Notes on the Definition of “Ethnic”

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The definition of the word "Ethnic" is very important. It affects two vital clauses of the Constitution of the Council viz., objects and membership clauses. In plain language, the definition of "Ethnic" influences the purpose and direction of the Council and determines which and what kind of organizations can be members.

That is not all. The importance of the definition of the word "Ethnic" transcends the framing of the Constitution. However humble we want to be, the meaning of "Ethnic" as defined in our Constitution will affect the usage of the word even beyond the borders of this State.

For that reason, by trying to define the word, we are accepting a responsibility which must not be taken lightly or influenced by spurious and myopic considerations. The definition presents a real difficulty and requires a genuine endeavour and an unbiased approach.

These notes are prepared in order to throw some light on the origin of the word "Ethnic", its historical background and its usage within the scope and context of its legal, social and popular connotations.

The dictionaries list the adjective "Ethnic" as derived from the Greek noun "Ethnos" meaning "Nation". This does not help very much as it is just another way of saying that the Greek word "Ethnos" is equivalent to the Latin word "Natio". The present meaning of the English word "Nation" is something quite different from the meaning the word "Natio" had for the Romans. The English meaning of the word "Nation" and its derivatives "Nationality" and "Nationalize" was conditioned by the Frankish feudal concept of sovereignty as transmitted to the English by the Norman French conquerors. At Common Law the word "Nation" means people subject to the same sovereign.

The Common Law never developed an abstract notion of a State as the Roman Law did. It is not pure coincidence that the railways are called "Government Railways" and not the "State Railways" as it is the custom on the Continent of Europe where the Roman Law was adopted wholesale with all its notions and concepts.

Most of Continental Europe distinguishes between "Nationality" and "Citizenship". The European notion of "Nationality" is generally defined as people having in common some or all of the following traits: language, history, territory, origin, feeling of affinity and awareness of common destiny. It is not governed by borders or similar considerations.

The nearest equivalent to the Common Law notion of "Nationality" is the European term "Citizenship". It is the "Citizenship" which bestows the rights and duties in law. The "Citizenship" is conferred on the individual by the State, whilst the "Nationality" in its European sense is a question of the personal awareness or consciousness of the individual. A European individual accepts the "Citizenship" and declares his "Nationality".

Some years ago the term "Citizenship" was introduced in Australia, the idea being that one is a British "National" and an Australian "Citizen". This distinction has nothing to do with the distinction between the European.
terms of "Nationality" and "Citizenship". The
Australian usage of "Citizenship" simply adopts
the Common Law notion of "Nationality" and
is limited to the rights and duties of an
Australian. We should avoid to be even more
confused by such usage.

It is a principle of Common Law not to use
legally notions or terms which cannot be exactly
defined. Since the Continental European notion
of "Nation" cannot be exactly defined the
Common Law lawyers preferred to ignore it.
Whether a "Nation" in the European sense can
be legally defined or not it is a reality and it
cannot remain ignored. The failure of the
English to cope in a civilized way with the Irish
question was due to the failure of the Common
Law to take cognisance of the ties and
allegiances based on kinship heritage and
tradition.

In this context it is interesting to note that the
Spaniards who similarly to English and perhaps
alone among Continental Europeans define the
"Nation" as "People under the same
Government" (nacion = los habitantes de un
pais regido por el mismo gobierno) have
difficulty to accommodate Basques whom the
Spaniards by their definition of "Nation" take to
be Spanish while the Basques consider
themselves to be a separate entity.

Americans in addition used the name
"National" to denote something applying or
belonging to the whole of the U.S.A. as distinct
from "Local".

As Australia today the U.S.A. had for some time
to cope with settlers of non-British origin and
background. They adopted the word "Ethnics"
because the word "Nationalities" would be
misleading. Australians were at a loss what to
call non-British settlers and as a temporary
expedient adopted the expression "New
Australians" to replace at least in polite circles
the popular "Balt" and offensively vulgar
"Wog". The expression "New Australian" was
only a temporary solution as it is hard to call
someone "New Australian" and his Australian
born children "Old Australians".

In recent years the American usage of "Ethnic"
was adopted as an adjective describing people
and customs of non-British origin and of
activities relating to such people and customs.
In this context "Ethnic" has a connotation of
pertaining to non-British minorities.

It is interesting to note that in this sense the
word "Ethnic" was also used by early
ecclesiastical writers when referring to non-
Christian peoples forming alien enclaves in the
great cities of the ancient world such as Rome
and Constantinople. The word "Ethnic" was for
these ecclesiastical writers synonymous to
heathen, pagan and gentile.

The meaning of a word depends on its usage.
The Greeks who originated the word "Ethnic"
still use it in the sense in which other
Continental Europeans use the word
"National". In this sense of the word everyone is
an "Ethnic", whether English, Welsh, Zulu-
Kaffir or Hottentot. I believe that in this sense
"Ethnic" should be defined by us as meaning
peoples, communities and activities having a
separate and particular language culture
background.

The other school of thought could perhaps
prefer to define "Ethnic" as applying only to
minorities consistent with the American usage
of the word or as already used in this country in
the expressions of "Ethnic Communities",
"Ethnic Affairs" etc. I have reason to suspect
that the name given to our organization, namely
The Ethnic Communities Council, uses the
term "Ethnic" in the "National Minorities"
sense.

Having in mind all the pros and cons I am
inclined to think that the word "Ethnic" should
be defined in the sense nearest to the original
Greek usage of the word. If the minority aspect
is to be stressed the word "Minority" can be
added to "Ethnic". But whatever we do let us
make the definition short and to the point.
Long definitions mean more words and more
words mean more problems.