

## 9 Federations and the management of nations<sup>1</sup>

Agreements and arguments with  
Walker Connor and Ernest Gellner

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The multination state faces a dual threat, consisting of demands for self-determination from below and governmental programmes of assimilation from above. Contemporary political forces, therefore, clearly move in the direction of . . . Barker's prophecy that envisages a world order in which each State is also a nation'.  
(Connor [1967] 1994: 22)

A federal state requires for its formation two conditions. There must exist in the first place a body of countries . . . so closely connected by locality, by history, by race, or the like, as to be capable of bearing in the eyes of their inhabitants, an impress of common nationality . . . A second condition absolutely essential to the founding of a federal system is the existence of a very peculiar . . . sentiment . . . the inhabitants . . . must desire union, and must not desire unity.  
(Albert Venn Dicey [1915: 75]

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 their general liberty and independence.  
Madison *et al.* [1987: 94]

Federalism as such is no guarantee for ethnic harmony and accommodation in the absence of other factors.

Rudolf S. Stavchynski [1996: 202]

Walker Connor has never been a dedicated follower of fashion, in his thought, his life, or indeed his clothing. He has never embraced, or been embraced by, fashions, schools, in political science, such as the behaviourists, the exponents of rational choice, or the social constructionists. He has sought, modestly, to explain, rather than to prescribe public or international policy on ethnonational matters. He has maintained a consistent focus on the depth and durability of ethnonational sentiment amongst modern peoples in modern times. In return, he has been subjected to ill-considered or thought-stopping classifications, being termed a 'primordialist' or

an 'essentialist', terms often used by those with status anxieties about their cosmopolitanism and their intelligence quotients. Yet, unlike his critics, he has never been surprised by outbreaks of ethnic sentiment or conflict, and unlike many of them he understood and anticipated the fault-lines of the major great power to collapse in the late twentieth century. His outstanding comparative political analysis, *The National Question in Marxist-Leninist Theory and Strategy*, demonstrated – to anyone who read it – that the Soviet Union, had not solved its national questions, and nor had the People's Republics of China, Vietnam, Romania, Czechoslovakia, or Yugoslavia. His sceptical but careful eye produced a very different vision of Soviet history than that prevalent both amongst apologists for the regime and some Western Sovietologists – who had come to see state socialism as an alternative industrial society, that had resolved, or was on route to resolving its national questions.

The methods Connor has deployed in his writings are those of political science and history, buttressed by a nuanced appreciation of political geography. His typical foray has taken the form of a well-focused journal article. He has argued that the phenomenon of nationalism, which he treats as unitary – though capable of multiple manifestations – is one that requires understanding, rigorous clarity in terminology, and in-depth empirical and historical investigation, deploying texts, documents, artefacts, and where possible, social surveys. He has additionally maintained that the phenomenon requires careful attention to collective and individual perceptions, as much as facts, and to the psychology of collective identity and homelands – though, unlike postmodernists, he has never pretended to expertise in identity or psychological theory.

The prescriptive content in Connor's writing has mostly been methodological and negative: he has regularly produced propositional inventories of methodological failures, which many of us have found exceptionally useful.<sup>2</sup> He has 'quested' for understanding, not sought to put the world to right. He does not believe in philosophical two-card tricks, e.g. showing that nations are social constructs, and reasoning from that astonishingly deep insight through to the *non sequitur* that they can easily be 're-imagined', 'de-constructed', or 're-invented', or rendered 'post-national'. He has been relatively silent on whether constitutional engineering or astute statecraft can ever successfully manage nationalism. He has written no essay on 'conflict-resolution', positive or negative. His enduring scepticism towards those who claimed to have 'solved' nationality questions, one must therefore suspect, has become part of a wider vision: in which states, public policies and constitutional engineers are seen as having very limited capacities to manage ethnopolitical conflicts. One might sum up the relevant explanatory and prescriptive implications of Connor's work on this issue in four propositions, or 'Walker's expectations':

- 1 Expect secessionist movements in multi-national states, even in advanced, developed, prosperous industrial democracies, especially amongst peoples who believe themselves to be living in their homelands – and most states are 'multi-homeland'.
- 2 Expect some of these secessionist movements to succeed, despite adverse odds.

3 Expect state-sponsored assimilation projects, after the Age of Nationalism, to be increasingly politically problematic – but less so in 'immigrant states', which have either destroyed their 'first nations' through genocide, or have rendered them demographically controllable.

4 Expect what looks to be a stable multi-national state to rest, directly or indirectly, on the political preponderance of the relevant *Staatsvolk*, the dominant people; differently put, every multi-national state, upon inspection, will turn out to be a control system.<sup>3</sup>

The emerging political science and political sociology of national and ethnic conflict regulation generally accepts the first three propositions (see *infra alia* Horowitz 1985; Lijphart 1977; McGarry and O'Leary 1993; Nordlinger 1972), and Connor's arguments are therefore now part of a belated, though still insufficiently disseminated, wisdom. It is the last of these four *implicit* propositions that provides the focus for the present chapter.<sup>4</sup> In the analysis of national and ethnic conflict regulation there has always been some recognition of the limits of states, or of the capacity of politics more generally, as means for resolving or managing ethnic and national antagonisms. In that sense, Connor's injunction not to underestimate the emotional power of nationalism is accepted. But, the field has shared a common assumption that governments or states have significant capacities to shape or regulate (not necessarily 'resolve'), for good or ill, the destiny of national and ethnic relations. State officials can pursue strategies either to eliminate or to manage ethnopolitical differences (McGarry and O'Leary 1993). When pursuing elimination they can execute genocide or ethnic expulsion; they can partition territories; or they can try to homogenise peoples through integration or assimilation programmes. Governments can, in short, try to 'right-size' their states, and to 'right-people' them (O'Leary 2001a).

We all know that modern governments have immense and awful powers to kill in genocidal or democidal programmes (Rummel 1997). And, that they expel huge numbers of people. Some even insist that nation-state and democracy-building are refugee-creating processes (Mann 1999; Zolberg 1983). Individual states and military alliances of states still consider partitions as possible means to eliminate troublesome ethnopolitical antagonisms. In pumping significant resources and coercive capacities into integrating or maintaining the 'right' peoples, moulding them into common citizenship, and in some cases blending them within full-scale assimilation projects, the OECD's states seem, *prima facie*, no different to the mostly newer states outside their privileged ranks. 'Nationalising states', as Rogers Brubaker (1996a) has called them,<sup>5</sup> are everywhere.<sup>6</sup>

In short, to eliminate national and ethnic differences that might become politically salient, states have exercised awesome powers and ambitions in the century just passed, and they have often done so on behalf of their dominant nation or ethnic groups). Here there has been no death of the nation-state – though there has been a lot of dying in the war of nation against state, state against nation, and nation against nation. Nothing in this history of horror and oppression in our times is at odds with Connor's first three expectations. But, exterminations or

eliminations have not been always been successful, thankfully; and not all states or governments have been extremist or eliminationist. In the field of national and ethnic conflict regulation, theoretical, empirical and normative effort is devoted to demonstrating that states can be designed or run to steer, manage and regulate multi-national, polycultural and multi-lingual societies (Latin 1977; 1979; 1992; 1998) in tolerable, tolerant, and democratic ways.<sup>7</sup> An increasing repertoire of institutional 'technologies', i.e. legal strategies, systems of rights-protection, and public policies, is being identified – and in some cases pioneered – to manage ethnopolitical differences, for example, the ability of political agents, through benign or malign choices, to design electoral systems that provoke, calm, or re-channel ethnic tensions is now appraised in a literature of increasing sophistication (Belly and Reynolds 1999).<sup>8</sup> One must not exaggerate: There are not too many success stories to tell. There are fewer Switzerland's than Balkan environments, and this may seem grist to the mill of Connor's fourth expectation.<sup>9</sup>

States do, of course, often seek to manage ethnonational differences through malign and hierarchical methods, through systems of control which organise the dominant group and which disorganise the dominated, and Connor's work on Marxist-Leninist regimes is a detailed empirical assessment of one set of such systems.<sup>10</sup> But, it remains normatively and empirically challenging to ask whether there are limits to what states can do when seeking to manage ethnonational differences in a benign, and liberal democratic manner. That is, are there, or can there be, successful ways of stabilising democratic multi-national states? In particular, we may ask whether federations can manage relations between nations in ways that we, that is egalitarian democrats, might approve? Can federations refute the pessimism of Connor's fourth expectation?

### **Connor and Gellner on the scale and durability of polycultural and multinational states**

Let me begin an answer with a report of some mutual intellectual disrespect amongst friends, and then report a surprising agreement. Mutual intellectual disrespect first: Walker Connor and Ernest Gellner did not have high opinions of one another's approaches to understanding nationalism.<sup>11</sup> Connor thinks Gellner's theory too dogmatically modernist, predicated too much on the salience of language, too functionalist, too Eurocentric, too economic, too bereft of human sentiment, too historically ill-considered. Gellner, by contrast, thought that Connor was an undeclared exponent of ancestral 'dark gods theory', too prone to emphasise the irrational in nationalism, too psychologist, and that he lacked a theory to explain the modern power of nationalism. I shall not judge this mutual disrespect here, except to report that it was confined to their theories, and did not extend, in either case, to their respective persons or minds.<sup>12</sup> But, now note a surprising agreement: Connor and Gellner were both sceptical about the prospects of multi-national states in the modern world, though they agreed that they could be held together for long periods by coercion.<sup>13</sup> For those interested in prescription this important and shared inference is, perhaps, more important than any explanatory

differences between Connor and Gellner on the genesis and maintenance of nationalism. We should therefore ask whether this perhaps surprising agreement between them withstands scrutiny.

Let me first clarify a potential misunderstanding. Gellner and Connor did not, in fact, agree on all ethnonational facts about our world. Gellner wrote as if the strategic choices in the modern world were between homogenising others, or polyethnic or multi-national states were either disappointing or mere shams – and as if the equilibrium condition towards which the world was rapidly headed was 'one nation, one state'. Amongst others, I questioned Gellner's apparently cavalier disregard for the facts on this matter – at best his position was premature (O'Leary 1998: 63–64). Connor, by contrast, from his earliest writings has insisted that most contemporary states are not in fact nation-states, that most states are 'multi-home-land', that there are persistent illusions about cultural homogeneity, and indeed pernicious myths about hemispheric, continental, regional and state unity (Connor 1969). Connor has also avoided making strongly dualistic judgements that suggest that peoples must either secede or be assimilated. Connor has regularly observed that it is possible for multi-national states to accommodate heterogeneity with consent: it would appear to be the rule that a majority of members of a homeland people are prepared to settle for [meaningful] autonomy for their homeland (Connor 1994: 82). On these facts, and the avoidance of the dualistic judgement, Connor is the better guide.

Is there, however, a contradiction in Connor's reasoning on this matter? Is his scepticism about the stability of multi-national states belied by the recognition that they compose most of the states of the world? No, because his argument, simply put, is that nationalism and the demands of self-determination threaten the stability of *all* multi-national states, both now and in the future – an argument borne out in his lifetime by the end of the Western empires and the collapse of the Soviet Union, Czechoslovakia, Yugoslavia. There is a second reason why there is no contradiction. Though Connor observes that autonomy strategies may accommodate heterogeneity, and satisfy majorities amongst minority peoples, the hard-headed realism and historical knowledge that informs his analyses demonstrate that secessionists may prove successful despite only having initial minority support amongst their own nation, and that the holders of state power may so mismanage heterogeneity as to de-stabilise autonomy settlements. So, in short, what Connor and Gellner disagree about factually is the extent to which states have already been nationalised by one nation, or the extent to which ethnic homogenisation has occurred. They are not in disagreement about the trend, merely its velocity. Both agree that the age of empires is giving way to the age of nations.

So, what of the substantive agreement between Connor and Gellner: to which we can now devote attention? The last two centuries cast severe doubts on the stability of multi-national states, and nothing in what follows can or will refute that evidence. The bleak testimony of genocides, ethnic expulsions, coercive assimilations, partitions, secessions, and territorial restructurings following imperial collapses has demonstrated nation-building homogenisation at work, and has

tempered the optimism of all but the most fanatical exponents of human progress. But, there have also been persistent liberal democratic polycultural or multinational states, federal and/or consociational in format, and persistent efforts to create new versions of such states. Surely, these suggest blatant disconfirmation of Connor's and Gellner's pessimism, or, at least, imply appropriate modifications of their arguments?

But if this is granted, 'so what?' might be the riposte. Connor fairly mandates that the predispositions of the analyst be laid bare. My arguments, above and below, are motivated by the desire to reject any fundamental sociological limitations on state capacity, particularly in constitutional statecraft. Without the rejection of this premise there cannot be, at least it seems to me, a worth while prescriptive political science of national and ethnic conflict-regulation, i.e. no assurance, however qualified, that sound advice might be rendered by social scientists on ethnonational public and international policies. However, the fact that my argument is motivated should not decide its validity.

One final piece of throat-clearing is required, this time about the predispositions of Connor and Gellner. Neither of them welcomed or enthused about political instability in multi-national states, i.e. in both cases wishes were not fathers to their thoughts. Gellner, despite his experiences as a Czech, did not want to see the Soviet Union collapse, believing that a slow de-Marxification would be much the best for the welfare of the affected peoples. Nor did he favour the break-up of the federations of the Soviet Union, Yugoslavia and Czechoslovakia. He entertained hopes that advanced industrialisation might diminish national conflicts; that emerging imperatives might prompt a new global division of competencies with supra-national government to manage technological, ecological and terrorist threats in conjunction with the rationalisation of local and educational functions, and that the 're-fetishisation' of land might be possible (Gellner 1997: 102–108). In brief, Gellner was not against federalism, or other forms of polycultural and multi-national government – or indeed the 'post-national' government foreseen by some sects who are best left alone with their seeing. He was just sceptical about the prospects of multinational states, and their likely robustness. Connor too has been no political activist. One can detect in his work, by comparison with Gellner, much greater empathy for the small battalions, the small nations, the peoples-without-theory, and a greater sympathy for projects of cultural autonomy; but this has not led him into any *cave blande* public championing of secessionists. He has been deeply interested in whether a powerful ideology, Marxism-Leninism, could manage national questions; and in whether powerful world-religions, such as Islam, can manage national questions.<sup>11</sup> The motivation behind this research has been empirical, not based on his desires. Yes, he diagnosed the fault-lines in the Soviet, Yugoslav and Czechoslovak federations but no reader would have concluded that he would have desired their break-up after the end of communism.

What follows argues that Gellner's and Connor's implicit views about the limited prospects for the reconciliation of nationalism with federalism are even more powerful, and more consistent with the evidence, than they seemed. I will therefore provide a theory in a manner consistent with Gellner's own propositions, if not

with his words; and one with which Connor should have no difficulty, for reasons I shall explain. But, I will nevertheless be able to suggest that there is more room for constitutional statecraft than Gellner acknowledged or Connor acknowledges. To explain what follows definitions of federalism, federal political systems, federation, and nationalism are required, together with a brief résumé of how they have been jointly treated in practical political argument. Then I elaborate and explain a theory of why stable democratic federations require a *Staatsvolk*, a dominant people. This argument is, I believe, underpinned by the work of Connor. Having done that, I present evidence in favour of the theory, together with some apparently awkward evidence. This apparently awkward evidence will then be explained, or if you prefer, explained away. Finally, I turn to the political implications of the arguments. In doing so I will confirm the thrust of Connor's arguments about the development of the European Union but from a different theoretical base. These arguments have important prescriptive implications.

### **Federalism, federal political systems, federations and nationalism**

Federalism is a normative political philosophy that recommends the use of federal principles, i.e. combining joint action and self-government (King 1982). 'Federal political systems' is a descriptive catchall term for all political organisations that combine what Daniel Elazar called 'shared rule and self-rule'. Federal political systems, thus broadly construed, include federations, confederations, unions, federacies, associated states, condominiums, leagues, and cross-border functional authorities (Elazar 1987). Federations, with which I will be particularly concerned here, are very distinct federal political systems (Watts 1987: 1998), and are best understood in their authentic, i.e. representative, governmental forms.<sup>12</sup> 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 each empowered to deal directly with the 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,<sup>13</sup> and by a bicameral legislature – in which the federal as opposed to the popular chamber may disproportionately represent, i.e. over-represent, the smallest regions. Elazar rightly emphasised the 'covenantal' character of federations, i.e. the authority of each government derives from the constitution, not another government.

Having defined the 'f-' words let us turn to nationalism. Nationalism is a political philosophy which holds that the nation should be collectively and freely institutionally expressed, and ruled by its co-nationals (O'Leary 1997: 194). This

definition is similar to Gellner's, who held that nationalism is 'primarily a political principle, which holds that the political and the national unit should be congruent' (Gellner 1983: 1). Nothing in either definition makes nationalism automatically incompatible with federalism, or federal political systems, or with federation. Both definitions are compatible with Connor's argument that a nation 'connotes a group of people who believe they are ancestrally related' though they more narrowly confine nationalism to a doctrine of political legitimacy than Connor's stipulation that it 'connotes identification with and loyalty to one's nation' (Connor 1994: xi).

Collective and free institutional expression of more than one nation may, in principle, be possible within a federation. The federation may be organised to make the regional political units and the national units 'congruent', that is to say each regional unit may have a titular nationality. Being 'ruled by co-nationals' may appear to be breached somewhat in a federation when the federal level of government invokes joint rule by the representatives of more than one nation, but providing the relevant nations have assented to this arrangement, or practically assent to it, no fundamental denial of the principle of national self-determination is involved. Moreover, if we acknowledge that dual or even multiple nationalities are possible, then federations, in principle, provide effective ways of giving these different identities opportunities for collective and free institutional expression. These definitions therefore permit federalism and nationalism to be compatible political philosophies. They deliberately avoid shutting off empirical research on the relations between nationalism and federation. They do not axiomatically deny the possibility of dual or multi-national federations, and they avoid any obvious commitments on the nature or status of nations.

### Nationalism and federalism in practical political design and argument

Three clear positions can be identified on the relationships between federalism and nationalism in the literature of state theory and practical politics in the last two centuries. The first holds that nationalism and federalism are mutually exclusive. The exemplary illustration of this viewpoint is that of the French Jacobins who believed that federalism was part of the counter-revolution, thoroughly hostile to the necessity of linguistic homogenisation, a road-block in the path of authentic, indivisible, monistic popular sovereignty. In his report to the Committee of Public Safety of January 1794 Baure declared that 'federalism and superstition speak low Breton; migration and hatred of the Republic speak German; the counter-revolution speaks Italian, and fanaticism speaks Basque' (Brubaker 1996b: 7; de Certeau *et al.* 1973: 295). On one reading of Gellner's work the Jacobins were the nationalist state-builders *par excellence*. They 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.

In partial agreement with the Jacobins, many nineteenth-century federalists, notably Joseph Proudhon and Carlo Cattaneo, were resolutely hostile to national state nationalism (Majocchi 1991: 162); and many twentieth-century federalists,

notably within the European movement, reciprocate the Jacobin view that nationalism and federalism are mutually exclusive (Bosco 1992: Part III). Such federalists have been, and are, resolutely anti-nationalist, associating nationalism with ethnic exclusiveness, chauvinism, racism, and parochially particularistic sentiments. For them federalism belongs to an entirely different co-operative philosophy, one that offers a non-nationalist logic of legitimacy, and an antidote to nationalism rather than a close relative. This viewpoint was most clearly articulated by Pierre Trudeau – educated at the LSE by Eric Kesteven, Gellner's local counterpart – before he became Canadian Prime Minister. In an article entitled 'Federalism, Nationalism and Reason' Trudeau squarely associated federalism and functionalism with reason, nationalism with the emotions (Trudeau 1968). Trudeau regarded federalism as the denial of and solution to nationalism, though thinkers like him occasionally adopt the view that federalism must be built upon the success of nationalism which it then transcends in Hegelian fashion (Majocchi 1991: 161). In effect they echo Einstein's reported remark that nationalism is the measles of mankind.

The second perspective, by contrast, holds that nationalism and federalism, properly understood, are synonymous. This was the thesis of the Austro-Marxists, Karl Renner and Otto Bauer, in the last days of the Habsburg empire (Bauer 1907; Hanf 1991; Pfäbigan 1991). Lenin, Stalin, and their colleagues in the course of Soviet state-building pressed their arguments, in a suitably bowdlerised format, into service. In this conception nationalism and federalism were to be harnessed, at least for the task of building Soviet socialism. In the 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' (Connor 1984: 38).

Marxist-Leninists were, of course, formal cosmopolitans, committed to a global political order; but penning the world revolution, they maintained that federal arrangements, national in form, socialist in content, were the optimal institutional path to global communism. This was the worldview subjected to Connor's critical research in *The National Question in Marxist-Leninist Theory and Strategy*.

The third perspective unites those who think that federalism and nationalism can intersect, and be mutually compatible, but who sensibly believe that not all nationalisms are compatible with all federalisms. But this agreement masks an important difference, one between what I shall call national or mono-national federalists, and multi-national or multi-ethnic federalists. National federalists are exemplified by the first exponents of federation in its modern form, for whom its prime function was to unite people living in different political units, who nevertheless shared a common language and culture' (Korsyth 1989: 1). The earliest federalists in what became the Netherlands, in the German-speaking Swiss lands, in what became the U.S.A. and in what became the second German Reich, were national federalists. 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 (Riker 1964). They often advocated federation as a stepping stone towards a more centralised unitary state.

The USA may serve as the paradigm case of national federalism, subsequently imitated by its Latin American counterparts in Mexico, Brazil, Venezuela, and Argentina. The US federation shows 'little coincidence between ethnic groups and state boundaries' (Glazer 1983: 276), with one major exception: most of its original and subsequent states had white Anglo-Saxon Protestant majorities. Federation preceded the great expansion in the USAs internal ethnic diversity, and new states were generally only created when they had WASP or assimilated white demographic and electoral majorities.<sup>17</sup> English-speaking whites were the creators of every American state, 'writing its Constitution, establishing its laws, ignoring the previously settled American Indians, refusing to grant any [autonomy] rights to blacks, and making only slight concessions to French and Spanish speakers in a few states' (Glazer 1983: 284). National federalism was part and parcel of 'American nation-building' (Beier 1993), aiding the homogenisation of white settlers and immigrants in the famous melting-pot of Anglo conformity (Jordan 1964), and was evident in the writing of *The Federalist Papers*. National federalism poses no problem for Gellnerian theory or for Connor's outlook. Indeed, it confirms it, because national federalists aim to make the sovereign polity congruent with one national culture; they wish to construct the federation in the image of its dominant people.

Multi-national or multi-ethnic federalists, by contrast, may pose a significant challenge to Gellnerian theory and to Connor's fourth expectation if they prove successful in their political endeavours. They advocate federation 'to unite people who seek the advantages of membership of a common political unit, but differ markedly in descent, language and culture' (Forsyth 1989: 4). They seek to express, institutionalise, and protect at least two national or ethnic cultures, often on a permanent basis. Any greater union or homogenisation, if envisaged at all, is postponed for the future. They explicitly reject the strongly integrationist and/or assimilationist objectives of national federalists. They believe that dual or multiple national loyalties are possible, and indeed desirable. Some of them make quite remarkable claims for federalism. Political scientist Klaus von Beyme, referring to Western democracies, argued in 1985 that 'Canada is the only country in which federalism did not prove capable of solving . . . ethnic conflict' (1985: 121). Multi-national 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. They influenced Austro-Marxists and Marxist-Leninists, and have had an enduring impact in the post-communist development of the Russian Federation, Ethiopia, and the rump Yugoslavia. The recent democratic reconstructions of Spain and Belgium also bear their imprint. The most ambitious multi-national federalists of our day are those who wish to develop the European Union from its currently largely confederal form into an explicit federation, into a 'Europe of the nation-states and a Europe of the citizens', as the German foreign minister recently urged at Berlin's Humboldt University (Fischer 2000).

Multi-national federalists have two ways of arguing that national and ethnic conflict regulation can work to harmonise nationalism and federalism. The first is an argument from congruence. If the provincial borders of the components of the federation match the boundaries between the relevant national, ethnic, religious or linguistic communities, i.e. if there is a 'federal society' congruent with the federating institutions, then federation may be an effective harmonising device. That is precisely because it makes an ethnically heterogeneous political society less heterogeneous through the creation of more homogeneous sub-units. Of the seven large-scale genuine federations in durable Western democracies, three significantly achieve this effect for some culturally distinct communities: those of Belgium, Canada, and Switzerland. The federations of Australia, Austria, Germany and the USA, by contrast, do not achieve this effect, and are not organised to do so, and in consequence this possibility in federal engineering cannot be used to explain the relative ethnonational tranquillity of Australia, post-war Austria and Germany, and the post-bellum USA (in which past genocides, the overwhelming of the indigenous populations, and/or integration/assimilation are more important in explaining ethnonational stability). In Belgium, Canada, and Switzerland the success of federation in conflict-regulation, such as it is, has not been the result of comprehensive territorial design. Rather it has largely been based upon the historic geographical segregation of the relevant communities. Post-independence India, especially after Nehru conceded re-organisation of internal state borders along largely linguistic boundaries, is an example of deliberate democratic engineering to match certain ascriptive criteria with internal political borders (see *inter alia* Avora and Verney 1995; Brass 1991; Brass 1990; King 1997; Laitin 1989; Rajshukera 1991). Post-communist Russia and Ethiopia may prove to be others.

Plainly this defence of federation as a way of managing nations – to each nation let a province be given – cannot satisfy those communities that are so dispersed or small in numbers, that they cannot control federal units or provinces, e.g. Quebec Anglophones, Flemish-speakers in Wallonia, Francophones in Flanders, blacks in the USA, or small and scattered indigenous peoples in Australia, India and North America. Indeed, one reason federation proved insufficient as a conflict-regulating device as Yugoslavia demonstrated was because there was insufficient geographical clustering of the relevant ethnic communities in relation to their existing provincial borders. However, federal engineering to achieve something approximating the formula 'one nation-one province' does look like a *pinna 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 recognising that such federal systems are compatible with dual and possibly multiple nationalities. The same argument applies to Connor's fourth expectation – though Connor has explicitly recognised that such autonomy arrangements can work, when national minorities regard them as the most feasible forms of freedom they are likely to get, when there is good-will towards the state which encompasses them, and because national minorities are more likely to be observed by the desire

to have freedom from the dominant nation than freedom to be wholly sovereign (Connor 2001: 123ff).

There is a second and more subtle way in which multi-national or ethnofederalists may argue that nationalism and federalism can be harmonised, though it is rarely explicitly defended, because it is really a strategy to defeat national self-determination. It has been eloquently defended by Donald Horowitz (1985: Chapters 14–15). He suggests that federations can and should be partly designed to prevent ethnic minorities from becoming local provincial majorities. The thinking here recommends weakening potentially competing ethnonationalisms: federalism's territorial merits are said to lie in the fact that it can be used as an instrument to prevent local majoritarianism (which has the attendant risks of local tyranny or secessionist incentives). Designing the provincial borders of the federated units on this argument, should be executed on 'balance of power' principles – proliferating, where possible, the points of power away from one focal centre, encouraging intra-ethnic conflict, and creating incentives for inter-ethnic co-operation (by designing provinces without majorities), and for alignments based on non-ethnic interests. This logic is extremely interesting, but empirical support for Horowitz's argument seems so far confined to the distinctly uninspiring case of post-Belgian Nigeria. In most existing federations to re-draw regional borders deliberately to achieve these results would probably require the services of military dictators or one-party states. Already mobilised ethnonational groups do not take kindly to efforts to disorganise them through the re-drawing of internal political boundaries. Belgium may, however, become an interesting exception to this scepticism: the Brussels region, created in the new federation, is neither overtly Flemish or Wallonian, and perhaps its heterogeneity will stabilise inter-national relations in Belgium, because without Brussels Flanders will not secede, and there is presently little prospect of Brussels obliging Flanders.

Multi-national and multi-ethnic federations have, of course, been developed for a variety of reasons, not just as means to harmonise nationalism and federalism. They have often evolved out of multi-ethnic colonies – to bind together the coalition opposing the imperial power (e.g. in the West Indies, and Tanzania). They may have been promoted by the colonial power in an attempt to sustain a reformed imperial system, but subsequently developed a dynamic of their own, as has been true of Canada, India, and indeed South Africa. A history of common colonial or conquest government usually creates elites (soldiers, bureaucrats and capitalists) with an interest in sustaining the post-colonial territory in one political unit, as has sometimes been true of Indochina, which has recently been re-ranvassed as a candidate for an authentic federation (Anderson 1998). Large federations can often be sold economically – they promise a larger single market, a single currency, economies of scale, reductions in transactions' costs and fiscal equalisation. Such instrumental discourses are the common coinage of Euro-federalists. Federations can also be marketed as geopolitically wise, offering greater security and protection than small states, indeed, William Riker rather prematurely assumed that this was the basis for the formation of all federations (Riker 1961). Finally, federations can be advertised as necessary routes to superpower status, a foreground note in the

enthusiasms of some Euro-federalists. But the fact that multi-national or multi-ethnic federations may be over-determined in their origins does not affect our central question: can the stateholders of multi-national federations successfully and stably reconcile nationalism and federalism in liberal democratic ways?

The answer at first glance looks like 'yes and no'. There are federal successes and failures. Even some positive 'yes' answers, however, would be enough to counteract the pessimism induced by Gelhnerian theory and Connor's fourth expectation. But let us first do a Cook's Tour of the failures, which pose no problems for Connor's or Gelhner's expectations. Many multi-national or multi-ethnic federations have either broken down, or have failed to remain democratic, throughout the communist world, and throughout the post-colonial world. The federations of Latin America – Mexico, Venezuela, Argentina, and Brazil – are either national federalisms and/or have yet to prove themselves durably democratic. The federations of the Soviet Union, Yugoslavia and Czechoslovakia broke down during or immediately after their respective democratisations. In the post-colonial world multi-national or multi-ethnic federations failed, or failed to be successfully established in the Caribbean, notably in the West Indies Federation. Even the miniature federation of St. Kitts-Nevis recently faced the prospect of secession by referendum by the smaller island of Nevis (Prenidas 1998). Multi-national 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, or have yet to be established as durable authentic democracies – South Africa. The Mali and the Ethiopian federations in independent Africa have experienced break-ups while the Cameroons have experienced forced unitarism after a federal beginning. The Arab world knows only one surviving federation, the United Arab Emirates, which does not score highly on democratic attributes. In Asia there have been obvious federal failures, e.g. in Indochina, in Burma, and in Pakistan, and of the union of Malaya followed by the secession of Singapore. Durably democratic federations have been rare – consider the history of Pakistan. In short, new multi-national federations appear to have a poor track-record 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, but even here severe qualifications are in order: to crush or divide secessionists in Kashmir, Punjab and elsewhere, the Indian state has deployed emergency powers in a manner to put it at its mildest, wholly inconsistent with liberal, democratic and federal norms.

These failures in federation have had multiple causes according to their analysts Elazar (1987: 240–244; Frank 1968; Hicks 1978). In some cases minorities were outnumbered at the federal level of government; in others, notably Malaya, the relevant minority was not welcome at the federal level of government – Lee Kuan Yew's courting of the Malay Chinese helped break the Malay federation. In both scenarios the resulting frustrations, combined with an already defined boundary, and the significant institutional resources flowing from control of their own



province, provided considerable incentives to attempt secession. Breaks from federations may, of course, invite harsh responses from the rest of the federation: the disintegration of the Nigerian and American federations were halted through millions of deaths. India, the most successful post-colonial multi-ethnic federation has so far faced down vigorous secessionist movements on its frontiers, especially in Kashmir and Punjab. The threat of secession in multi-national or multi-ethnic federations is such that the late Erik Nordlinger consciously excluded federalism from his list of desirable conflict-regulating practices (Nordlinger 1972). The recent emergent principle of international law that permits the disintegration of federations along the lines of their existing regional units is in some people's eyes likely to strengthen the belief that federation should not be considered as a desirable form of multi-national or multi-ethnic accommodation (Horowitz 1998). Integrational nation-builders in Africa, Asia, and the Caribbean have distrusted federalism precisely because it provides secessionist opportunities. The kleptocratic Mobutu only offered federalism as a model for Zaïre as his power-base collapsed. Tunku Abdul Rahman only offered federation with Singapore because he shared Lee Kuan Yew's fears of a communist take-over. Post-colonial state-builders' antipathy to federalism is now matched amongst the intellectuals of Eastern Europe, who regard it as a recipe for secession, given the Czechoslovakian, Yugoslavian and Soviet experiences.

Two final generalising statements must be added to this quick global survey of multi-national or multi-ethnic federal failures. The first is that federations appear to have been especially fragile in bi-ethnic or bi-national, or bi-regional states. In 1982 Maurice Vile could not find a single case of a surviving federation based upon dyadic or triadic structures. Pakistan's Western and Eastern divorce has been the biggest example of the instability of dualistic federations. Czechoslovakia is a more recent case. Whether Serbia and Montenegro, the last two units in Yugoslavia? Belgium may seem like a subsequent emergent exception to Vile's rule, but technically it is a four-unit federation, and it is of rather recent vintage. St Kitts-Nevis may seem another, but as already indicated, Nevis has been tempted to go. The second generalisation is that failures have occurred largely in developing or poor countries, where most theorists of democratisation would predict great difficulty in obtaining stable democratic regimes of whatever hue. This suggests that India, and the three multi-national democratic federations in the advanced industrial world (Belgium, Canada and Switzerland), are the apparently anomalous successes that Gellner and Connor need to be able to explain, or else stand overtly falsified.

### A theory of the necessity of a federal *Staatsvolk*

The theory that I wish to advance and explore is that a stable democratic majoritarian federation, *if* be it national federal or multi-national, must have a *Staatsvolk*, a national or ethnic people, who are demographically and ethnically dominant though not necessarily an absolute majority of the population and who must be the co-founders of the federation. This is a theory consistent with liberal nationalism, national federalism as

I presented that idea earlier and with Ernest Gellner's theory of nationalism and Connor's fourth expectation. It is inconsistent with liberal cosmopolitan and radical multi-culturalists' hopes, and with the more optimistic beliefs of some federalists, though, I shall argue, it does not require entirely bleak conclusions to be drawn about the prospects for constitutional statecraft and state management in multi-national or multi-ethnic federations which lack a *Staatsvolk*. Let us call the theory the Dickey O'Leary theory, as nice a compound pun as one could have.<sup>19</sup>

The theory states a necessary condition of stability in a liberal democratic majoritarian federation, but not a sufficient one. Its logic rests on simple micro-foundations. In liberal democratic systems the population share of an ethnolinguistic group can be taken as a reasonable proxy for its potential electoral power, if its members were fully mobilised *en bloc*—admittedly a rare occurrence. The underlying idea is therefore simple: in a majoritarian federation an ethnolinguistic group with a decisive majority of the federal population has no reason to fear federation. It has the ability simply to dominate the rest of the federation through its numbers, or to be generous because it does not feel threatened. A *Staatsvolk*, a people who own the state, and who could control it on their own through simple democratic numbers, is a prime candidate to lead a federation, whether the federation is a national federation or a multi-national federation, to be what the Russians called the titular nationality. The theory may also give a clue as to why multiple unit federations appear at first glance to be more stable than binary or triadic federations. A preponderant *Staatsvolk* may be more willing to leave its own national territory divided up into multiple regions, states or provinces, knowing that it is not likely to be covered by minority peoples at the federal level. The theory also implies that if there is no *Staatsvolk* then majoritarian federalism, of whatever internal territorial configuration, will not be enough to sustain stability—a point to which I shall return.

Table 9.1 provides data which appear to confirm the Dickey O'Leary theory. It lists the twenty-three currently democratic federations in the world—the data was collected before the coup in Pakistan—and it lists the share of the federation's population that I have classified as belonging to the relevant (or potential) *Staatsvolk*. I have arranged the data in descending order of the proportionate size of the relevant *Staatsvolk*. Let us take 50 per cent as our initial threshold for the existence of a *Staatsvolk*: a plausible threshold for democratic majoritarian assessment. The data suggest that all the federations which have been durably democratic for more than thirty years have a *Staatsvolk* which is significantly over 50 per cent of the relevant state's population: Australia (95), Austria (93), Germany (93), India (80) if its *Staatsvolk* is considered to be religious, the USA (74), Canada (67), if its *Staatsvolk* is considered to be Anglophones, Switzerland (64), and Malaysia (62). The African federations have not been durably democratic, but on this measure the Comoros Islands and South Africa have reasonable prospects. By contrast, neither Ethiopia nor Nigeria have a *Staatsvolk*, so the theory suggests that they are not likely to survive long if they are run as majoritarian democratic federations. The Russian Federation may not prove durably democratic but it has a *Staatsvolk*, so on the Dickey O'Leary theory it has the necessary condition for survival. As for the other



Table 9.1 The size of the actual or potential *Staatsvolk* in current democratic federations

Name of the federation (census year, category)	Name of the <i>Staatsvolk</i>	% share of population
Comoros Islands (1980 ethnicity)	Comorian	97
Commonwealth of Australia (1986 ethnicity)	White Australians	95
St. Kitts and Nevis (1991 ethnicity)	Blacks	95
Federal Republic of Yugoslavia (1991 ethnicity)	Serbs	93
Federal Republic of Austria (1991 national origin)	Austrians	93
Federal Republic of Germany (1990 ethnic)	Germans	93
Russian Federation (1981 ethnicity)	Russians	85
Argentine Republic (1986 ethnicity)	Whites	85
India (1) * (1991 religion)	Hindus	80
United States of America (1991 racial)	White Americans	71
Kingdom of Spain ** (1980 ethnolinguist)	Spaniards	72
Canada (1991 linguistic)	Anglophones	67
Venezuela (1993 ethnicity)	Mestizo	67
South Africa (1) *** (1991 ethnicity)	Blacks	67
Switzerland (1990 linguistic)	Swiss Germans	61
Malaysia (1990 ethnicity)	Malays	62
United Mexican States (1990 ethnicity)	Mestizo	60
Kingdom of Belgium (1976 linguistic)	Flemings	59
South Africa (2) *** (1991 ethnicity)	Blacks, excl. Zulus	51
Brazil (1990 ethnicity)	Whites	51
Republic of Pakistan **** (1991 linguistic)	Punjabis	48
Micronesia (1980 ethnicity)	Trukese	11
Republic of India (2) * (1981 linguistic)	Hindi speakers	30.7
Ethiopia (1983 ethnicity)	Ambara	38
Federal Republic of Nigeria (1983 ethnicity)	Yoruba	21.3

Notes:

\* India has two obvious candidates for the title of *Staatsvolk*, Hindus, who constitute approximately 80 per cent of its population, and Hindi speakers who constitute just less than 40 per cent of its population.

\*\* Spain's status as a federation is controversial. Manuel Lillohar does not think it is a federation; Juan Linz and M Stigpan think it is.

\*\*\* South Africa's blacks can be considered a potentially homogeneous category, though it is politically incorrect to say so. Since Zulus are politically differentiated between Zulu nationalists and South African nationalists the new black *Staatsvolk* excluding half of Zulus can be estimated at 67 per cent. If Zulus are considered an entirely separate group and all other blacks are regarded as the new *Staatsvolk* then the latter comprise 7.51 per cent of the population.

\*\*\*\* Pakistan's recent coup makes it currently undemocratic.

Sources: United Nations, *Democrat Year Book*, Lane and Erson (1976), Edmondson, CIA.

Asian cases Table 9.1 suggests that Pakistan should be on the threshold of crisis, and that India would be too if an attempt were made to construct a *Staatsvolk* out of Hindi-speakers. Of Micronesia I cannot speak because I am wholly ignorant. Likewise, I have little confidence in interpreting the Latin American data, but at first glance they appear to suggest that Mexico and Brazil are closer to the threshold of the necessary condition than might be expected, though their status as durable democracies is far from confirmed.<sup>20</sup> The data in Table 9.1 even suggest that Switzerland and Belgium have a *Staatsvolk* each, though doubtless this may raise eyebrows.

This attempt to test for the existence of a *Staatsvolk* based on this data may seem very crude, and the data-set ( $n = 23$ ) may seem small, even if it is exhaustive of current democratic federations. Nevertheless the data are highly suggestive: there are no immediately anomalous cases. The federations without a *Staatsvolk* are of recent vintage, and are not obviously democratically stable. The data in short appear to confirm Connor and Gellner on the political impact of nationalism. Naturally they cannot prove causation: the stability of the durably democratic federations may have other causes, possibly mutually independent causes in each case, but it is suggestive that the data satisfy the necessary condition of the Dicey-O'Leary theory.

But more sophistication may be demanded before jumping to conclusions. I have been taxed with the question of whether the *Staatsvolk* is objective, or real. How exactly should we determine whether a group is a candidate for the title of *Staatsvolk*? Without subscribing to constructionist epistemological views, or social constructionism in general or particular, I want to emphasise that the notion of a *Staatsvolk* is a concept which is intended to capture what real people know, think, sense, and imagine about a dominant group in a state, and which describes what may or may not be present as a result of political construction in various states, i.e. a *Staatsvolk* is something that can be forged through political strategies and alliances. I am suggesting that so-called primordial elements will normally be the foundations of efforts to construct or mark off a *Staatsvolk* – common ancestry, race, language and common religion – though I do not insist on this. Some of these elements are ones which are relatively easy to find relatively reliable and testable data about, and to have knowledge about their salience within the relevant states. All this argument, and the data upon which it relies, may be accepted, I believe, without subscribing to any particular theories of race, religiosity or linguistics. All that my test so far does, in other words, is to check whether one of these elements – chosen on the basis of reading about the federation's history – has the possibility of having formed, or has the potential to form, the basis of a federal *Staatsvolk*.

It might be suggested that investigation should focus more deeply on the durably democratic and formally multi-national or multi-ethnic federations that might be considered to constitute the strongest challenges to Gellner and Connor, viz. India, Canada, Switzerland, and Belgium. If the primary division in India is linguistic rather than religious then India may appear to lack a *Staatsvolk*.<sup>21</sup> If Anglophones are considered too heterogeneous a category it might be suggested that Canada's real *Staatsvolk* is those of British and Irish descent – which would take the size of its *Staatsvolk* down, closer to the threshold of the necessary condition. If Swiss historic divisions were fundamentally religious rather than linguistic, then Helvetica too might appear to lack a definite *Staatsvolk*. The sheer size of the Francophone minority in Belgium and the country's long traditions of dualism might also lead us to pause before deciding if Belgium has a *Staatsvolk*.

I have no quarrel with the deeper investigation of cases to see whether my *in-casus* argument is false in the particulars, and I intend to make such investigations. But, what I would like to suggest here is that what we may perhaps need most is an index not just of the potentially largest group, however defined, but a measure of the relative weight of groups according to any particular specific ascriptive

criterion. So let me rephrase the Dicey-O'Leary theory in this way: *In a stable democratic majoritarian federation the politically effective number of cultural groups must be less than 2 on the index of the effective number of ethnic groups, ENENG* (defined as the reciprocal of the Herfindahl-Hirschman concentration index of ethnolinguistic groups).

Let me demystify this worthy mouthful. Specialists in the field of electoral analysis and party systems will recognise the index as an application of a measure developed by Albert Hirschman in economics, and extended to political science by Rein Taagepera and his colleagues – who were interested in finding an objective and tractable way of measuring the effective number of parties in a party system, and in whether or not one party or bloc of parties was dominant (Hirschman 1945; Laakso and Taagepera 1979; Taagepera and Shugart 1989; Chapter 8). Let me illustrate the index through an example. How might we respond to the question: how many ethnolinguistic groups are there in Belgium? One would expect to be told that there are two big groups, Flemings and Walloons, with a smaller number of other groups, notably Germans, and recent migrants, all of whom might self-identify in these categories, especially if obliged to do so by a census. But does that mean that for politically important purposes that bear on the stability of the state, that Belgium has two, or two and an eighth, or two and a sixteenth ethnolinguistic groups? The Herfindahl-Hirschman concentration index is designed to provide an objective way of measuring the effective number of components in a system. It does so in a way that stops analysts from following their intuitive (though often sensible) prejudices about what should count as a big or a small and negligible component.

The Herfindahl-Hirschman index (HHI) runs from 0 to 1. Applied to ethnolinguistic groups it has the following logic. In a perfectly homogeneous nation-state in which one ethnolinguistic group has 100 per cent of the population,  $HHI = 1$ . If the state has an extremely polyethnic character in which every ethnolinguistic group is vanishingly small, i.e. each person is an ethnolinguistic group, then HHI tends towards 0. The measurement method used for the index allows each group's share of the population to 'determine its own weight', so its share is multiplied by its own share. In Belgium let us agree that the most salient definition of ethnolinguistic groups is linguistic. In 1976 Flemings made up 59 per cent of the population, Walloons 39.3 per cent, and Germans 0.64 per cent (Lane and Ersson 1990: Appendix).<sup>22</sup> Of the total population Flemings therefore had a fractional share of .59, Walloons .393, and Germans .0064. Using the HHI index the weighted share of Flemings is determined by its own weight, i.e. by multiplying .59 by .59 = .348. Correspondingly, the share of Walloons is .393 x .393 = .153. The share of Germans is (.0064)<sup>2</sup> = .00004096. So, without imposing any arbitrary cut-off points, the political importance of the Belgian Germans is going to be discounted by this measure, which will conform to all but the most ardent Germanophiles' intuitions. The result of adding up the weighted values of all components is our Herfindahl-Hirschman concentration index:

$$HHI = \Sigma p_i^2$$

where  $p_i$  is the fractional share of the  $i$ -th ethnolinguistic group and  $\Sigma$  stands for summation over all components. In the Belgian case in 1976 the HHI was therefore .501 when we reduce to three decimal places. What we shall call the effective number of ethnolinguistic groups (ENENG) is defined as the reciprocal of the HHI index:

$$ENENG = 1/HHI = 1/\Sigma p_i^2$$

Given our Belgian data, the  $ENENG = 1/.501 = 1.996$ , or 2 if we round it off. The somewhat elaborate procedure adopted to calculate the effective number of ethnolinguistic groups in Belgium conforms to most people's intuitions about this case – there are two effective ethnolinguistic groups.

The merits of the HHI and ENENG indices are straightforward. HHI provides an index that runs from 0 to 1, and ENENG provides us a measure of the effective number of ethnolinguistic groups in a system that makes political and intuitive sense. ENENG turned out to be 2 using 1976 Belgian linguistic data. It is easy to see that a state divided into four equally sized ethnolinguistic groups would have an ENENG of 4. These examples, of course, are neat cases, chosen to be helpful. But imagine that the demographic shares in Belgium shifted, say to the following proportions: 51 per cent Flemings, 42 per cent Walloons, 5 per cent Germans, 1 per cent British migrants, and 1 per cent Italian migrants. Then the new Belgian HHI would be .439, and new ENENG would be 2.28. The latter indicator, again, would conform with most people's intuitions about the effective number of ethnolinguistic groups in the state – two big groups and a smaller third group, or a third clustering of smaller groups. These measures therefore provide means for potentially objective studies of the relationships between ethnolinguistic groups and political systems. They also alert us to the importance of the size of second, third and other groups in the population, not simply the largest group.

Table 9.2 presents the HHI and ENENG scores for the current democratic federations in the world, in the same order as the federations in Table 9.1, i.e. according to the largest proportionate share held by the relevant (or potential) *Statist Volk*. As is readily apparent, there is a close relationship between the size of the *Statist Volk* and the HHI and ENENG scores. All the federations with ENENG scores of less than 1.9 are, in fact, majoritarian federations, with the possible exception of India.

By contrast, the bulk of the federations with ENENG scores of 1.9 and above, have often been classified as non-majoritarian federations because they have additional non-federal power-sharing or consociational features, or else they have had such institutions recommended to stabilise them. Consociational arrangements, clarified and theorised by Arend Lijphart (1977), involve four features:

- cross-community executive power-sharing;
- proportional representation of groups throughout the state sector;
- ethnic autonomy in culture (especially in religion or language);
- formal or informal minority-veto rights.

Table 9.2 The effective number of ethnonational groups in democratic federations

Name of the Federation	States/cit	ST % share of population	HHI index	E-VENg index
Comoros Islands	Comorian	97	.94	1.06
Commonwealth of Australia	Whites	95	.91	1.1
St. Kitts and Nevis	Blacks	95	.9	1.11
Federal Republic of Yugoslavia	Serbs	93	.89	1.12
Federal Republic of Austria	Austrians	93	.87	1.14
Federal Republic of Germany	Germans	93	.87	1.15
Russian Federation	Russians	85	.73	1.38
Argentine Republic	Whites	85	.75	1.34
India (1) *	Hindus	80	.66	1.52
United States of America	Whites	71	.57	1.74
Kingdom of Spain **	Spaniards	72	.56	1.8
Canada	Anglophones	67	.51	1.96
Venezuela	Mestizo	67	.5	1.99
South Africa (1) ***	Blacks	65	.46	2.18
Switzerland	Swiss Germans	61	.45	2.22
Malaysia	Malays	62	.48	2.10
United Mexican States	Mestizo	60	.46	2.18
Kingdom of Belgium	Flemings	59	.51	1.99
South Africa (2) ***	Blacks (excl. Zulus)	51	.36	2.74
Brazil	Whites	54	.45	2.24
Republic of Pakistan ****	Punjabis	48	.29	3.17
Micronesia	Trukese	41	.26	3.91
Republic of India (2) *	Hindi speakers	39.7	.19	5.19
Ethiopia	Ambara	38	.28	3.58
Federal Republic of Nigeria	Yoruba	21.3	.11	6.91

Notes:

\* India has two obvious candidates for the title of Staatsvolk: Hindus, who constitute approximately 80 per cent of its population, and Hindi speakers, who constitute just less than 40 per cent of its population.

\*\* Spain's status as a federation is controversial. Arund Lijphart does not think it is a federation. Juan Linz and Al Stepan think it is.

\*\*\* South Africa's blacks can be considered a potentially homogeneous category, though it is politically incorrect to say so. Since Zulus are politically differentiated between Zulu nationalists and South African nationalists, the new black Staatsvolk excluding half of Zulus can be estimated at 65 per cent. If Zulus are considered an entirely separate group and all other blacks are regarded as the new Staatsvolk then the latter comprise 6.51 per cent of the population.

\*\*\*\* Pakistan's recent coup makes it currently undemocratic.

Sources: United Nations, *Britannica Year Book*; Lane and Ersson (1976); Edmonston, CIA.

All of the durably democratic multi-national federations previously identified as potentially problematic for Gellner and Connor, viz. Belgium, Switzerland, Canada, and India, have ENENG scores of 1.9 or more. But the first three of these have relatively undisputed consociational histories (Lijphart 1981; Noor 1993; Steiner 1989), and Lijphart has recently claimed that India had effective consociational traits during its most stable period under Nehru.<sup>21</sup> All this suggests that the Dickey O'Leary theory should have a corollary: *where there is no Staatsvolk, or where the Staatsvolk's position is precarious, a stable federation requires (at least some) consociational*

*rather than majoritarian institutions if it is to survive*, though of course its survival is by no means guaranteed.

The microfoundations of this theory are straightforward: where no group has a clear majority, a balance of power among ethnonational groups is likely to exist, and such a balance of power is conducive to consociational settlements – though it is of course also conducive to warfare and secessionism. The corollary has both strong predictive and prescriptive power: Malaysia, South Africa with autonomous Zulu organisation, Pakistan, India (with regard to its linguistic cleavages), Ethiopia and Nigeria may not endure as democratic federations without some consociational devices.<sup>24</sup> In India consociational add-ons have been most apparent in the development of ethnic autonomy in culture: the granting of provincial or to coin a phrase, *Länderrolle* status, to major non-Hindi speaking peoples.

### Analytical conclusions

If the arguments developed here are correct then the Dickey O'Leary theory seems, thus far, unfalsified: a majoritarian democratic federation requires a *Staatsvolk*, a demographically, culturally and culturally dominant nation. This lends weight to Ernest Gellner's theory about the power of nationalism and Walker Connor's expectations about the power of ethnonationalism. It also suggests an important socio-political limit on what states can do, consistent with Connor's fourth expectation, i.e. they cannot design and run successful majoritarian democratic and stable federations without having, or building, a *Staatsvolk*. However, the theory has an important corollary, which leaves room for political initiative and statecraft. The absence or near absence of a *Staatsvolk* does not preclude democratic federation, but a democratic federation without a clear or secure *Staatsvolk* must adopt (at least some) consociational practices if it is to survive. This suggests that we are entitled to have greater (if not intense) optimism than Gellner or Connor allow about statecraft in the management of multi-national and multi-ethnic units.

Perhaps I should emphasise, for those who remain sceptical of the positivist cast of this chapter, or who dislike monocrausal emphases, that federations can be destabilised for other reasons than the lack of a *Staatsvolk*, and that multi-national federations may be de-stabilised for reasons that have nothing to do with the absence of consociational practices. What the theory and its corollary state are necessary conditions for stability in democratic federations. There may be other necessary conditions for stable federations – e.g. voluntary beginnings, a favourable external environment, and appropriate matches between peoples and territories – but these causal arguments have not been defended or evaluated here. This is an initial statement: I plan to do more detailed research on the agenda suggested. But, I do want to observe that Connor's *The National Question in Marxist-Leninist Theory and Strategy* contains the building blocks of a political explanation of the role of the *Staatsvolk* in federations and other types of multi-national states.

In Chapter II of that book Connor sums up his assessment of Lenin's policy on the national question in communist systems. He maintained, in a spirit of detachment, that nowhere had the policy been given a fair testing. In practice, control

systems had been implemented – in language policy, cadre policy, the movement of populations, and the location of boundaries within the federated units – all of which belied Lenin's prescription against coercion. But, Connor proceeded to ask himself an important hypothetical question: what would multi-national states require to be stable?<sup>22</sup>

From the perspective of minorities they would require the state to be based on national equality and involve no coercive pressure to assimilate. Connor riposted that 'if nearly any decision involving language, education, the movement of peoples, and the geographic distribution of investments is apt to be viewed as violating the principle of national equality and/or the principle of noncoercive assimilation' (Connor 1984: 481), how could this formula be compatible with the needs of a redistributive industrialised state? He then observed that 'were minorities dispersed evenly throughout a country, the goal of national equality could be achieved (at least theoretically) through antidiscrimination policies, without causing economic dislocation', but 'the fact that national groups populate distinct regions of a country introduces a complicating element' (*ibid.*: 484) because there is a law of regional uneven economic development – which operates independently of policy-makers' intentions, and of discriminatory or anti-discriminatory endeavours. Then, he noted the 'difficulty, if not the impossibility, of discovering a universally acceptable formula to achieve equality between unequals' (*ibid.*: 485). Quotas, for example, will always be controversial in the eyes of those adversely affected by them, and 'if the *lingua franca* (the language of success) is the traditional language of another group, that group and its culture are automatically endowed with favoured status' (*ibid.*: 487). These are, in Connor's eyes, the considerations which might make minorities happy or unhappy with multi-national states.

But, what of the dominant nation, if it exists? Here Connor observed that many communist party leaders consistently and explicitly proclaimed a vanguard or *primus inter pares* role for the dominant nation, e.g. the Russian, Han, Romanian and Vietnamese peoples within the states within which they predominated (*ibid.*: 490), and asked himself why these leaders felt compelled to adopt themes, histories, and capital cities, that would necessarily irritate their respective minorities. One explanation was that the throne of the superiority of the dominant nation represented the convictions of the power elite themselves, mostly members of the most favoured nation; another explanation, to which he gave greater weight, was the need 'to ensure the fidelity of the dominant group' to the regime (*ibid.*: 491). Connor then drew the obvious conclusion: the difficulty for communist leaders of reconciling the demands of national minorities to have equality with that of giving the dominant nation the esteem and leadership role necessary to ensure its fidelity.

In Connor's analysis in *The National Question*, which I have truncated, I detect an implicit theory: in a multi-national state, with a dominant nation, there will always be tensions between the need to appraise the esteem of the dominant nation (where there is one) and the demands of national minorities for equality; whereas in a multi-national state without a dominant nation political life will be dominated by a politics of the balance of power. In the first type of multi-national state a federation may prove stable, so long as it is constructed around the consent of the

dominant nation, and so long as a mixture of coercion and consent retains the less wholehearted allegiance of national minorities – and it will be the more secure the more dispersed is each national minority throughout the state. The second type, by contrast, mandates the use of consociational formulae for stability in democratic conditions – but will be subject to the difficulties to which consociational systems are prone, perhaps especially where the different national minorities are territorially concentrated. Connor's implicit theory is, I submit, consistent with the argument I have sketched above, and provides an important research agenda.

### Practical political conclusions

If the arguments sketched above are broadly correct, then they have powerful practical political implications for what states can do with regard to re-engineering or re-inventing their institutional and constitutional formats. Let me conclude with two examples, the UK and the European Union.

The British unionists who want to federalise the UK have nothing to fear from these arguments: the UK has a *Staatsvolk*, the English. The English, because they are overwhelmingly dominant, electorally, demographically and in resources, could live with either a national federation, e.g. the Federation of the English-speaking peoples, or with a multi-national federation, e.g. The Federation of England, Scotland and Wales. The English often fail to distinguish English and British identities, often happily embrace both, and do not regard the current name of the state as an offence to their esteem, viz. The United Kingdom of Great Britain and Northern Ireland. For them, the scale of redistribution of resources required to appraise their national minorities has been, to date, tolerable. The dispositions of the peoples of Scotland, Wales and Northern Ireland are, of course, rather different. Scottish and Welsh nationalists would not warmly accept a national federation which explicitly treated the English as the *Staatsvolk*, but they could, I submit, be reconciled to a multi-national federation – albeit with the tensions predicted by Connor – especially if such a federation granted greater autonomy to Scotland and Wales than exists under the new asymmetrical devolutionary arrangements. The peoples of Northern Ireland, by contrast, would divide sharply: British Ulster unionists would be happiest with an integrated unitary state which ruled out the possibility of Northern Ireland joining Ireland. Absent that foreclosed option, they could live with a multi-national federation, and be loyal advocates of the maintenance of the federation. Irish nationalists in Northern Ireland would be most unhappy with a federation which explicitly ceded dominance to the English as a *Staatsvolk*. They would be less unhappy within a multi-national federation, especially if Britain was its name. Most of them could live with it, provided that they maintained the existing right of Northern Ireland to unification with Ireland if they obtain a local majority for that option; they are not subject, in the interim, to local majoritarian dominance by British Ulster unionists; and they maintain the full consociational rights as a national minority, including cross-border institutions with Ireland, recently negotiated in the Belfast Agreement (O'Leary 1999a; 1999b).

None of the foregoing should be too surprising to those who follow politics in Britain and Ireland. However, the theoretical arguments considered here have important and surprising implications for the European Union, especially strong for those Euro-federalists who wish to convert the European Union from a confederation into a federation. The European Union lacks an obvious potential *Staatsohle*. Its largest ethnolinguistic people, the Germans of Germany, compose just over a fifth of its current population, about the same proportionate share as the Yoruba and Hausa have each in Nigeria. The European Union's ENELNg score is presently 7.23, higher than Nigeria's 6.69, and it will go higher on the accession of the Poles, Hungarians and Ernest Gellner's Czechs. On the Dickey-O'Leary theory, to put it bluntly and insensitively, there are just not enough Germans for the European Union to function effectively as a majoritarian federation. This would still be true, even if we, causing mutual outrage, were to treat Austrian, Dutch, and Swedish people as honorary Germans!

The Dickey-O'Leary theory suggests, by implication, that calls to have a fully-fledged European federation, with the classic bicameral arrangements of the USA, or to have a directly elected and powerful EU President, all to address the so-called 'democratic deficit' in the European Union, may be a recipe for institutional disaster *unless* such calls are accompanied by strong commitments to consociational governance devices. Consociational governance would mean mechanisms to ensure the inclusive and effective representation of all the nations of the European Union in its core executive institutions; proportionate representation of its nations 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 – vetoes that would be most vigorously represented through referendums to veto EU proposals, or less strongly, through rights to 'opt out' of such proposals. What I am arguing, to put it bluntly, is that many of the current consociational and confederal features of the EU, which federalists want to weaken or temper in their pursuit of formal European federation, are required to ensure the EU's prospects as a multi-national democratic federation.

This is not a Euro-phobic argument. The European Union has been correctly defended as one forum that has helped resolve the security and ethnoterritorial disputes between France and Germany; that has facilitated the possible and actual resolution of British, Irish and Italian-Austrian border and minority questions; that is a means through which Irish nationalists, Tyrolse-Germans and Austrians, and Spanish and French Basques can be interlinked with their co-nationals and co-citizens in trans-frontier and functional cross-border programmes and institutions; and that may encourage its multi-national member-states to permit a fuller flourishing of internal regional autonomy. All this is true, though the EU's therapeutic powers should not be exaggerated, as they standardly are.<sup>26</sup>

But one of the EU's gravest current dangers may stem from its ardent majoritarian federalists, who forget that it was forged partly as a means to control Germany, to stop it from ever again trying to become the *Staatsohle* of Europe.

Given that the European Union is falsely seen by many as the exemplary illustration of the death of the nation state or of its transcendence, the full irony of my argument should be apparent. Only a European Union constructed from secure nation-states, or better, nation-states and their *ethnies*, co-operating within either a confederal or consociational federal format, will have reasonable prospects of development and maintenance as a democratic political system. It is, of course, possible that the Dickey-O'Leary law is wrong, but, if so, then a majoritarian federal democratic European Union will genuinely be unique.

This argument about the European Union is one with which Walker Connor should rest easy. He has observed, and a lot earlier than thousands of European political scientists, including those in receipt of European Union research funds and titles, that the European Union, insofar as it strays beyond economic integration, does so without the consent of most European peoples (Connor 1976; 1993; 1995; 1998; 2001: 126ff.). We owe to him the thesis that the iron law of oligarchy is alive and well in the European Union, that the real democratic deficit is that which lies between the promoters of the European Union and their citizens. Walker Connor's observations should be compulsory reading for those who would rush the nations of Europe into a federation that cannot work on their ethnic and 'post-national' – for which read anti-national – axioms.

## Notes

- 1 This chapter adapts and extends ideas first presented in the 5th Ernest Gellner Memorial lecture (O'Leary 2001b), and is dedicated to my friend, mentor and fellow Irishman, Walker Connor.
- 2 In *Explaining Northern Ireland*, John McGarry and I were, in effect, Connoians because we argued against erroneous explanations of the conflict that relied upon tangible markers (e.g. religion), exaggerated the influence of nationalism upon human affairs, favoured explanations based on class, inappropriately analogised from the experience of the USA and the 'rest of the UK', and that assumed that increased interaction and integration necessarily increase the likelihood of harmonious ethnic relations (McGarry and O'Leary 1993). We took to heart Connor's injunctions to observe the 'predisposition of the analyst', and tried, as best we could, to ensure that our own predispositions were scrutinised. For the salient inventories see Connor (1987, reprinted in Connor (1991: especially 69–71).
- 3 The warrants for the first three of these propositions can be found in Connor (1991: Chapters 3–7), and Connor (2001: 115), and the last in Connor (1981: Chapters 9–11).
- 4 The wording is deliberately circumspet. The last proposition is, I believe, implicit in Connor's work, but not stated as such.
- 5 Brubaker's otherwise pioneering work is vitiated by its epistemic prejudices, which lead the author to deny the reality of nations. His desire to avoid contamination by nationalist convictions, leads him into strange waters – denying the reality of nations, on his premises, would, *mutatis mutandis*, render 'mere' such collective entities as classes, men, women, states, i.e. it would dispense with classical sociology.
- 6 Influenced by realism and Gramscian Marxism, Ian S. Jastick has argued that states have and may continue to develop 'hegemonic projects' which, if successful, will incorporate territories and their peoples (Jastick 1993; O'Leary *et al.* 2001).
- 7 Some go further and claim that polyethnic states are the norm in world history; one to which we shall inevitably return, e.g. William H. McNeill (1986).

- 8 For a humane attempt to construct a manual see Harris and Reilly (1998).
- 9 In his 'Self-Determination: The New Phase' (1967), Connor dealt astutely with the history of the 'successful' examples of multi-nationalism cited by J.S. Mill, Aron, Barker and Cobham (printed in Connor (1984: 11–16)).
- 10 The opening article here is Lasick (1979). In 'Reinforcement for the forms', Connor provides a lucid overview of Marxist-Leninist strategies in language policy: the recruitment and purging of elites, the redistribution and gerrymandering of national groups, which is, by some margin, the best exemplification in the annals of comparative communism, of what Lasick calls control (Connor 1984: 251–387).
- 11 Separate conversations with Brendan O'Leary, Budapest, Hungary, November 1995 (Gellner), Belmont, VT, USA (Connor), November 2000, August 2001.
- 12 This formula is still too slangy; Connor respected Gellner as a philosopher and his field work in Morocco; Gellner respected Connor's demonstration of Soviet Marxism's failure with the national question.
- 13 For the evidence on Gellner's views see O'Leary (2001b).
- 14 When Connor's work on religion and nationalism is completed it will make a fascinating counterpoint to Gellner's work on nationalism and Islam.
- 15 The Soviet Union, Yugoslavia, and Czechoslovakia were not democratic federations. Citizens' choices of representatives in all government tiers were fictional until the late 1990s. When their choices became more democratic the relevant states disintegrated largely mostly around the territorial units of the previously sham federations. The 'federal republics' offered opportunity-structures for old and new political elites as the communist systems opened. The fact that the republics had titular nationalities, mostly substantive, made this prospect even more likely. Their experience offers additional confirmation of the generalisation that 'the dissolution of authoritarian structures cannot possibly save a supranational entity; instead it initially destroys it and helps to create new national entities that then need to be laboriously democratized' (Prabigan 1991: 63). What might have happened had the centres of these federations been democratised first, as suggested in the works of Juan Linz and Alfred Stepan, must remain a matter for speculation. The argument developed here suggests that the Soviet and Yugoslav cases would have required consociational federations to have had any prospects of endurance.
- 16 The judicial constructions of the relevant Supreme Court may radically affect the nature of the federation and the distribution of effective competencies. Despite an avowedly centralised federal constitution the Canadian provinces are more powerful and the federal government weaker than in any other federation, while the Australian federal government has become much more powerful and state powers have waned, despite operating a constitution designed to create a weak federal government. In both cases these outcomes are the result of judicial decision-making (Zines 1991: 79, and Chapter 7 *passim*).
- 17 There were some exceptions to this pattern as Chazzer points out. Moreover, a fully correct description of the US's constitutional form enumerates it as consisting of 50 states, 2 federacies, 3 assorted states, 3 local home rule territories, 3 unincorporated territories, and 130 Native American domestic dependent nations. Cf. Watts (1996: 10).
- 18 By a majoritarian federation I mean a non-consociational one – this makes sure that the argument rests on clear antonyms. The federation is intended: at the federal level, to enable at least one branch of the federal government to have a clear federation-wide mandate based on some notion of a popular majority of the people established through a winner-take-all electoral formula of some kind. Normally both a president and a congressional house of representatives embody these notions, but so may a premier-cabinet. A majoritarian federation does not follow the principle of ethnic proportionality as a rule in its representative, bureaucratic, electoral and judicial institutions; it does not officially recognise ethnic community as opposed to territorial autonomy; and it does not permit veto-rights to belong to ethnic groups – as opposed to territorial governments.
- 19 When I first had this idea I thought it original, and wrong – indeed probably wrong

because it was original: surely someone had thought of it, and demonstrated it to be wrong? Having read comparative federalist literature I could find no clear statement of the theory, though I found hints of it (e.g. in Kossuth 1989, and in Frank 1967) or of its falsehood. Later I came to believe the idea might be true. Marks Gwynip subsequently told me of Dicey's remarks in the *Lane of the Constitution* (cited in the epigraph to this chapter). This partly disappointed me, because Dicey is fairly far from my 'first' political theory. But if the theory is a false trail I can at least blame the Victorian bigot.

20 Ms EST colleague Dr Francisco Panizza observes that the non-*mestizo* minority in Mexico is both ethnically very heterogeneous and shares a common Catholic culture with the rest of the population. Mestizo dominance is therefore much greater than the raw figures for the *Statistik* suggest. In Brazil race is not as deep a cleavage as it might appear – blacks are dispersed throughout the country, and racial and cultural mixing are significant, despite significant differentials in advantages between non-blacks and blacks. Though Brazil's federalism has some consociational devices these are intended to accommodate regional-territorial rather than ethnic-national differences.

21 If one accepts that the dominant cleavage is linguistic then it is interesting to note that India's linguistic arrangements have been seen both as highly federal and highly consociational in character for various discussions see Latin (1989; Jijihart 1996).

22 The authors provide data on no other linguistic groups in Belgium. Their source is Stephens (1976).

23 See Jijihart (1996). The classification of India now, and through time, is, of course, highly contentious. India's numerous federated units interact with the centre in different ways: India has exercised rigorous and oppressive control in Kashmir, and elsewhere, both its federal and consociational traits have been inconsistent.

24 As for Mexico and Brazil, see note 20.

25 Connor explicitly addressed the question to communist systems, but it is of universal import.

26 Rigorous treatments of Northern Ireland and the European Union are available (McGarry 2001; Einnann 1999).

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