in an abject condition, we think that the whole of India is in that condition. As matter of fact it is not so, yet it is as well to impute our slavery to the whole of India are into we bear in mind the above fact, we can see that if we become free, India is free. And in this thought you have definition of *swaraj*. It is *swaraj* when we learn to rule ourselves. It is therefore in the palm of our hands...the *swaraj* that I wish to picture is such that, after we have once realised it, we shall endeavour to the end of lifetime to pursue others to do likewise.<sup>77</sup>

The culmination of the concept of *swaraj* could be seen in the 1929

Lahore Congress Presidential Address by Jawaharlal Nehru,

We stand therefore today, for the fullest freedom of India. This Congress has not acknowledged and will not acknowledge the right of the British Parliament to dictate to us in any way. To it we make no appeal. But we do appeal to the Parliament and the conscience of the world, and to them we shall declare, I hope, that India submits no longer to any foreign domination... A great nation cannot be thwarted for long when once its mind is clear and resolved. If today we fail and tomorrow brings no success, the day after will follow and bring achievement.<sup>78</sup>

Before joining Indian National Movement, Gandhi led the non-violent struggle in South Africa. He experimented passive resistance or satyagraha, which he later applied in the Indian freedom struggle.

M.K.Gandhi, Hind Swaraj and Indian Home Rule (Ahmedabad: Navajivan Publishing House, 1939), p.27.

<sup>&</sup>lt;sup>76</sup> ibid., pp.27.

<sup>&</sup>quot; ibid., pp.58-59.

A.M.Zaidi and S.G.Zaidi, *The Encyclopaedia of the Indian National Congress. Vol.IX: 1925-1929 India Demands Independence* (New Delhi: S. Chand & Company), 1980, p.610.

Subsequently a resolution was adopted by the Congress which mentions, "This Congress therefore, in pursuance of the resolution passed at its session at Calcutta last year, declares that the "Swaraj" in Article one of the Congress Constitution shall mean complete independence...."

To sum up, the entire national movement was struggle for self-determination or independence. For Indian freedom fighters self-determination or *swaraj* meant complete independence from the British rule. Against this background one could see the concept of *swaraj* evolving over the years. During the formative years of the Indian National Congress, its leaders viewed *swaraj* as a dominion status under British. But in the later years it meant complete independence. In other words Indians wanted internal as well as external self-determination.

### WILSONIAN IDEA OF SELF-DETERMINATION

World War I (1914-1918) devastated the whole of Europe. This impelled world leaders to search for permanent peace. In this effort Thomas Woodrow Wilson (the US President and a champion of democracy) was the forerunner.

America entered the war in 1917.<sup>80</sup> Wilson explained the reason for America entering the war thus,

We are glad, now that we see the facts with no veil of false pretensions about them, to fight thus for the ultimate peace of the world and for the liberation of its peoples, and German people included: for the rights of nations, great and small and the privilege of men everywhere to choose their way of life, and of obedience. The world must be made safe for democracy. Its peace must be

ibid., p.671.

The First World War was fought between the Entente (Britain, France and Russia) and the Triple Alliance (Germany, Italy and Turkey). The German attack on American trading and passenger ships led to American entry into the war. A famous incident was the German attack on the American liner Rusitania.

planted upon the tested foundations of political liberty. We have no selfish ends to serve. We desire no conquest, no dominion. 81

Hence America ostensibly entered the war to uphold the freedom of people. Wilson stressed the need for the independence of colonial people, and for a world organisation to preserve peace. During the address to Congress (joint session), he demanded peace, "It is that the world we made fit to save to live, and particularly that it is made safe for every peace-loving nation which, like our own wishes to live its own life, determine its institution, is assumed of justice and fair dealing by the other peoples of the world as against forced and selfish aggression." Moreover, Wilson in his Fourteen Points stated, "Every open-minded, and absolutely impartial adjustment of all colonial claims, based upon a strict about observance of the principle that in determining all such questions of sovereignty, the interests of the population concerned must have equal weight with the equitable claims the government whose title is to be determined."

Apart from the peace proposals, Wilson in his Fourteen Points urged for the establishment of "a general association of nations", which later took the shape of the League of Nations. Through the League, collective security was established.<sup>84</sup> On 11th November 1918, Germany surrendered to Allied Powers. Thereafter the Peace Conference was held in Paris.<sup>85</sup> Almost all the

Address to Congress (Joint Session) 2 April 1917. President Wilson's State Papers and Addresses (New York: George H.Doran, 1918), pp.80-81.

Address to Congress (Joint Session), 8 January 1918, ibid., p.467. It stated the war aims and peace proposals.

The War Aims and Peace Terms of the US, 8 January 1918, ibid., p.469.

The idea of world government was first floated by Leon Bourgeois (French Statesman). He coined the phrase "Society des Nations", in 1908. He used it as the title of his book. Similarly in England, the same idea was propagated by Norman Angells' The Great Illusion and Leonard Woolf's International Government, which formed the basis of utopian proposals of Fabian Society.

France was represented by Clamancau and others, Lloyd George, the then Prime Minister of UK and Woodrow Wilson, the then President of the US were important participants of the Conference.

people looked upon Wilson as their only hope for peace in the world. While opening the Peace Conference, French President Poincare said, "America the daughter of Europe, crossed the ocean to wrest her mother from the humiliation of thraldom and to save the civilization." Ray Stannard Baker commented, "at Vienna a hundred years ago they danced their way to peace, but in Paris, in 1919 no one danced. At Paris, they worked on the Councils where they were constantly agitated by crises of hunger."

On 25 January 1919 the Second Plenary began where the resolution for the formation League was adopted. Thus, the process of the establishment of the League and Peace treaties went on simultaneously. The U.S. took an important position. It is significant to note that America came out of its self-imposed isolation of hundred and odd years. The idea of world government for peace already existed in the United States. For example, in 1910, while receiving the Nobel Prize, Theodore Roosevelt (the then American President) said, "Finally, it would be a masterstroke if those great powers honestly bent on peace, would form a League of Peace, not only to keep the peace but to prevent, by force if necessary, its been broken by others."

William Taft launched a League to enforce the Peace Conference.

Woodrow Wilson forced the Great Powers to accept the idea of the League
of Nations. The demerit was that US could not become member of the

Elmer Bendiner, A Time for Angels: The Tragic Comic History of the League of Nations (London: Weidenfeld and Nicolson, 1975), p.80.

Authorised biographer of Woodrow Wilson who participated in the Peace Conference.

Josephus Daniel, *The Wilson Era: Years of War and After, 1917-1923* (Chapel Hill: University of North Carolina Press, 1946), p.359.

<sup>&</sup>lt;sup>89</sup> Bendiner, n.86, p.13.

League. Moreover, League's covenant did not contain the principle of *Self-Determination* for which Wilson fought, though the League's Covenant spoke of Mandatory System, which was applicable only to colonies of the vanquished powers. In the process, the Mandate Territories once again became the colonies of Mandatory Powers. In other words, under the garb of Mandate System, the Great Powers such as Britain, France and Italy expanded their territories.

The major breakthrough of the Peace Conference was the redrawing of the European map in the name of solving the minority question. Countries like Czechoslovakia, Yugoslavia, and Poland, were created. Another major failure was the refusal of colonial powers to give independence to their Afro-Asian colonies. While redrawing the European map, the leaders ignored the fact that they created states, which had a fusion of various nations. For example, Yugoslavia comprised of Serbs, Croats, Bosnians and Muslims. Germans were made minorities in many countries like Romania, Poland and Czechoslovakia. Hence the Peacemakers of Paris sowed the seed for future struggle for self-determination of the peoples.

As Umozorike puts it, "Woodrow Wilson had no great respect for the sanctity of the secret treaties but rather conceived of a world order based on peace and self-determination of nations. He pressed for the world organisation that would act as umpire among nations that were equal in rights." Wilson became the world ombudsman for the self-determination and what Minoque described as a "favourite panacea".

<sup>90</sup> Umozurike, n.3, p.20.

K.R.Minoque, Nationalism (London, 1967), p.137, cited in ibid., p.20.

Robert Lonsing, who was Secretary of State under Woodrow Wilson described Wilson's notion of democracy and minority self-determination as "loaded with dynamite." Though various people criticised the Wilsonian principle of minority rights, it gave hope for colonial people struggling for national liberation. In Wilson's words,

It is more than a treaty of peace with Germany. It liberates great people who have never been able to find the way to liberty ... It associates the free governments of the world in a permanent league in which they are pledged to use their united power to maintain peace by maintaining right and justice. It makes international law the reality supported by imperative sanctions. It does away with the right of conquest and rejects the policy of annexation and substitutes a new order under which backward nations... shall no more be subjected to the domination and exploitation of a stronger nation, but shall be put under the friendly direction and afforded the helpful assistance of governments which undertaken to be responsible to the opinion of mankind in the execution of their task by accepting in the direction of the League of Nations.<sup>93</sup>

### MARXISM AND SELF-DETERMINATION

The nineteenth century witnessed an ideological revolution with the emergence of Marxism as a strong force among the European working class. Marx gave a new interpretation of history. According to him materialistic forces determine the history of human development,

in the social production of their life, men enter into definite relations that are indispensable and independent of their will, relations of production which correspond to a definite stage of development of their material productive forces. The sum total of the these relations of production constitute the economic structure of society, the real foundation, on which rises legal and political superstructure and to which correspond definite forms of social consciousness."

Wilson's address to Paris Peace Conference after the signing of the Treaty of Versailles, 28 June, 1919, Donald Day, ed., *Woodrow Wilson's Own Story* (Boston: Little, Brown, 1952), p.335.

Freeman, n.20, p.747.

Karl Marx, "Preface to a Contribution to the Critique of Political Economy", In Karl Marx and Frederick Engles, Selected Works (Moscow: Progress Publishers, 1977), vol.1, p.503.

Marx divided human history into various phases on the basis of mode of production, such as Asiatic, ancient, feudalism and modern bourgeois capitalism. These are the "progressive epochs in the economic formation of society."

The bourgeoisies" relations of production (modern capitalism) are the last antagonistic form of social process of production. <sup>96</sup> This antagonism results from class struggle between owners of the means of production and the proletariat, and is ended only by proletarian revolution, which establishes the classless society and eventually to stateless society.

# As Engels commented,

Not only for economic but for all historical sciences revolutionizing discovery was made with this proposition that 'the mode of production of material life conditions the social, political and intellectual life process in general; that all the social and political relations, all religious and legal systems, all the theoretical outlook which emerge in history are to be comprehended only when the material conditions of life of respectively corresponding epochs are understood and former are derived from these material conditions.

Hailing the French Revolution, which abolished social stratification,

Marx said that social stratification was replaced by class differences based

on money and property. By legitimising and supporting this relationship,

nation-state becomes the institutional expression of man's oppression. Thus

new national state does not provide self-determination, only stateless

communist society can do this.<sup>98</sup>

ibid., p.504.

Antagonism arises not from individual life, but from conditions of social productive forces. For example, in ancient times, patricians and plebians; in feudal times, feudal lords and serfs; in modern times, bourgeois and proletariat are the contending classes.

Frederick Engels, "Karl Marx, A contribution to the Critique of Political Economy". In Karl Marx and Frederick Engles, n.94, p.509.

<sup>&</sup>lt;sup>98</sup> Ronen, n.8, p.30.

Marxist philosophy was developed and put into practice by V.I. Lenin and Joseph Stalin. Lenin joined the Social Democratic Party founded by George Plekhanov. During those days, Tsar Nicholas II, an autocratic ruler, who cared least for his subjects, ruled Russia. In the meantime, socialist ideas swept across Europe, and various socialist organisations emerged in Russia.

In March 1917 Russia witnessed a revolution following which, a moderate Communist government was formed. However in November 1917, Lenin and his followers (Bolsheviks) occupied the government. Immediately he denounced the war and gave freedom to all people. He gave the motto, "land to peasants, peace to soldiers, bread to hungry masses and factory to workers."

In the meantime, counter-revolutionaries of the White Army invaded Russia but were defeated. As Ketelbey puts it, Lenin was successful only in establishing an absolute dictatorship and by abandoning many of the principle articles of his creed.<sup>100</sup>

Among Marxists, Lenin was a major exponent of the principle of self-determination. He linked national self-determination with the economic question. For him, "throughout the world the period of final victory of up with national movement." While explaining the necessity of nation-state he said, "For the complete victory of commodity production, the bourgeoisie must capture the home market, and there must be politically

ibid., p.457.

<sup>&</sup>lt;sup>79</sup> ibid., p.30.

V.I. Lenin, "The Right of Nations to Self-Determination", In *Lenin: Selected Works* (Moscow: Progress Publishers, 1977), vol.1, p.568.

united territories whose population speak a single language, with all obstacles to the development of that language and to its consolidation in literature eliminated. Therein is the economic foundation of national movement," The aim of the bourgeois nation-state was to establish close connection between various classes in the society. Consequently, "if we want to grasp the meaning of self-determination of nations, not by juggling with legal definitions, or 'inventing' abstract definitions, but by examining the historic-economic conditions of the national movements, we must inevitably reach the conclusion that the self-determination of nations means the political separation of these nations from alien national bodies and the formation of an independent national state."

Regarding backward states and nations Lenin said "...first, that all the Communist parties must assist the bourgeois-democratic liberation movement in these countries and that the duty of rendering the most active assistance rest primarily with the workers of the country..."

Stalin also contributed to the idea of national self-determination. For him, nation is a historically constituted community of people. As Stalin puts it, "Nation is historically evolved stable community of language, territory, economic life and psychological make-up, manifested in a community of culture." Alfred Cobban points out that although Stalin accepted the western political interpretation of nationality, he did not identify the nation with the state. While proclaiming the right of self-determination of nation

ibid., p.568.

ibid., pp.568-69.

V.I.Lenin, "Theses for the Second Congress of the Communist International", In Lenin: Selected Works (Moscow: Progress Publishers, 1977), vol.3, p.376.

J.Stalin, cited in Cobban, n.13, p.103.

ibid., pp.102-103.

Stalin stated, "It has a right to arrange its life on the basis of autonomy. It has the right to enter into federal relations with other nations. It has right to complete secession. Nations are sovereign and all nations are equal."

As Lenin said, "Self-determination implies only the right to secede, or that the formation of independent national states; the tendency to all bourgeois-democratic revolutions." At the same time the proletariats, should carry out their struggle and amalgamate the various proletariat organisations into one international association. They must preserve the unity of proletariats and they must fight against the bourgeois character of 'national exclusiveness'. This two-fold task of the proletariat struggle echoed in the 1896 International Socialist Congress resolution. In other words, "Complete equality of rights for all nations; the right of nations to self-determinate; the unity of the workers of all nations..."

In short, the principle of self-determination can be summarized as the aspiration of political power by a group of people who share a common culture and language. It is an attempt to choose a political destiny of their own. The self-determination principle is a corollary of democracy. The self-determination movement evolved through many stages; struggle for Democracy in United States during 18th century, National Self-determination in Germany and Italy in 19th Century, the Wilsonian notion

ibid., pp.103-104.

Lenin, n.101, p.612.

ibid., pp.614-15.

<sup>&</sup>quot;In the one hand, the absolutely direct, unequivocal recognition of the full right of all nations to self-determination; on the other hand, equally unambiguous appeal to the workers for international unity in their class struggle." This is the crux of the resolution in the International Socialist Congress, 1896 at London, cited in Lenin, n.101, p.598.

<sup>&</sup>lt;sup>111</sup> Ibid., p.616.

of protecting minority rights in early 20th Century and decolonisation of Afro-Asian nations in 1950s and 60s under United Nations. Thereafter, the mere political principle of self-determination became a legal one.