***We the People: the Citizen & the Constitution***

2019-2020 High School Hearing Questions

Information, Tips, Analysis, & Resources from the Oregon high school We the People community

UNIT 1 / Q.2

**Nation-states developed relatively recently in history. What significant changes in people’s minds and senses of identity accompanied the rise of nation-states? How have those changes affected the evolution of governments?**

* What challenges, if any, does the United States face in being a diverse nation-state?
* What are some possible solutions for those challenges?

**Collaboration Tips**

**5** different questions are in this overall question.

Historical events/context that connects to this question:

* **Creation of Nation/State**
* **Germany / Italy**

Sections of the US Constitution that apply:

* **Article VII (Supremacy Clause)**
* **California Constitution re: Original Mexican citizens**

People/historical figures connected to the question:

* **Aristotle**
* **Plato**
* **Cicero / Cincinnatus**
* **Julius Caesar**
* **Locke**
* **Montesquieu**
* **Madison**
* **Washington Hamilton**
* **Adams**

Vocabulary:

* **Nation**
* **State**
* **Diversity**

Possible Current Events:

* **Border wall**

**Comments from Justice Jack Landau:**

*Just what constitutes a "nation-state" isn't entirely clear. In general, though, it is taken to refer to an entity that joins a political entity (the state) with a cultural and geographic identity (the nation). The basic idea is that the legitimacy of the state derives from the fact that it coincides with its cultural/geographic identity. Even that general conception has problems, though. It suggests that there is ethnic or cultural homogeneity within a particular area. Very few existing nations (perhaps as few as 10%) would meet that definition. Some scholars suggest that a better view is that the nation derives its legitimacy not necessarily from an existing, well-defined and homogenous culture or ethnicity, but from a choice by those in a nation to endorse a particular national culture. The Montevideo Convention of 1933 seems to incorporate that idea in declaring that a nation-state consists of a defined territory with a permanent population that feels like it belongs to the nation and has an effective government and sovereign capacity to enter into relations with other states.*

*There are different theories about the origins of the idea of nation-states. The conventional view is that the idea of the nation-state originated in the seventeenth century, at the time of the Treat of Westphalia (1648), which ended the Thirty Years' War. The treaty required a system of clearly defined entities that recognized one another's sovereignty. it recognized the independence of Switzerland from the Austro-Hungarian Empire and of the Netherlands from Spain. But the treaty didn't exactly invent the nation-state. And the entities that were recognized in the treaty -- the multinational Hapsburg Monarchy and the Holy Roman Empire, for example -- weren't really nation-states. Still, the treaty is recognized as the origin of the idea of the absolute sovereignty of borders. Others suggest that nations -- the political entity -- have existed since antiquity, and the idea of the cultural or ethnic state came into being only as a rationalization to legitimize nations in the nineteenth century. (Italy comes to mind -- a nation that came into being in the 1870s by piecing together quite distinct cultures and ethnic groups, from Sicily to the Papal States to Florence, Venice, and the Piedmont. The unification of Germany around the same time also comes to mind.) The idea of the nation-state was given a racial foundation in the late-nineteenth century with the rise of racism and ethnic nationalism. And, in fact, the racial-ethnically based notions of the nation-state have been at the root of the rise of fascism in the twentieth century.*

*The idea of the nation-state has never fit the US very well. From the beginning, the US consisted of a wide variety of cultural and ethnic groups -- Native Americans, African slaves, Puritan pioneers, Anglican farmers, Hispanic settlers, and immigrants from every corner of the globe. In no sense, for example, can it be said that the colonies of Virginia and Massachusetts shared a common culture. They may have shared a common language and country of origin, but their cultures were diametrically opposed. See generally David Hackett Fisher, Albion's Seed. There are wide variations within the US to this day. Colin Woodward, in his book "American Nations," argues that there are actually eleven different nations within the United States today. A number of observers suggest that, if the US is a state, it is not in the ethnic or cultural sense, but in the sense that peoples of diverse cultures and backgrounds agree to a set of common values. See, e.g., Jill Lepore, This America: The Case for the Nation. Still, there are some "American nationalists" who insist that the US actually has a common ethnic and cultural identity -- white (European), Christian, capitalist -- which the nation should make greater effort to preserve. It's a fabrication, but a powerful one, as today's politics demonstrate.*