

- Issue on "Consociationalism and Corporatism in Western Europe," 2002): 23-43.
- 60 Interview with a former member of the HCNM/Foundation on Inter-Ethnic Relations staff, 18 October 2002.
- 61 Interview with a participant in the Lund meetings, 7 October 2002.
- 62 The Lund, Copenhagen, and Hague proposals on minority rights have not been formally adopted by the OSCE's Permanent Council precisely because of opposition to some of their proposals by a few countries. In pushing the proposals, their supporters argue that the proposals nonetheless have clout because they have been discussed in the Permanent Council.
- 63 Cohen, "Conflict Prevention in the OSCE," 55, 80.
- 64 OSCE Helsinki Document 1992: The Challenges of Change, Section II, "OSCE High Commissioner on National Minorities," Clause 5b, 6, 7-13. Website: <<http://www.osce.org/docs/english/1990-1999/summits/hels92c.pdf>>.
- 65 Hans-Joachim Heintze, "Minority Issues in Western Europe and the OSCE High Commissioner on National Minorities," *International Journal on Minority and Group Rights* 7 (2000): 381-92.
- 66 Interview, 22 October 2002.

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Federation as a Method of Ethnic Conflict Regulation

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Federations are distinct political systems.¹ In a genuinely democratic federation there is a compound sovereign state in which at least two governmental units, the federal and the regional, enjoy constitutionally separate competencies – although they may also have concurrent powers. Both the federal and the regional governments are empowered to deal directly with their citizens, and the relevant citizens directly elect at least some components of the federal and regional governments. In a federation, the federal government usually cannot unilaterally alter the horizontal division of powers: constitutional change affecting competencies requires the consent of both levels of government. Therefore, federation automatically implies a codified and written constitution and normally is accompanied at the federal level by a supreme court, charged with umpiring differences between the governmental tiers, and by a bicameral legislature in which the federal – as opposed to the popular – chamber may disproportionately represent the smaller regions. Daniel Elazar emphasises the “covenantal” character of federations; that is, the authority of each government is derived from a constitution and convention rather than from another government.²

Federations vary in the extent to which they are majoritarian in character but most constrain the power of federation-wide majorities; in particular, they constrain the federal *demos*, though there is extensive variation in this respect.³ The United States, Australia, and Brazil allow equal representation to each of their regions in the federal chamber,

which means massive over-representation for the smaller ones. Other federations also over-represent less populous units, but not to this extent. Federations differ additionally in the competencies granted to the upper house or federal chamber. Some chambers, such as the United States Senate, are extremely powerful, and arguably more powerful than the House of Representatives because of its special powers over nominations to public office and in treaty making. Others, including those in Canada, India, and Belgium, are weak.⁴ In some instances, a single state, province, or region can block constitutional change, but normally a veto requires a coalition of two or more such entities. Negatively defined, a federation is majoritarian to the extent that it lacks consociational practices of executive power sharing, proportionality principles of representation and allocation, cultural autonomy, and veto rights. Further, it is majoritarian to the extent that it lacks consensual institutions or practices — such as the separation of powers, bills of rights, and courts and monetary institutions insulated from immediate governing majorities. A majoritarian federation concentrates power and resources at the federal level and facilitates executive and legislative dominance either by a popularly endorsed executive president or by a single-party premier and cabinet.

The federal principle of separate competencies says nothing about how much power each level enjoys. Regions in some federations may enjoy less *de facto* power than those in decentralized unitary states. The constitutional division of powers (even as interpreted by the courts) is not always an accurate guide to the policy-making autonomy and discretion enjoyed by different tiers. Some powers may have fallen into abeyance, or the superior financial and political resources of one level (usually the federal) may allow it to interfere in the other's jurisdiction. A better indicator of the degree of autonomy enjoyed by regions may be the proportion of public spending that is directly under their control.

A key distinction for our purposes is that federations can be multi-national/multi-ethnic or mono-national in character. In the former, the boundaries of the internal units are usually drawn in such a way that national or ethnic minorities control at least some of them. In addition, more than one nationality may be explicitly recognized as co-founders and co-owners of the federation. The first such federation was Switzerland, established in its current form in 1848, and the second was Canada, established in 1867. The Indian subcontinent was divided

after decolonization into the two multi-ethnic federations of India and Pakistan. Africa has two federations, Nigeria and Ethiopia, while South Africa appears federal in all but name. The communist Soviet Union, Yugoslavia, and Czechoslovakia were organized as multinational federations, and the Russian Republic, one of the constituent units of the Soviet Union, was itself organized along federal lines. These communist federations, which did not bestow genuine democratic self-government on their minorities, fell apart in the early 1990s (although Yugoslavia continued as a dyadic federation incorporating Serbia and Montenegro until 2003, when it was transformed into a confederation).⁵ Bosnia-Herzegovina became a multinational federation under the internationally enforced Dayton Accord of 1995, with one of its units itself being a bi-national federation of Bosniacs and Croats. Belgium has recently evolved into a federation, and both Euro-optimists and pessimists think that the European Union (EU) is moving in the same direction. Multinational federations have been proposed for a significant number of other divided societies, including Afghanistan, Burma, China, Cyprus, Georgia, Iraq, and Indonesia.

National federations may be nationally or ethnically homogeneous (or predominantly so), or they may be organized, often consciously, so as not to recognize more than one official nationality. This often happens in such a way that the state's national and ethnic minorities are also minorities in each of the constituent units. The intention behind national federalism is nation building and the elimination of internal national (and perhaps also ethnic) differences. The founding and paradigmatic example of a national federation is the United States. The Latin American federations of Mexico, Argentina, Brazil, and Venezuela adopted its model. Germany, Austria, Australia, and the United Arab Emirates are also national federations. American and American-educated intellectuals often propose national federations as a way to deal with ethnic heterogeneity in post-colonial and post-communist societies.

This chapter is primarily concerned with multinational and multi-ethnic federations. We shall first discuss the debate on the value and feasibility of federations as management devices for ethnic and national differences. Then, we will turn to the track record of multinational federations in mitigating conflict, concluding with an analysis of the factors that contribute to their success and failure.

THE DEBATE: NATIONALISM AND FEDERALISM
IN PRACTICAL POLITICAL DESIGN
AND ARGUMENT

There are four important positions on the value of federalism and federation as a method of accommodating national and ethnic minorities. All have been articulated by intellectuals, constitutional lawyers, and political scientists, and all have had an effect on the design of particular states.

1. *Jacobin Unitarism: Federalism as State Destroying*

In the French revolutionary tradition, associated with the Jacobins, federalism was part of the counter-revolution, hostile to the necessity of linguistic homogenization, a roadblock in the path of authentic, indivisible, monistic popular sovereignty. Rather than accommodating minorities through self-government, the Jacobins sought cultural assimilation; they were determined to make peasants into Frenchmen; and therefore they were deeply hostile to all forms of accommodation that inhibited this goal, including federalism. The Jacobin response to diversity was a strong unitary state and one French nation. This tradition survives in contemporary France, where it is central to the myth of the French Republic.⁶ Those in the Jacobin tradition see federalism, with its multiple governments, as incompatible with equal citizenship and a sovereign people. This is not just a concern about regional governments creating uneven ("patchwork quilt") public policy. Latter-day Jacobins cannot accept the federal principle that allows citizens in regions with small populations to be over-represented at the expense of those in more populous regions, and they have difficulty with the federal idea of a judicial umpire who can overrule the people's elected representatives.⁷ Modern Jacobins think that the accommodation of minorities and ethnocentrism go together. If minorities do not want to promote ethnocentrism, the argument goes, why do they seek self-government? They think that political recognition of multiple nations or ethnic communities leads to regressive government and discrimination against minorities dominated by local or regional majorities, and institutional views are shared on the left and right. French communists, for example, claim that Paris's proposals to give self-government to Corsica will

undermine "solidarity between Corsican and French workers, who can only defend their interests by working together" and will lead to discriminatory measures against those on the island who are not of Corsican descent.⁸ In 2001 the then French interior minister, Pierre Chevènement, resigned over the proposals, protesting that they would lead to an "island ruled by an underworld that spends three-quarters of its energy settling accounts and internal battles."⁹ While the proposals for Corsica fall short of federation, both Chevènement and French President Jacques Chirac attacked them as leading in that direction: Brittany, Alsace, and Savoy, as well as French Basques and Catalans, they alleged, would follow Corsica's lead.¹⁰ Ultimately, in this view, federation promotes state break-up, with the attendant risks of ethnic cleansing and Matroschka-doll secessions emerging as ethnic nationalism takes hold.

The Jacobin view that unitarism is needed for unity – if not always other Jacobin views, such as support for civic equality and popular sovereignty – is replicated throughout the world. It was the dominant view in Great Britain until recently, particularly among Conservatives. Most ex-colonies in Africa, Asia, and the Caribbean have shunned federalism as an obstacle to economic development, political stability, and state unity. Post-colonial state builders' antipathy to federalism is now matched among the intellectuals and governing elites of Eastern Europe, who regard it as a recipe for disaster, given the Czechoslovakian, Yugoslavian, and Soviet experiences. Federalism is their "f" word. The recent emergent principle of international law, stemming from the report of the Badinter Commission on the former Yugoslavia, which permits the disintegration of federations along the lines of their existing regional units, may strengthen the belief that federation should not be considered a desirable form of multinational or multi-ethnic accommodation.¹¹ Several Eastern European states have moved in the opposite direction in recent years, replacing multinational federations with what Rogers Brubaker calls "nationalizing" states, that is, states that are tightly centralized and controlled by their dominant national community.

Ironically, "hardline" nationalists trapped inside states controlled by other nations share the Jacobin argument that federalism is incompatible with nation building. They concur that nation and state should be congruent, although they disagree on the appropriate boundaries. This has been the position of Québec's Parti Québécois, particularly the faction around the ex-premier Jacques Parizeau, and of the Basque

nationalist party, Batasuna. It is also the view of the Chechens and, until recently, the Turkish Cypriots and the Liberation Tigers of Tamil Eelam. Such hardliners seek independence as unitary, sovereign, and indivisible nation-states, although some are prepared to consider confederation.¹²

2. *Federalism as Nation Building*

Unlike the Jacobins, who see state nationalism and federalism as inconsistent, some exponents of federalism think that state nationalism and federalism go together. The earliest federalists in the German-speaking Swiss lands, and in what became the Netherlands, the United States, and Germany, were "national federalists" – i.e., they saw the prime function of federalism as being "to unite people living in different political units, who nevertheless shared a common language and culture."¹³ They maintained that only an autonomous federal government could perform certain necessary functions that confederations or alliances found difficult to perform, especially a unified defence and external relations policy.¹⁴ They advocated federation as a tool for nation building and sometimes saw it as a stepping-stone towards a more centralized unitary state.

American national federalists have little difficulty with what Jacobins consider the "demos-constraining" features of federalism: radical autonomy for regions or states (non-centralization), the over-representation of small states in upper chambers, electoral colleges, and constitutional amending formulas. Alfred Stepan has argued that the United States competes with Brazil for the title of the world's most *demos*-constraining federation.¹⁵ The attractiveness of *demos*-constraining institutions reflects the historic stress of some Americans on liberty rather than equality. The American founding myth is of colonies that won independence from empire. Many Americans reject the strong state favoured by French republicans and praise federalism precisely because it diffuses power to multiple points. American exponents of federalism, such as William H. Riker, have argued that the *demos*-constraining features of American federalism are liberal because they protect individuals from populist majorities.¹⁶ Americans insisted on a federation for post-war Germany because they were convinced that it would make a resurgence of fascism less likely. The view that federalism is essential to liberty is central to American discourse, in spite of the abysmal track

record of federalism in all of the Latin American federations, as well as in Pakistan, Nigeria, and the Soviet Union.

But America's makers and their celebrants have taken the position that federalism is antithetical to nation building if it is multinational, multi-ethnic, or "ethno-federal."¹⁷ As the United States expanded southward from its original largely homogeneous (except for African slaves) thirteen colonies, it was decided that no territory would receive statehood unless white Anglo-Saxon Protestants (wasps) outnumbered minorities.¹⁷ Sometimes, the technique employed was to gerrymander state boundaries to ensure that Indians or Hispanics were outnumbered, as in Florida. At other times, as in Hawaii and the southwest, statehood was delayed until the region's long-standing residents could be swamped with enough wasp settlers. American authorities were even sceptical of immigrant groups concentrating in particular locations lest this lead to ethnically based demands for self-government, and grants of public land were denied to ethnic groups in order to promote their dispersal. William Penn, for example, dissuaded Welsh immigrants from setting up their own self-governing barony in Pennsylvania.¹⁸ In consequence, the U.S. federation shows "little coincidence between ethnic groups and state boundaries."¹⁹ National federalism was part and parcel of American nation building, aiding the homogenization of white settlers and immigrants in the famous melting pot of anglo-conformity.²⁰ Celebration of the homogeneity of the founding people is evident in *The Federalist Papers*.²¹

America's experience with federalism has informed an interesting argument over how federalism can be used to manage divisions in contemporary ethnically heterogeneous societies. Donald Horowitz²² and Daniel Elazar²³ building on earlier work by S.M. Lipset²⁴ (and, indeed, on an important American tradition that goes back to James Madison), suggest that federations can be partly designed to prevent ethnic minorities from becoming local provincial majorities. The strategic thinking here is to weaken potentially competing ethno-nationalisms; federalism's territorial merits are said to lie in the fact that it can be used as an instrument to prevent local majoritarianism, with its attendant risks of local tyrannies of the majority, or of secessionist incentives. The borders of the federated units, in this argument, should be designed according to "balance of power" principles, i.e., proliferating points of power and directing them away from one focal centre, encouraging intra-ethnic conflict, and offering incentives for inter-

ethnic cooperation (for example, by creating provinces without majorities) and alignments based on non-ethnic interests. This logic is interesting, but empirical support for it seems so far confined to the rather uninspiring case of post-bellum Nigeria.²⁵ In most existing federations, to redraw regional borders deliberately to achieve these results would probably require the services of military dictators or one-party states.²⁶ Historically, mobilized ethno-national groups have not taken kindly to efforts to redraw internal political boundaries.

American (small "r") republicans have shared with Jacobins the view that minority nationalists are backward, representing a "revolt against modernity,"²⁷ or people who "tend to subordinate all free government to [their] uncompromising position."²⁸ Republicans think that it is both counterproductive and unnecessary to accommodate minority nationalists. This view may have been strengthened by America's own experience in the Deep South, where southern whites used their control of state governments to oppress blacks. America's disastrous civil war over secession attuned its intellectuals to the centrifugal potential of federalism, particularly when distinct cultural communities control regions. Eric Nordlinger, one of the first contemporary American political scientists to take an interest in ethnic conflict regulation, rejected the use of federalism as an instrument for accommodating minorities, since he feared that it would lead to state break-up and the abuse of power by ethnocentric minorities.²⁹

Reflecting these sentiments, a number of American academics have argued that the break-up of the former communist federations and the accompanying chaos can be traced squarely to "ethno-federal" structures. Rogers Brubaker, for example, maintains that the Soviet regime went to "remarkable lengths, long before glasnost and perestroika, to institutionalize both territorial nationhood and ethnocultural nationality as basic cognitive and social categories." Once political space began to expand under Mikhail Gorbachev, these categories quickly came to "structure political perception, inform political rhetoric, and organize political action."³⁰ The implication is that at least some of these divisive identities did not exist before the Soviet Union federated and would not have come into play had it not federated. In Jack Snyder's view, "ethnically based federalisms ... create political organizations and media markets that are centered on ethnic differences." According to him, the decision to establish ethno-federations in the Soviet Union, Czechoslovakia, and Yugoslavia was unnecessary: "Arguably, ethnofederalism was a

strategy of rule actively chosen by its Communist founders, not a necessity forced upon them by the irresistible demands of ethnic groups."³¹ The results of ethno-federalism, Snyder claims, were straightforward: only the communist federations broke up and "nationalist violence happened only where ... ethnofederal institutions channelled political activity along ethnic lines (USSR and Yugoslavia)."³²

3. *Cosmopolitans: Federalism as a Stage in Nation-transcendence*

A third perspective holds that federalism is capable of dissolving all national allegiances, including minority and majority nationalisms. This perspective comes in two different variants. The first is represented by several nineteenth-century anarchist and liberal federalists, notably Joseph Proudhon and Carlo Cattaneo, who were resolutely hostile to nation-state nationalism.³³ Many twentieth-century liberal federalists, notably those within the European federalist movement, represent the second.³⁴ Such federalists have been, and are, resolutely anti-nationalist, associating both state and minority nationalisms with ethnic exclusiveness, chauvinism, racism, and parochially particularistic sentiments. For them, federalism belongs to an entirely different cooperative philosophy — one that offers a non-nationalist logic of legitimacy and is an antidote to nationalism, rather than a close relative of it. This viewpoint was most clearly articulated by Pierre Trudeau — before he became Canadian prime minister.³⁵ Thinkers like Trudeau regard federalism as both the denial of and the solution to nationalism, though occasionally they adopt the view that federalism must be built upon the success of nationalism, which it then transcends in Hegelian fashion.³⁶

The Austro-Marxists Karl Renner and Otto Bauer, during the last days of the Habsburg Empire, articulated a different perspective.³⁷ For them, nationalism had to be accommodated en route to a global socialist and communist order; and the way to do this, they argued, was to combine national autonomy with federal and consociational formats. Lenin and Stalin adapted their argument and pressed it into service in the Soviet Union. For them, federalism was to be used to offer a limited accommodation to minority nationalism, but solely towards the end of building a socialist society. Minorities were to be offered the fiction, but not the fact, of national self-government.³⁸ While this policy was superficially similar to that of multinational federalists (to be discussed below), Marxist-Leninists were formal

cosmopolitans, committed to a post-nationalist global political order. However, pending the world revolution, they maintained that federal arrangements – “national in form, socialist in content” – were the optimal institutional path to global communism.

4. *Multinational Federalists: Multinational Maintenance Engineers*

Multinational or multi-ethnic federalists, by contrast, advocate federation “to unite people who seek the advantages of membership of a common political unit, but differ markedly in descent, language and culture.”³⁹ They seek to express, institutionalize, and protect at least two national or ethnic cultures, on a durable and often on a permanent basis. Any greater union or homogenization, if envisaged at all, is postponed for the future. They explicitly reject the strongly integrationist and/or assimilationist objectives of national and or post-national federalists, and see these as nation destroying rather than nation building. They believe that dual or multiple national loyalties are possible, and indeed desirable. Multinational federalists represent a third branch of liberalism, distinct from the Jacobin (federalism breaches civic equality) and American (national federalism promotes individual liberty) varieties. For multinational federalists, a proper understanding of liberal individual rights requires respect for the culture of individuals, and this means allowing minorities the power to protect and promote their culture.⁴⁰ Unlike unitarists and national federalists, multinational federalists reject the view that minority-controlled governments are more backward or illiberal in their treatment of *their* minorities than majority-controlled central or federal governments. Minority nationalisms are as likely to be of the civic variety as dominant nationalisms, according to these liberals; indeed, Michael Keating argues that contemporary minority nationalisms are strongly modernist, responding to the shift in power from the state to the global marketplace.⁴¹

Multinational federalism has considerable, albeit critical, support among contemporary academics.⁴² Some supporters make quite remarkable claims for federalism. Klaus Von Beyme, referring to Western democracies, in 1985 claimed that “Canada is the only country in which federalism did not prove capable of solving ... ethnic conflict.”⁴³ Others are more modest: Will Kymlicka supports multinational federalism normatively, while acknowledging it faces considerable difficulties in practice.⁴⁴ Multinational federalists have been influential in the

development of federations in the former British Empire, notably in Canada, the Caribbean, Nigeria, South Africa, India, Pakistan, and Malaysia. Austro-Marxists and Marxist-Leninists, while committed socialists first, espoused multinational federalist principles and have had an enduring impact in the post-communist development of the Russian Federation, Ethiopia, and the rump Yugoslavia. While unitarism has been in the ascendancy in Eastern Europe, multinational federalism has become more popular in Western Europe, as is attested by the decision to create a federation in Belgium and perhaps also by the creation of new decentralized, devolutionary, regional – and potentially federal – institutions in Spain, the United Kingdom, France, and Italy.

Multinational federalists are often “soft” minority nationalists, such as state elites who oppose separation but believe that accommodating national minorities is the key to stability and unity. They include the Quebec Liberal Party, the Basque Nationalist Party (PNV), and the Catalan Convergència I Unió. The most ambitious multinational federalists of our day are those who wish to develop the European Union from its currently largely confederal form into an explicit federation, a “Europe of the nation-states and a Europe of the citizens,” as the German foreign minister recently urged.⁴⁵

Multinational federalists reject the view that every minority must inevitably seek its nation-state, and maintain that even those that do may settle for their own region instead.⁴⁶ They argue that, if the borders of the components of the federation match the boundaries of the relevant national, ethnic, religious, or linguistic communities – i.e., if there is a “federal society” that is congruent with the federal institutions – then federation may be an effective harmonizing device. That is precisely because it makes an ethnically heterogeneous political society less heterogeneous through the creation of more homogeneous sub-units. Multinational federalism thus involves an explicit rejection of the unitarist and national federalist argument that self-rule for minorities necessarily conflicts with the territorial integrity of existing states.⁴⁷

National minorities within a multinational federation often argue that they should have powers beyond those enjoyed by the federal units dominated by the national majority: they support asymmetrical federalism, insisting that their distinct status be officially recognized and institutionalized. They may seek to share in powers that are normally the prerogative of the centre or federal government: some minorities, for example, seek a role in federal foreign policy, or to be directly

represented in international organizations. This may not mean the same as supporting confederation, because the minorities may be content for most purposes to remain part of a federation, but they are clearly stretching the limits of traditional federations and moving in the direction of confederation.⁴⁸

Multinational federations may originate from the union of previously self-governing ethnic communities, as happened in the case of Switzerland. However, in other cases, multinational federalists may engage in deliberate democratic engineering to match certain ascriptive criteria with internal political borders. This occurred at founding of the Canadian federation in 1867, when the united province of Canada (1841–67) was divided largely along linguistic lines into the separate provinces of Ontario and Quebec. It also happened in post-independence India, where internal state borders were reorganized along linguistic lines.⁴⁹ Nigeria has reorganized its internal boundaries on several occasions, to the advantage of certain minorities. Whereas Ibo, Hausa, and Yoruba groups dominated its original tri-parite federation, its current thirty-six-state structure includes fourteen states that are dominated by other groups.⁵⁰ Switzerland carved a new canton of Jura (largely French and Catholic) out of the mostly German-speaking canton of Berne in 1979.

WEIGHING THE EVIDENCE

There is considerable evidence for the French and American republican argument that multinational federalism has, as Snyder puts it, “a terrible track record.”⁵¹ Multinational or multi-ethnic federations have either broken down, or have failed to remain democratic, throughout the communist and post-colonial worlds. The federations of the Soviet Union, Yugoslavia, and Czechoslovakia disintegrated during or immediately after their respective democratizations. Indeed, of all the states in the former communist bloc of Eastern Europe, it was only federations that irretrievably broke apart, and all of them did.⁵² Moreover, of all these states, it was the federations that experienced the most violent transitions. In the post-colonial world, multinational or multi-ethnic federations failed, or failed to be successfully established, in the Caribbean, a notable example being the West Indies Federation. Even the miniature federation of St Kitts-Nevis recently faced the prospect of break-up.⁵³ Multinational or multi-ethnic federations have failed in sub-Saharan Africa, in francophone West and Equatorial Africa, in

British East Africa (Kenya, Uganda, and Tanganyika), and in British Central Africa (Northern and Southern Rhodesia and Nyasaland); or have failed to remain durably democratic (Nigeria and Tanzania). The break-up of the Nigerian federation between 1966 and 1969 was prevented only after a secessionist conflict that caused approximately a million deaths. In the Arab world, only the United Arab Emirates has survived, but it is a national federation and hardly democratic. The Mali and the Ethiopian federations in independent Africa broke up, too, while the Cameroons experienced forced unitarism after a federal beginning. In Asia there have been federative failures in Indochina, in Burma, in Pakistan (the secession of Bangladesh), and in the union of Malaya (the secession of Singapore). In short, new multinational federations appear not to work as conflict-regulating devices – even where they allow a degree of minority self-government. They have broken down, or failed to be durably democratic, throughout Asia, Africa, and the Caribbean. India stands out as the major exception in Asia.

It also seems clear that multinational federations make it easier for groups to secede should they want to do so. Federalism provides the minority with political and bureaucratic resources that it can use to launch a bid for independence. Giving a minority its own unit makes it possible for it to hold referendums on secession, which can be useful for gaining recognition. Multinational federations implicitly suggest the principle that the accommodated minorities represent “peoples” who might then be entitled to rights of self-determination under international law. It is far more likely, as the Badinter Commission on the former Yugoslavia confirmed, that the international community would recognize a bid for independence from a federal unit than from a group that lacks such a unit. This is why all of the full constituent units of the Soviet Union, Yugoslavia, and Czechoslovakia that broke away are now seen as independent states, whereas breakaway regions that were not constituent units, such as Abkhazia, Trans-Dniestrria, the Turkish Republic of Northern Cyprus, and Kosovo, are not recognized. To this extent, unitarists and national federalists have a point – although it is a point that multinational federalists have little difficulty conceding.⁵⁴

However, this assessment of the track record of multinational federations has to be qualified in five important ways. First, the major communist federal failures – the Soviet Union, Yugoslavia, Czechoslovakia – were, to a significant extent, sham or pseudo-federations. In several cases, they were forced together. The constitutional division of

powers and the rule of law were often ignored in practice and they were not authentically representative (i.e., democratic). There was, therefore, no possibility of genuine dialogue, never mind cooperation, among the different national communities involved. In sum, these states had weak or no overarching identities to begin with, and no democratic mechanism for developing them. While the United States can be seen as the paradigmatic example of national federalism, the Soviet Union is the most prominent case of pseudo-federalism. Territorially, it consisted of those remnants of the Tsarist Empire that the Red Army was able to subjugate after the October Revolution, plus those countries (Estonia, Latvia, Lithuania, and Moldova) it conquered as a result of the Ribbentrop-Molotov pact and its victory in the Second World War. While its state structure was federated from the beginning, real power lay in the tightly centralized Communist Party (the CPSU), which operated according to the principle of "democratic centralism."⁵⁵ The Soviet Union's republics were therefore not autonomous in any meaningful way. Moreover, their legislatures (the Soviets), although in theory elected by local populations, were in fact rubber-stamp bodies nominated by the CPSU. Key institutions, including the army and police, were controlled by Moscow. No effective judicial review existed to decide on the division of rights and functional spheres between the centre and the republics. Yugoslavia was more decentralized than the Soviet Union or Czechoslovakia, at least after reforms in the late 1960s, but it was no less undemocratic, and was held together by the League of Communists.

Second, the failed colonial federations arose out of colonies that had been arbitrarily consolidated. In some cases, even the decision to federate at independence was made by the departing imperial power rather than the colony's indigenous elites. For example, Nigeria's original three-unit federation, which collapsed in the mid-1960s, was "bequeathed" by the vacating British.⁵⁶ The Cameroons federation was a construct of British and French colonialists (particularly the latter), who wanted to preserve the dual personality they thought they had created.⁵⁷ The Cameroons were converted into a unitary state by military strongmen soon after independence, while Nigeria has been ruled by centralizing military dictators for more than two-thirds of its post-independence history – and its presidential contenders in recent times have all been ex-generals. Even under democratic conditions, Nigeria is so centralized that it has been described as a "hollow federation" and

"a unitary state in federal guise."⁵⁸ Corruption and abuse of power are so pervasive that the rule of law can hardly be said to exist.⁵⁹

Third, both communist and post-colonial federations were additionally burdened by economic systems that were incapable of providing a reasonable or growing standard of living for their citizens. In each case this caused resentment, not least among minorities in relatively enterprising regions of the state who saw their inclusion in the federation as a drag on their enterprise. It was therefore hardly surprising that, when the communist planning system became discredited and collapsed in the late 1980s, it produced a legitimacy crisis.

Fourth, the case against multinational federalism would be stronger if it could be shown, as critics claim, that it was unnecessary to accommodate national minorities, and that there were democratic civic-nationalist (unitarist or national-federalist) alternatives that would have worked better, if not much better. Once this claim is probed, however, the critics' position looks less credible. The decision to create both the Soviet and Yugoslav federations was taken in the midst of bitter civil wars and external invasions, when parts of both states had seceded.⁶⁰ The decision was regarded as essential for restoring unity and luring breakaway regions back into the state, and it was taken in both cases by socialist internationalists, Lenin and Tito, neither of whom was ideologically committed to multinational federalism. Before he assumed power, Lenin had expressed his vehement opposition to federalism and his clear preference for unitary structures.⁶¹ Tito, before taking power, appeared to be a conventional Leninist. If federalism was unnecessary, we must conclude that both Lenin and Tito were extraordinarily incompetent from their own perspectives. The thesis that communist multinational federalism created divisions cannot explain easily why strong ethnic identities exist among groups that were not accommodated through federal institutions, such as the Chechens or Crimean Tatars.⁶² Similarly, while some have argued that Nigeria's divisions at the time of independence reflected British divide-and-rule strategies, few think that the state could have been (or could be) held together without some form of decentralized or federal structure.⁶³ When an Ibo leader, General Aguiyi Ironsi, tried to convert Nigeria into a centralist state in 1966 it led to his downfall. Even though the Nigerian federation witnessed a failed and bloody bid for secession in Biafra (1967–70), the victors were careful to retain ethno-federal structures, albeit reformed, with new internal boundaries.

Fifth, civic nationalism of the French or American variety has not been particularly successful when it has been applied as an alternative to multinational federation in multinational states, even under seemingly propitious circumstances. Turkey still faces a large dissident Kurdish minority despite eight decades of "Kemalist" civic nationalism. British civic nationalism, within a tightly centralized union at the centre of a global empire, could not prevent the breaking away of Ireland in 1921.⁶⁴ Irish nationalists mobilized successfully without the advantages of their own self-governing institutions. They were able to establish democratic legitimacy without the need of a referendum, by winning the overwhelming majority of Ireland's seats in every election between 1885 and 1918. Britain's civic and unitary state proved incapable of preventing a nationalist rebellion in Northern Ireland from the late 1960s, or of preventing the resurgence of Scottish and Welsh nationalism. Even France, the home of Jacobinism, has been unable to erode Corsican nationalism in the late twentieth century. The failure of unitarist or national-federalist forms of civic nationalism may explain why all Western multinational democracies, including the United Kingdom, Spain, Belgium, France, and Denmark, are now more disposed towards decentralized autonomy regimes, if not full-blown multinational federalism.

If one accepts that federalism was necessary in the failed federations, the focus of blame for the violence accompanying their break-up can be shifted from multinational federation per se. To some extent, one can argue that secession – and violence – followed from attempts by certain groups to centralize these federations, i.e., to move away from the spirit of multinational federalism. Yugoslavia's break-up, including the *de facto* breaking away of Kosovo, followed successive Serbian-dominated moves against the autonomy of Yugoslavia's republics.⁶⁵ The Soviet Union broke up after an abortive right-wing coup aimed at repudiating Gorbachev's decentralizing initiatives. Violence was also caused by the centre's unwillingness to permit secession; that is, one can argue that federal constitutions with procedural and negotiable secession rules might have helped to avoid violence.⁶⁶ There was no violence in Czechoslovakia because mutual secession was agreed on. In the territory of the former Soviet Union, the worst violence has been in Chechnya, a region that did not enjoy the status of a republic within the Soviet Union. Had it done so, it would likely have seceded with the other republics, and with as little violence as most of them.

In many cases, one might argue that post-communist violence resulted from the *absence* of ethno-federalism, i.e., from the lack of congruency between constituent unit and ethnic boundaries. In the case of Yugoslavia, Slovenia's secession was relatively peaceful because Slovenia was homogeneous. The "velvet divorce" in Czechoslovakia was facilitated because there were few Czechs in Slovakia and few Slovaks in the Czech lands.⁶⁷ War started in Croatia in 1991 largely because Croatia had a significant Serb population that wanted to stay united with Yugoslavia, and spread to Bosnia because it had Croats and Serbs who also wanted to stay linked to their respective ethnic kin. These groups were aided and abetted by Serbia and Croatia, respectively. Bosnia, the most multi-ethnic republic, was perhaps destined to be the most violent.⁶⁸ In 2001 violent conflict broke out in Macedonia, whose significant Albanian minority resented the dominance of Slavs. War between Armenia and Azerbaijan was largely fought over the inclusion of an Armenian ethnic enclave (Nagorno-Karabakh) in the latter. In Georgia, two conflicts broke out, between Georgians and South Ossetians who were cut off by Georgia's secession from their kin in North Ossetia (within Russia), and between Georgians and Abkhazians who hauled at being included in what they saw as a Georgian state. The only other violence was in the Trans-Dniestrian region of Moldova, where Ukrainians and Russians resented their inclusion in Moldova. Just as communist federal break-up was fuelled by centralizing measures, the same could be said of the violence that arose in the newly independent, still heterogeneous, but unitary republics. The wars in Croatia, Macedonia, and the South Ossetian and Abkhazian regions of Georgia and Trans-Dniestria were all influenced by the majoritarian policies of the states' dominant groups. In Croatia, a minority rebellion broke out after the newly independent Croatia adopted a flag that resembled that of the wartime Croatian Ustashe regime that had committed genocide against the Serbs, and after it moved to disarm its Serbian policemen.⁶⁹ Seen in this way, these conflicts were similar to those in the Kurdish regions of Turkey and Iraq, or the Basque region of Spain under Franco; that is, they were reactions to centralization. It seems unreasonable simply to attribute them to multinational federation per se.

While it is true that only federations broke apart in communist Eastern Europe, this glosses over the more basic fact that the states that

broke apart were also the most nationally diverse states – which explains why they were federations.⁷⁰ In the case of the Soviet Union, Russians had a bare majority of the total population (51 per cent), while in Czechoslovakia and Yugoslavia the largest groups had 63 and 39 per cent respectively. In none of the communist unitary states did the total minority population constitute more than 17 per cent. The largest single minority group were the Turks of Bulgaria, with roughly 8 per cent of the population. It is thus reasonable to argue that the instability of the communist federations resulted as much from their ethno-national diversity as from their ethno-federal structures. In other research, Brendan O'Leary has shown that national federations that are durably democratic and majoritarian have a *statsvolk*, a dominant people.⁷¹ While lacking a *statsvolk* does not guarantee political instability in a federation, it makes it more likely. The United States, built around a historically dominant nationality of waspes, proved more stable than Nigeria – which lacks a clearly dominant people. The same comparison helps suggest why the Russian Federation is more stable and secession-proof, thus far, than the Soviet Union. Russians are a majority of 81.5 per cent in the Russian Federation; they had accounted for only 51 per cent of the population in the USSR. The unitary states of Eastern Europe may have held together, in other words, not because they were not federations, but because each of them has dominant communities that were able to hold their states together if they wanted to. Conversely, it is not at all certain that Yugoslavia would have stayed together if it had been a unitary state when it democratized. Ireland was able to secede from the much less diverse but unitary United Kingdom after the first elections under universal male suffrage were held in 1918.

It is simply wrong to claim, as Jack Snyder and others do, that ethno-federalism is unworkable. Two of the world's oldest states, Switzerland and Canada, are ethno-federations. They have lasted since 1848 and 1867 respectively, and both demonstrate that the accommodation of ethnic minorities through ethno-federalism is consistent with prosperity and the promotion of basic individual rights. The world's largest democracy, India, is also an ethno-federal state, and the most successful large-scale post-colonial democracy.⁷² The Belgian federation, while of more recent vintage, has adopted successful ethno-federalist structures, while Russia, if Chechnya is left aside, may be on its way towards establishing itself as a democratic ethno-federation. Within each of these states, there is plenty of evidence, including polling data and the

positions of their political parties, that minorities are content with less than a sovereign state. Together, these qualifications question the assumption that multinational federalism is bound to fail. Our next task is to inquire into the conditions that make success more or less likely.

EXPLAINING SUCCESS AND FAILURE

The five conditions that facilitate, but do not guarantee, successful multinational federations are implicit in the preceding discussion. Here we spell them out.

1. *The Presence of a Statsvolk*

National federations are more stable than multinational federations. The latter are more likely to fail or break up. The reason is straightforward: national federations are generally nationally homogeneous, or virtually so. However, the relative stability of multinational federations is also related to the demographic preponderance of their largest national communities – i.e., to whether or not these constitute a *statsvolk*. A *statsvolk* can feel secure in a multinational federation, and live with the concessions it must make under such a structure, because, *ceteris paribus*, it has the demographic strength and resources to resist secessionism by minority nationalities. Multi-national federations without a *statsvolk* are more likely to be unstable, and to face secessionism or break-up, because minorities are more likely to think they can prevail.⁷³ Thus, Russia's future cannot be extrapolated from the experience of the Soviet Union, because Russians are far more dominant within the former than they were within the latter. The same argument implies that Nigeria and a future European federation will, *ceteris paribus*, be relatively unstable, since neither possesses a *statsvolk*. What must be considered in our *ceteris paribus* clause? We hypothesize as follows:

- Multinational federations without a *statsvolk*, if they are to survive as democratic entities, must develop consociational practices that protect the interests of all the encompassed national and ethnic communities with the capacity to break away.
- The existence of a *statsvolk*, or the existence of consociational practices, will not themselves assure the stabilization of a multinational

- democratic federation, though they will separately or conjointly increase its survival prospects.
- Other external and internal political, economic, and social relationships may decide the fate of a multinational federation. The character of multinational power sharing, whether a national minority has backing from a powerful neighbouring state and whether its region is on the border of the federation, will assuredly matter, as will the democratic and legal character of the federation, its mode of formation, and its prosperity.

2. *The Federation's National Communities Should Not Only*

Have Self-government, There Should Also Be

Consoociational Government at the Centre.

When federalism is defended as a method of conflict regulation, the emphasis is usually on how it can provide minorities with guaranteed powers of territorial self-government. Sometimes it is also argued that a virtue of federalism is that it avoids the "winner takes all" outcomes associated with Westminster-type regimes: a group that is excluded at the centre may be able to console itself with regional power.⁷⁴ However, federalism is about "shared rule" as well as "self-rule," and national minorities are likely to want a federal government that represents them, that is inclusive, and indeed, we would say, consociational. National and ethnic minorities excluded from the federal government will have a reduced stake in the federation and the federal government will be less inclined to promote their interests. It is not surprising, then, that all of the durable democratic multinational federations have practised consociational forms of democracy within the federal government. Such arrangements involve four features: cross-community executive power sharing, proportional representation of groups throughout the state sector (including the police and judiciary), ethnic autonomy in culture (especially in religion or language), and formal or informal minority-veto rights.⁷⁵ Consociational practices within the federal government are relatively undisputed in the cases of Canada, Switzerland, and Belgium,⁷⁶ and Arend Lijphart has recently claimed that India had effective consociational traits during its most stable period under Jawaharlal Nehru.⁷⁷ Since the Congress Party's decline, India has been governed by a broad multi-party coalition representing its diversity. Even if one does not count India as consociational in respect of having

cross-community executive power sharing in New Delhi, it has usually had diverse representation of religious, ethnic, and linguistic groups in the cabinet and civil service.

We can see the salience of consociational organization in the federal government in the case of many of the failed federations, where unrepresentative federal governments often exacerbated centrifugal pressures. In Pakistan, before the secession of Bangladesh, the army, a crucial federal agency, was dominated by West Pakistan.⁷⁸ In Yugoslavia, the army was dominated by Serb officers – many of them from Serbian minorities who shared Slobodan Milosevic's vision of a recentralized state. The Yugoslav Federal Council, the most important political institution, and one based on (non-democratic) consociational principles, was subject from the late 1980s to an undisguised takeover by Serbian politicians. After having suspended the autonomy of Kosovo and Voivodina, the Serbian-Montenegrin alliance was able to dominate the Council, plunging the federation into crisis. The Soviet Union broke up after an abortive takeover of the central government by conservatives opposed to decentralization. This episode undermined Gorbachev's attempt to reorganize the federation in ways that would have given the republics more self-government and better representation in Moscow. The breakdown of the Nigerian federation in 1966–67, which included anti-Ibo violence in the northern Hausa region and the bloody Biafran war of secession, arose after a coup, which led to the centre being dominated by Ibo officers, and a counter-coup in which these officers were overthrown.⁷⁹ Much of Nigeria's post-1970 conflict, including sectarian warfare between Muslims and Christians and the rise of violent separatism in the oil-rich Delta area, has also been traced to the lack of inclusiveness at the centre.⁸⁰ Similarly, the breakdown of the West Indies Federation was linked to Jamaicans' lack of representation and influence at the centre, and, in the case of the federation of Nyasaland, Northern, and Southern Rhodesia, it was black Africans who were under-represented.⁸¹

This suggests that it will not be sufficient for the Nigerian, Ethiopian, and Pakistani federations, or any prospective Iraqi federation, to practise democracy. Past evidence suggests that they will need to adopt and maintain consociational governance at the federal centre.⁸² It also suggests that calls to have a fully fledged European federation, with the classic bicameral arrangements of the United States, to address the so-called democratic deficit in the European Union will fail unless such

calls are accompanied by strong commitments to consociational devices. Consociational governance would imply strong mechanisms to ensure the inclusive and effective representation of all the nationalities of the European Union in its core executive institutions, proportionate representation of its nationalities in its public bureaucracies and legal institutions, national autonomy in all cultural matters deemed of profound cultural significance (e.g., language, religion, education), and, last but not least, national vetoes to protect national communities from being out-voted through majoritarian rules. In short, many of the current consociational and confederal features of the EU – which some federalists want to weaken or temper in their pursuit of formal federation – are in fact required to ensure the EU's prospects as a multinational democratic federation. The EU's greatest current danger stems from its ardent majoritarian federalists.

This argument about the importance of accommodation through consociational devices is different from that put forward by Juan Linz and Alfred Stepan.⁸³ They put their faith in the ability of federation-wide political parties to win support from all groups, to balance majority and minority concerns, and to build what Linz elsewhere calls *bundestreue* – an overarching loyalty to the state.⁸⁴ In their view, the key reason for the disintegration of the Yugoslav and Soviet federations was that the first democratic elections were held in the republics rather than the state (whereas in post-Franco Spain it was the other way around). In Yugoslavia, this sequencing gave divisive republican elites the resources and space to promote break-up and obstructed the organization of federation-wide parties with an interest in holding the state together. Had federal elections been held first, federation-wide parties would have been able to act as unifying forces.

This reasoning is, however, questionable. State-wide parties may well be likely to do better in state-wide elections than in regional elections, but there is no guarantee, or even likelihood, that they will do well at any level in societies with noticeable national divisions. In the United Kingdom's first democratic elections, in the mid-1880s, Irish nationalist parties won the overwhelming majority of Irish seats.⁸⁵ The fact that they were elected in state-wide elections, as opposed to regional elections, does not appear to have coloured their view of the United Kingdom, or their ability to secede from it, and they won despite the presence of competitors from state-wide parties. Czechoslovakia's first democratic elections, which involved concurrent federal and regional

elections, produced no state-wide parties at the federal level other than the discredited Communist Party, which won 23 of the country's 150 seats. And even this party subsequently divided into Czech and Slovak factions. All of the other parties that won seats were based on the Czech, Slovak, or Hungarian populations.

Perhaps this fragmentation into ethno-national voting blocs in Czechoslovakia was due, as Leff claims, to the simultaneity of elections at both levels (i.e., to the fact that the federal election was not held in advance).⁸⁶ But how, then, are we to explain the first democratic election returns in the unitary states of Eastern Europe, where there were no regional elections? In these cases, party support still broke down almost exactly along ethno-national lines, with little evidence of integrative vote-pooling activities by either party elites or voters.⁸⁷ These results are difficult to square with Linz and Stepan's assumption that Yugoslav state-wide elections would have produced strong Yugoslav state-wide parties, unless one is to assume that Yugoslavia was a good deal less divided than its neighbours. Given that it was the only state in Eastern Europe whose major communities included persons who had butchered each other within living memory (1941–45), this assumption is implausible. The comparative evidence suggests that state-wide elections in Yugoslavia would have resulted in elections that reflected its national divisions. Hoping for state-wide parties to hold Yugoslavia together was probably wishful thinking. Stability would have required successful bargaining among the different minority-nationalist parties on a new consociational and confederal constitution. Such bargaining as there was on this agenda did not succeed.

3. *Authentic (Democratic) Multinational Federations Are More Likely to Be Successful than Pseudo (Undemocratic) Federations.*

An authentic multinational federation is democratic. It allows the representatives of its respective national communities to engage in dialogue and open bargaining about their interests, grievances, and aspirations. Such democratic dialogue is a prerequisite for the development of cooperative practices. Democratic multinational federalism may help to preclude the systematic transgression of individual and group rights. It can prevent minority (secessionist) elites from exaggerating support for their preferences.⁸⁸ An authentic multinational federation is also based on the rule of law, law that recognizes national,

ethnic, or communal rights, a constitutional division of powers, and a judiciary whose powers approach those of impartial umpires. There is not yet an example of an established democratic multinational federation failing (admittedly, the number of cases is small), although there are, as we have seen, numerous examples of democratizing federations that have not worked. The evidence, limited as it is, suggests that we should not automatically assume that Canada, Switzerland, Spain, India, or Belgium will go the way of the flawed communist or post-colonial federations.

4. "Voluntary" or "Holding Together" Multinational Federations Are More Likely to Endure under Democratic Conditions than Those That Are Coercively Constructed after Modern Social Mobilizations.

Stepan distinguishes between the following three types of multinational federations: (1) those that voluntarily come together from distinct politics/colonics, like the Swiss and Canadian federations; (2) those that are created from unitary states in an attempt to hold the polity together, such as Belgium and, one might argue, India; and (3) those that are forced together (or put together) by a dominant group, such as the Soviet Union.⁸⁹

Federations that are consensually established as a result of elite bargaining, whether of the voluntary or "holding" variety, are more likely to be considered legitimate by their citizens and more likely to survive than those that result from coercion. A foundational act of cooperation is also more likely than one of coercion to promote traditions of accommodation. The Canadian federation's success is owed in part to the fact that it originated in 1867 from a compact between anglophone and francophone elites led by John A. Macdonald and George-Étienne Cartier. The Swiss federation was also the result of different groups agreeing to federate. While the Spanish and Belgian federations emerged from unitary states, they too were based on agreement between representative elites. India, which stands out as one of the few post-colonial federal success stories, is also one of the few where indigenous elites took the decision to federate by themselves – albeit reluctantly, and albeit after prior British tutelage. Most of the failed federations, on the other hand, were put together without the consent of minority leaders.⁹⁰ This does not augur well for Bosnia-Herzegovina, which exists as a federation because of the internationally imposed Dayton Accord.

5. Prosperous Multinational Federations (or States) Are More Likely to Endure than Those That Are Not.

Walker Connor has correctly counselled against exaggerating the importance of materialism when questions of national identity are at stake. Prosperity should not be considered a sufficient or even a necessary condition (as the example of India shows) for holding a multinational federation together.⁹¹ Nonetheless, prosperity – and distributive fairness – may matter. The plight of the communist federations and post-colonial federations was plainly exacerbated by their inability to provide materially for their citizens and by the discrediting of communist central planning. In the Ukraine and the Baltic republics, even Russians voted for the break-up of the USSR. In both Yugoslavia and the Soviet Union, the catalyst for break-up was necessary economic reforms, and the charge was led in both cases by those republics (Slovenia and Croatia in the case of Yugoslavia, the Baltic republics in the case of the Soviet Union) that had the most to gain materially from going it alone.

CONCLUSION

We have attempted to offer a more balanced and nuanced assessment of the value and durability of multinational federations than that put forward by critics of ethno-federalism, without falling victim to the blandishments of the most ardent federalists. Democratic federalism did not cause the break-up of the communist states, since these were not authentically democratic (or economically efficient) federations. Not all multinational federations have failed. There are also a small number of remarkable success stories. We have tried to identify conditions that are conducive to the success of multinational federations. It is important that they be democratic and respect the rule of law. It helps if they are prosperous. It helps if they came together voluntarily. If federations develop from a unitary state, our arguments suggest that early and generous responses to expressed demands for minority self-government will work better than delayed and grudging responses. The demographic composition of the federation matters: a federation that has a dominant ethno-national community is likely to be more stable than one that does not. Lastly, federalism is usually not enough: consociational practices, particularly at the level of the federal government, are highly important to the success of multinational federalism.

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NOTES

- 1 Ronald L. Watts, "Federalism, Federal Political Systems, and Federations," *Annual Review of Political Science* 1 (1998): 117-57.
 - 2 Daniel J. Elazar, *Exploring Federalism* (Tuscaloosa: University of Alabama Press 1987), 4-5, 33.
 - 3 Alfred Stepan, *Arguing Comparative Politics* (Oxford, U.K.: Oxford University Press 2001), 340-57; Alfred Stepan, "Federalism and Democracy: Beyond the U.S. Model," *Journal of Democracy* 10, no. 4 (1999): 19-34.
 - 4 Ronald L. Watts, *Comparing Federal Systems* (Kingston, Ont.: Institute of Intergovernmental Relations, Queen's University 1999), 93-4.
 - 5 This confederation, named Serbia and Montenegro, looks likely to dissolve into two independent states.
 - 6 Article 2 of the French constitution declares, "France is an indivisible, secular, democratic, and social Republic."
 - 7 Both facts explain the reported French astonishment at George W. Bush being elected U.S. president in 2000 with fewer popular votes than his opponent and the disputed outcome being effectively decided by the federal Supreme Court.
 - 8 "Partial autonomy for Corsica splits French government," *World Socialist Web Site*, 5 September 2000. Website: <www.wsw.org/articles/2000/sep2000/corsosj.shtml>.
 - 9 "Corsica: The perils of devolution," *Economist*, 7 July 2001, 49.
 - 10 Chevenement claimed that self-government for Corsica would be as contentious as the "I love you" computer virus. "Partial autonomy for Corsica splits French government," *World Socialist Web Site*, 5 September 2000.
 - 11 Donald L. Horowitz, "Self-Determination: Politics, Philosophy and Law," in Margaret Moore, ed., *National Self-Determination and Secession* (Oxford, U.K.: Oxford University Press 1998), 181-214; M. Weller, "The International Response to the Dissolution of the Socialist Federal Republic of Yugoslavia," *American Journal of International Law* 86 (1992): 569-607.
 - 12 Confusingly, hardline minority nationalists sometimes say that they support federation when they mean confederation, as in the case of the Turkish Cypriot leader, Rauf Denkash. The Parti Québécois does not commonly use the term confederation but offers as a synonym "sovereignty-association."
 - 13 M. Forsyth, ed., *Federalism and Nationalism* (Leicester, U.K.: Leicester University Press 1989), 4.
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- 14 William H. Riker, *Federalism: Origin, Operation, Significance* (Boston: Little, Brown 1964).
 - 15 Stepan, *Arguing Comparative Politics*, 334.
 - 16 Riker, *Federalism*.
 - 17 N. Glazer, "Federalism and Ethnicity: The American Solution," in N. Glazer, ed., *Ethnic Dilemmas, 1964-82* (Cambridge, Mass.: Harvard University Press 1983), 274-92.
 - 18 M. Gordon, *Assimilation in American Life* (New York: Oxford University Press 1964).
 - 19 Glazer, "Federalism and Ethnicity," 276.
 - 20 Gordon, *Assimilation*, 274.
 - 21 "Providence has been pleased to give this one connected country to one united people - a people descended from the same ancestors, speaking the same language, professing the same religion, attached to the same principles of government, very similar in their manners and their customs, and who, by their joint counsels, arms and efforts, fighting side by side throughout a long and bloody war, have nobly established liberty and independence." Publius [John Jay], in James Madison et al., *The Federalist Papers* [1788], ed. Isaac Kramnick (Harmondsworth, U.K.: Penguin 1987), paper II, 91.
 - 22 Donald L. Horowitz, *Ethnic Groups in Conflict* (Berkeley: University of California Press 1985), chapters 14, 15.
 - 23 Daniel J. Elazar, *Federalism and the Way to Peace* (Kingston, Ont.: Queen's Institute of Intergovernmental Relations 1994), 168.
 - 24 Lipset argues that the main benefit of federalism for divided societies is that it creates cross-cutting cleavages, but it can only do this if internal federal boundaries and ethnic boundaries intersect. Federalism "increases the opportunity for multiple sources of cleavage by adding regional interests and values to the others which crosscut the social structure." S.M. Lipset, *Political Man: The Social Bases of Politics* (Garden City, N.Y.: Doubleday 1960), 91-2.
 - 25 Rotimi N. Suberu, *Federalism and Ethnic Conflict in Nigeria* (Washington D.C.: United States Institute of Peace 2001), 4-6.
 - 26 Belgium may, however, become an interesting exception: the Brussels region, created in the new federation, is neither Flemish nor Walloon.
 - 27 S.M. Lipset, "The Revolt against Modernity," in Lipset, ed., *Consensus and Conflict: Essays in Political Sociology* (New Brunswick, N.J.: Transaction 1985), 253-93.
 - 28 Elazar, *Federalism and the Way to Peace*, 128-9, 163-4.
 - 29 Eric Nordlinger, *Conflict Regulation in Divided Societies* (Cambridge, Mass.: Harvard University Center for International Affairs 1972), 32-3.

- See also C. Tarrant, "Symmetry and Asymmetry as Elements of Federalism: A Theoretical Speculation," *Journal of Politics* 27, no. 4 (1965): 861–74.
- 30 R. Brubaker, *Nationalism Reframed* (Cambridge, U.K.: Cambridge University Press 1996), 9. See also V. Bunce, *Subversive Institutions: The Design and the Destruction of Socialism and the State* (Cambridge, U.K.: Cambridge University Press 1999). C.S. Left, *The Czech and Slovak Republics: Nation versus State* (Boulder, Colo.: Westview Press 1998); P. Roeder, "Soviet Federalism and Ethnic Mobilization," *World Politics* 43 (1991): 196–232.
- 31 Jack Snyder, *From Voting to Violence: Democratization and Nationalist Conflict* (New York: Norton 2000), 327 (our emphasis).
- 32 Snyder, *Voting*, 252 (our emphasis).
- 33 I.V. Majocchi, "Nationalism and Federalism in 19th Century Europe," in A. Bosco, ed., *The Federal Idea: The History of Federalism from Enlightenment to 1945* (London: Lothian Press 1991) 155–65.
- 34 See, e.g., Bosco, *Federal Idea*, Part 3.
- 35 Pierre Elliott Trudeau, *Federalism and the French Canadians* (Toronto: Macmillan 1968), 182–203.
- 36 Majocchi, "Nationalism," 161. In effect, they echo Einstein's reported remark that nationalism is the measles of mankind.
- 37 See, e.g., O. Bauer, *The Question of Nationalities and Social Democracy* (Minneapolis: University of Minnesota Press 2000); T. Hanf, "Reducing Conflict through Cultural Autonomy: Karl Renner's Contribution," in U. Ra'anan et al., ed., *State and Nation in Multi-Ethnic Societies: The Breakup of Multi-National States* (Manchester, U.K.: Manchester University Press 1991), 33–52; A. Piabigan, "The Political Feasibility of the Austro-Marxist proposal for the Solution of the Nationality Problem of the Danubian Monarchy," in U. Ra'anan et al., ed., *State and Nation*, 53–63.
- 38 In the authoritative words of Walker Connor, Lenin's second commandment on the management of nationalism was strategically machiavellian: "Following the assumption of power, terminate the fact – if not necessarily the fiction – of a right to secession, and begin the lengthy process of assimilation via the dialectical route of territorial autonomy for all compact national groups." Walker Connor, *The National Question in Marxist-Leninist Theory and Strategy* (Princeton, N.J.: Princeton University Press 1984), 38.
- 39 Forsyth, *Federalism*, 4.
- 40 Stepan, *Arguing Comparative Politics*, 31–2; Will Kymlicka, *Multicultural Citizenship* (Oxford, U.K.: Oxford University Press 1995).

- 41 Michael Keating, *Plurinational Democracy: Stateless Nations in a Post-Sovereignty Era* (Oxford, U.K.: Oxford University Press 2001); see also Kymlicka, *Multicultural Citizenship*.
- 42 Michael Hecher, *Containing Nationalism* (Oxford, U.K.: Oxford University Press 2000); Juan Linz, "Democracy, Multinationalism and Federalism," working paper (1997); Keating, *Plurinational Democracy*; Kymlicka, *Multicultural Citizenship*; Margaret Moore, *The Ethnics of Nationalism* (Oxford, U.K.: Oxford University Press 2001); Stepan, *Arguing Comparative Politics*; Warts, *Comparing Federal Systems*; Brendan O'Leary, "An Iron Law of Nationalism and Federation? A (Neo-Diceyan) Theory of the Necessity of a Federal Staatsvolk, and of Consociational Rescue," *Nations and Nationalism* 7, no. 3 (2001): 273–96.
- 43 Klaus Von Beyme, *Political Parties in Western Democracies* (Aldershot, U.K.: Gower 1985), 121. The more usual claim is that Canada is the only country, or Canada and Switzerland are the only countries, where federalism has been successful in preventing conflict.
- 44 Will Kymlicka, *Politics in the Vernacular* (Oxford, U.K.: Oxford University Press 2001).
- 45 J. Fischer, "Apologies to the UK, but 'Federal' is the Only Way," *The Independent* (16 May 2000), 4. This model of federalism appears to be limited to the accommodation of the European Union's current member states, and it says nothing about minorities within these states. Contrast this with Michael Keating's version of Euro-federalism, which anticipates complex and overlapping levels of governance that include regions (including minority regions), states, and the European Union (Keating, *Plurinational Democracy*, 4).
- 46 Plainly, the multinationalists' defence of federation as a way of managing nations – to each nation let a province be given – is not able to accommodate minorities that are so small in number, or so dispersed, that they cannot control federal units or provinces. These include Canadian francophones who live outside Quebec, Flemish-speakers in Wallonia, francophones in Flanders, and small and scattered indigenous peoples in Australia, India, and the Americas.
- 47 It is also a prima facie challenge to the tacit Gellnerian notion that in modern times the equilibrium condition is one sovereign state, one culture (or nation). If we treat broadly the "political unit," in Gellner's definition, to encompass regional or provincial units in a federation, then his theory can accommodate such arrangements, but at the significant concession of

recognizing that federal systems are compatible with dual and possibly multiple nationalities. See Ernest Gellner, *Nations and Nationalism* (Ithaca, N.Y.: Cornell University Press 1983).

48 For an account that is sympathetic to the claims of national minorities for asymmetrical federation and for an international role, see Keating, *Plurinational Democracy*. Keating supports multinational federalism but rejects as too simplistic the view that minorities can be accommodated within traditional sovereign states. Instead, he argues, particularly within the European Union, new post-sovereignist institutional arrangements are taking shape in which national minorities seek to play within several different forums – the state, the (trans-border) region, the European Union, and the world – simultaneously.

49 B. Arora and D.V. Verney, *Multiple Identities in a Single State: Indian Federalism in Comparative Perspective* (New Delhi: Konark Publishers Pvt 1995); P. Brass, *The Politics of India since Independence* (New Delhi: Cambridge University Press 1990). Paradoxically, the redrawing of new boundaries to accommodate minorities is easier if the federal centre has more power. In India the central government has been able to create new boundaries without the approval of the state governments concerned. In Canada, by contrast, the federal government is unable to alter boundaries without the consent of the affected provinces. It cannot even create a new province out of federal territories without the consent of existing provinces, which is one reason why the new region of Nunavut is a federal territory rather than a province.

50 Suberu, *Federalism and Ethnic Conflict*, 5.

51 Snyder, *Volting*, 327.

52 The latest victim may well be Yugoslavia (i.e., the rump Yugoslav federation of Serbia and Montenegro). In 2003 it was restructured into a looser union to be called Serbia and Montenegro. There is provision for Montenegrins to hold a referendum in three years on whether or not they want to stay part of this union.

53 Ralph Premadas, *Secession and Self-Determination in the Caribbean: Nevis and Tobago* (St Augustine, Trinidad: University of the West Indies 1998).

54 Stepan, who supports multinational federalism and argues that the U.S. (national) federal model has little relevance for multinational societies, concedes that the “greatest risk” posed by federalism is that it can “offer opportunities for ethnic nationalists to mobilize their resources.” See Stepan, *Arguing Comparative Politics*, 19.

55 Dominic Lieven and John McGarry, “Ethnic Conflict in the Soviet Union and Its Successor States,” in John McGarry and Brendan O’Leary, ed., *The Politics of Ethnic Conflict Regulation* (London: Routledge 1993), 62–83.

56 Suberu, *Federalism and Ethnic Conflict*, 4.

57 Elazar, *Exploring Federalism*, 240.

58 Nigeria’s hyper centralism is a function of Abuja’s control of oil revenues, but it also has a basis in the 1979 and 1999 constitutions. According to Michael Joye and Kingsley Igweike, under the new constitution (which largely copies the old one), there “are few, if any ... areas in which state governments can act independently of the Federal Government.” Cited in Rotimi N. Suberu and Larry Diamond, “Institutional Design, Ethnic Conflict Management, and Democracy in Nigeria,” in Andrew Reynolds, ed., *The Architecture of Democracy: Institutional Design, Conflict Management and Democracy* (Oxford, U.K.: Oxford University Press 2002), 15. The existence of such separate competencies, as we have pointed out, is an essential hallmark of federalism.

59 Unitarists often claim that decentralization leads to corruption and inefficiency, but contemporary Nigeria demonstrates that corruption and centralization can go hand in hand. Supporters of anti-corruption reforms in Nigeria argue that this requires “power and resources [to be] shifted downward, to levels of authority that are closer to the people and more visible.” Larry Diamond, “Foreword,” in Suberu, *Federalism and Ethnic Conflict*, xviii.

60 Connor, *The National Question*, 198; Susan Woodward, *Balkan Tragedy* (New York: Brookings Institution 1995), 30.

61 In 1913, before he had responsibility for governing the Soviet Union, Lenin made clear his contempt for federalism and his preference for unitarism: “We are in principle against federation. It weakens the economic connection and is inappropriate for a unified state. Do you want to separate? we say. Then go to the devil and cut yourself off altogether ... You don’t want to separate? Then, please, don’t decide *for me*, don’t believe you have the ‘right’ to federation” (Connor, *The National Question*, 217; italics and grammatical errors in original). As Connor notes, Lenin dropped his opposition to federalism upon assuming power in order to reassure those nations that had seceded that “reunion would not result in political subservience” (218).

62 There is an explanation for this implicit in the arguments of critics of multinationalism federalism. It is that the decision to accommodate some national groups led those excluded to mobilize. We endorse this argument,

- but we think that the way to deal with it would have been to accommodate the excluded identity groups, not to refuse to accommodate any of them.
- 63 "As the rivalries among these three groups (Yoruba, Ibo, Hausa) crystallized into bitter political struggles during the late colonial period ... it became increasingly clear to all interested observers that only by some form of highly decentralized political arrangements could the main groups be accommodated within a single country." Suberu, *Federalism and Ethnic Conflict*, 20.
- 64 Supporters of civic nationalism might respond that British (or other forms of) civic nationalism were not neutral between the United Kingdom's diverse peoples, and that a more genuinely inclusive version of civic nationalism might have worked. This is indeed part of the weakness of civic nationalism. It often reflects the values and interests of the state's dominant national community.
- 65 The Kosovo rebellion of 1997 was a response, albeit delayed, to the Milosevic regime's removal of Kosovo's autonomy in 1989. Hechter, *Containing Nationalism*.
- 66 They might also have avoided secession.
- 67 Interestingly, Czechoslovakia is absent from Snyder's account of the relationship between ethno-federalism and violence.
- 68 It is useful to remember this when considering the Horowitz/American argument that cross-cutting republican and ethnic boundaries have conflict-reducing effects.
- 69 R. Hayden, "Constitutional Nationalism in the formerly Yugoslav Republics," *Slavic Review* 51 (1992): 654-73.
- 70 As Warts claims: "It is not so much because they are federations that countries have been difficult to govern but that it is because they were difficult to govern in the first place that they adopted federation as a form of government." Warts, *Comparing Federal Systems*, 110.
- 71 O'Leary, "Iron Law."
- 72 India's success is explained away by Snyder as a result of the unwillingness of its civic central authorities to recognize ethnicity (*Voting*, 287-96). It is odd that a federation, the internal boundaries of which are constructed along ethno-linguistic lines, can be seen in this way. Where there is some truth is that Indian governments have refused to recognize religiosity as the basis of provincial formation.
- 73 O'Leary, "Iron Law."
- 74 "Federalism reduces conflict by allowing those political forces excluded from power at the top the opportunity to exercise regional power" (Hanf, "Reducing Conflict," 43).
- 75 Arend Lijphart, *Democracy in Plural Societies: A Comparative Exploration* (New Haven, Conn., London: Yale University Press 1977).
- 76 S.J.R. Noel, "Canadian Responses to Ethnic Conflict: Consociationalism, Federalism and Control," in McGarry and O'Leary, ed., *The Politics of Ethnic Conflict Regulation*, 41-61; Jurg Steiner, "Power-Sharing: Another Swiss Export Product?" in J. Monville, ed., *Conflict and Peacemaking in Multi-ethnic Societies* (Lexington, Mass.: Lexington Books 1989), 107-14; Liesbet Hooghe, "Belgium: From Regionalism to Federalism," in J. Coakley, ed., *The Territorial Management of Ethnic Conflict* (London: Frank Cass 1993), 44-68.
- 77 Arend Lijphart, "The Puzzle of Indian Democracy: A Consociational Interpretation," *American Political Science Review* 65 (1996): 682-93.
- 78 V. Nasr, "The Negotiable State: Borders and Power-Struggles in Pakistan," in Brendan O'Leary, Ian S. Lustick, and T. Callaghy, ed., *Right-Sizing the State: The Politics of Moving Borders* (Oxford, U.K.: Oxford University Press 2001), 168-200.
- 79 The Ibo coup led by Major-General Aguiyi-Ironsi in January 1966 was followed by a "Unification Decree" that moved Nigeria towards a unitary state. See Suberu, *Federalism and Ethnic Conflict*, 31.
- 80 In a country that is equally divided between Muslim and Christian and between north and south, northern Muslims headed all four military governments in the 1984-99 era. See Suberu and Diamond, "Institutional Design."
- 81 Warts, *Comparing Federal Systems*, 111.
- 82 This is particularly important where, as in Nigeria, the lion's share of power is allocated to the centre. Since federal regions are also usually ethnically heterogeneous, it is helpful to have consociational practices at the intra-regional level as well. This not only addresses the criticism that giving self-government to national minorities will lead to an abuse of their powers against local minorities, it also promotes good inter-regional and regional-centre relations.
- 83 Juan Linz and Alfred Stepan, "Political Identities and Electoral Sequences: Spain, The Soviet Union, and Yugoslavia," *Daedalus* 121, no.2, (1992): 123-39.
- 84 Linz, "Democracy, Multinationalism and Federalism."
- 85 From 1885, elections in the United Kingdom were based on a universal male franchise and, from 1918, a universal franchise.
- 86 Leff, *Czech and Slovak Republics*, 98.
- 87 See Project on Political Transformation and the Electoral Process in Post-Communist Europe, University of Essex. Website: <www.essex.ac.uk/elections/>.

88 Linz, "Democracy, Multinationalism and Federalism."

89 The Canadian federation's birth was a hybrid of "coming together" and "holding together" processes: on the one hand, it involved the joining together of a number of previously separate British North American colonies; on the other hand, it involved the division of the (nominally) unitary colony of the United Canadas into the separate provinces of Ontario and Quebec.

90 The importance of voluntary origins for the legitimacy and stability of states, whether federal or unitary, is often recognized in the rival historiographies of federalists/unionists and separatists, with the former arguing that the federation/union arose voluntarily while the latter argue it was imposed. Thus, in Canada, Quebec separatists point to the British conquest of 1759 as Canada's starting point, and/or argue that the confederation agreement of 1867 was not "really" voluntary since francophone elites did not have a serious alternative of separating. Federalists, on the other hand, point to the key role that francophone elites had in shaping the federal agreement. Similar debates take place between unionists in Britain and Scottish separatists.

91 Walker Connor, *Ethnonationalism: The Quest for Understanding* (Princeton N.J.: Princeton University Press 1994), 145–64.

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