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The key question which this Paper addresses is whether federalism can provide a solution to the excesses of nationalist conflict. This question interests me, in part, due to my own personal experience. Being from Scotland, the recent devolution of powers from London to Edinburgh has generated much debate over whether this strengthens or weakens the friendship and union between the two countries. In the last two years, I have lived in Switzerland and have come to understand the workings of the highly complex federal system of the country and how it seeks to unite an otherwise multinational, multilingual and multiconfessional society. In both Scotland and Switzerland, federalism has been as a mechanism for overcoming nationalist tensions and conflicts. On the broader European level, the principal contemporary debate has been whether European integration should lead to a full federal union which would, its advocates argue, firmly entrench peace and stability in Europe.
Critics of this federal path, much like critics of devolution in Scotland, argue that this process would only sow discord and nationalist tension and ultimately undermine the union.

The issue of federalism is just as controversial in South East Europe. It was the collapse of one federal union, the Federal Republic of Yugoslavia, which was the proximate cause of the inter-ethnic conflict and wars of secession in the region. The creation of new states from the detritus of the former Yugoslavia has not, though, resolved the problem of nationalist tension and how to accommodate ethnic and religious difference. In particular, the multinational states of Bosnia-Herzegovina and the Former Yugoslav Republic of Macedonia, whose multiethnic composition within a democratic order is a key concern of the international community, increasingly appear unlikely to be viable in the longer-term without significant devolution of powers in a federal political structure.

In the Middle East as well, federalism has had a mixed history with the collapse into civil war of the consociational democracy in Lebanon severely questioning the federal approach in the region. However, consideration of federalism will almost certainly be unavoidable if and when the process of democratisation finally gains momentum. In the multiethnic and multiconfessional societies like Iraq and Syria, it is arguable that a sustainable democratic system would only be possible within a decentralised and probably federal political system. However, such a political solution is likely to generate the fear that it would only accelerate the fragmentation and dissolution of the countries.

ARGUMENTS FOR AND AGAINST FEDERALISM

Federalism generates, therefore, a considerable degree of controversy over whether it helps to ameliorate or to intensify nationalist tensions. What are the main arguments for and against federalism?

The arguments against include the rather poor historical experience of federal unions. It was the federal states of the former East — the Soviet Union, Yugoslavia and Czechoslovakia — which broke apart and were primarily responsible for the ethnic conflicts of the post-Cold war period. Post-colonial federal states, like Pakistan and Nigeria, suffers from internal weakness and civil wars. In the historical fount of federalism, the United States, there was a major civil war, which was fought over the question of distribution of power between the states and the federal center. Even in
Switzerland, a civil war was waged in 1848, which pitted the conservative catholic cantons against the more progressive protestant cantons. In more recent times, the continuing Quebecois nationalism and desire for secession from Canada raises doubts about whether devolution of power actuality dampens the desire for independence.

These historical arguments appear to confirm the argument that devolution of power to regional elites only gives them resources and powers of patronage to strengthen their power base and to increase their demands for sovereignty and independence from the center. In these circumstances, the regional elites will increasingly feel disconnected from the metropolitan center and seek to increase their autonomy and independence. Similarly, a federal structure, particularly one which includes a regionally based national minority, can consolidate the sense of cognitive differentiation: the sense of being separate and different from the «other» majority nationality. Thus, it can be argued that federalism can strengthen the «image of the other» which makes it more difficult to promote a process of cultural assimilation. In general, the conclusion that is often drawn from this line of argument is that the integrity of a country is best secured by ensuring that regional elites have adequate access to positions of power in the central administration.

For countries in the post-colonial world, federalism often also has an unmistakable colonial connotation. For most post-independence elites, the overarching goal has been to consolidate the national unity of the state and to overcome the legacy of the «divide and rule» policies of the former imperial powers, which often entrenched artificial ethnic and religious differences. Indeed, one of the strongest arguments used by many countries in the South against a fast process of democratisation is that it would lead to fragmentation and national disintegration, with all of the attendant ethnic and religious conflicts. Democratic federalism is not, therefore, seen as a solution to the problems of interethnic and multinational states but the surest path for anarchy and fragmentation. Indeed, this argument is probably the most effective and compelling for elites in authoritarian states to avoid the demands for further political liberalisation and democratisation.

The arguments for federalism as a mechanism for overcoming nationalist conflict follow a similarly compelling causal logic. First, there is simple argument that the granting of self-governance to federal sub-units necessarily undermines the claims for sovereignty, since the claim of sovereignty is itself a demand for self-governance. A federal compromise
provides a stake for all members of society to remain committed to their common values and goals — such as security and prosperity — but to protect the more particular cultural values and goals, such as speaking a specific language or practicing a different religion. Protection of such group-specific rights, it is argued, is the only effective way of ensuring that all members of a society can exercise their full rights as citizens. It is the way, particularly in multiethnic and multinational societies, to ensure the ultimate unity and solidarity of all in society. As such, a key feature of federalism is that it provides mechanisms against the tyranny of the majority and protects, in a democratic manner, minority groups from being coerced into decisions made by the majority.

Examples can also be provided of the successes of federalism. Ever since the civil war, the US model of federalism has been remarkably successful in welding together a disparate multiethnic community into a dynamic and prosperous society. Similarly, the explicit federal goals of the founding fathers European integration have borne fruit in the zone of stability and prosperity in the European Union. In Europe, the determination to pursue integration with decentralisation — the meaning of the notion of «subsidiarity» — is testament to the federal orientation of the European Union. More generally, it can be justifiably stated that the longstanding existing multinational democracies are all federal states — India, Switzerland, Belgium and Spain. It is not unreasonable to conclude that authoritarian multinational states — such as Turkey, Indonesia and China — will have to adopt federal aspects in their political systems if they are to become fully-fledged democracies. Though it might appear counter-intuitive, it can also be argued that territorial unity and the power of the power of the center to assert social control is increased rather than diminished by such devolution of powers. This, at least, is the experience in Europe of countries like Belgium, Spain and the United Kingdom which have seen the best defense of the integrity of the country to be achieved through the devolution of power to cultural and national sub-units.

**FEDERALISM AND NATIONALIST CONFLICT?**

Which of these arguments are correct? Both the arguments for and against follow a sound causal logic and it is difficult to decide between them on an empirical basis. However, recent research by Michael Hetcher and Nobuyuki Takahashi (1999) provides some potential insights. As can be seen in Figure 8.1, these researchers set out the relationship between
decentralisation and nationalist rebellion in the 1980s. As the graph shows strikingly clearly, there is a strong relationship between high levels of centralisation and large-scale rebellion. This does not mean, though, that decentralisation and federalisation resolve social and national conflict. Indeed, almost the reverse is the case as these researchers also found a higher correlation between levels of social protest and decentralised political systems as against centralised systems. Thus, struggles and protests within decentralised political units are likely to be more pronounced but are also likely to fall short of rebellion against the central authority as a whole.

However, there is one striking anomaly in the graph which is the peacefulness and highly federal nature of Yugoslavia in the 1980s. Why did the country implode in the 1990s? The reasons for this highlight the dilemma and quandary of devolution of power. Minority nations are clearly strengthened by the process of decentralisation since it gives more powers to regional elites. As long as such elites see a benefit in remaining in the host state, then such devolution should inhibit nationalist rebellion. However, if the state itself implodes, then it has little to offer these elites and fragmentation is the likely result. The conclusion to be drawn is that a careful balance has to be drawn — decentralisation of power is necessary to undermine nationalist rebellion but that too much devolution can lead to fragmentation of the state. But, despite this caveat, the fact that the principal multinational democracies all have federal political systems provides prima facie compelling empirical evidence of how federalism can be utilised to undermine nationalist conflict.

**FEDERALISM IN PRACTICE**

It is one thing to state that federalism can contribute to undermining nationalist conflict. It is quite another to propose practically how to implement federalism in political system, particularly in a country which is in the process of democratisation. Federalism itself a very varied phenomena which differs quite significantly between different countries. More concretely, any federal system cannot be simply exported from one country to another but needs to be adapted to the specific historical and cultural conditions of that country. However, one can make a few distinctions and provide a few lessons from past experience of federalism, which are of value to any potential state seeking to implement a federal structure.
First, the political scientist, Alfred Stephan, makes a distinction between « coming together » federal states such as the older federal unions of the United States, Switzerland and Australia and « holding together » federal systems, such as in India, Spain, Belgium and potentially the United Kingdom, which have evolved from formerly centralised states. The « coming together » federal states are characterised by a number of procedural mechanisms which ensure that the rights of the component states are particularly well protected and entrenched. These include the over representation of voting rights of the federal units so that, in a country like Switzerland, smaller cantons representing only 10% of the total population can potentially block decisions by the majority. Likewise, the powers to block legislation. In the « holding together » federal states, the powers of the federal center tend to be stronger since it is the center which has initiated the process of decentralisation. Thus, in countries like India, the federal government is notably less constrained in its actions in comparison to the United States or Switzerland. In addition, the « holding together » federal unions tend to be less symmetrical and direct the decentralisation of power to the principal national or ethnic cleavages in the country, such as Scotland, Wales and Northern Ireland in the United Kingdom, or Quebec in Canada.

In the broader historical perspective, the « coming together » federal unions have been relatively rare, and since the onset of the French Revolution and the rise of the model of the nation-state, practically non-existent. Even in Europe with its successful process of integration, it appears increasingly unlikely that the constituent member states will ultimately accept a full federal union. The same could be said with greater conviction in other parts of the world, such as the Arab region. Thus, the more appropriate model for promoting federalism in modern conditions would appear to be the « holding together » model, where a formerly centralised states flexibly responds to the demands for decentralisation of power, particularly to those regions representing a national or cultural minority group, but ensuring that this does not radically undermined the powers of the center.

This elads to another feature of federal systems that they are not cost free and involve a certain trade-offs between core social values. The benefit of federalism is that it protects the liberties of individuals and groups within states particularly the rights of minorities against the will of the majority. However, these gains in terms of liberty can have a detrimental impact on other important societal values, most notably on equality and efficacy. There are clearly costs in terms of democratic accountability when a relatively
small minority can veto policies desired by the majority of the country. As such, federalism tends to promote a conservative political order where it is more difficult to initiate an implement far-reaching or radical reforms. This can potentially lead to social frustration, particularly amongst the majority group who might feel perversely discriminated against. Federal systems also tend to operate on a consensual basis whereby policies emerge from below in a complex process of bargaining and where political elites are constrained from initiating policies from above.

Thus, in general there are costs in terms of inequalities and inefficiencies in federal systems which have to be balanced in relation to their benefits. For newly democratizing multinational states, building in a significant degree of flexibility and limiting the constraints on central government, as is more characteristic of « holding together » unions, should be important considerations.

Finally, probably the most important ingredient of a successful federal system is a firm commitment to procedural justice, where fairness and the rule of law are paramount.

Federalism necessarily involves a significant role for the judiciary since there needs to be a final arbiter in conflict over the respective competencies of the different layers of governance. The confidence of the minority groups in the federal structure is also closely related to their confidence in the impartiality of the judicial system, particularly in terms of the law enforcement agencies. The need for police forces and judiciary (and the military) to be respected as impartial guardians of the law is of utmost importance to ensuring a commitment by all groups in the society to the common institutions of the union. The experience in Bosnia-Herzegovina and Kosovo have clearly shown that these elements which strengthen the rule of law and judicial impartiality are critical for the long-term sustainability of multi-ethnic cooperation. As the case of Northern Ireland demonstrates, the failure to have a police force which is perceived to be fair by all communities in a society is a recipe for a continuation of violence and confrontation.

CONCLUDING REMARK

In the Post-Cold War period, there has been much talk of the « death» of the nation-state and the need to move away from the limitations of viewing the « other » through a nationalist perspective. Globalisation has appeared to
be a force removing national borders and constructing a cosmopolitan identity which can bridge the divide between ethnic, national and religious communities. However, the reality is that these identities have reasserted themselves with a vengeance and have used the slogan of the « nation-state » to expel, persecute and kill the « other » within their midst. The power of nationalism has again demonstrated its resilience and its potentially destructive power.

Can federalism offer a solution to the seeming perennial power of nationalism and the need for differing communities to live together in the same state? The advantage of federalism is that it offers a vision of the nation-state which differs fundamentally from the Jacobin nation-state where the « general will » of the majority holds sway and metropolitan elites impose solutions from above. In its place, federalism proposes a bottom-up vision of the nation-state where legitimacy and authority derives from the communities which constitute the social order of the state and where authoritative decisions require the building of consensus and the active support of minority groups. Federalism can perhaps alone secure a viable democracy within a multiethnic and multinational state. History shows though that federalism is a fragile plant and has disintegrative and conflictual potential. But, in the end, there might be alternative if one wishes to have a world of democratic nation-states which are not based on the principle of ethnic, national or religious purity.