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Federalism and ethnic conflict in Ethiopia. A comparative study of the Somali and Benishangul-Gumuz regions

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Federalism, Federations and Ethnic Conflict: Concepts and Theories

2.1 Introduction

At the beginning of the 21st century, federalism once again proved its resilience as an important form of government and ideological dispensation. This is despite recurrent scepticism about its desirability and appropriateness in a globalising world. In the period prior to World War II, some scholars doubted its relevance in an industrialising society. Harold Laski epitomised scholarly scepticism of the period. He in 1939 said, '[T]he epoch of federalism is over' because of 'its compartmentalizing of functions, legalism, rigidity and conservatism... [which made it] unable to keep pace with the tempo of modern economic and political life that giant capitalism had evolved' (cited in Watts 2001: 2).

Federalism emerged as an important instrument of nation/state building after the collapse of European colonial empires in the immediate post World War II period (Watts 1994a: 2). In this respect, many post-colonial multi-ethnic countries of Asia and Africa adopted federalism.¹ Even if several of these federations failed in their infancy, the role of federalism in balancing the competing and perhaps conflicting demands for autonomy and unity in such countries as India, Malaysia and Nigeria could not be doubted (Rothchild 1966).

Since the end of the Cold War, federalism once again emerged into the spotlight because of two contradictory developments. First, the disintegration of the socialist federations of the USSR, Yugoslavia and Czechoslovakia refreshed doubts about stability and durability of multi-ethnic federations. The continuing standoff in Canada over the question of Quebec's independence and the frequent political stalemates that characterise federal Belgium strengthen uneasiness about the stability of multi-ethnic federations. Second, in spite of these problems, politicians

used to reconstitute multiethnic countries through federalism after the collapse of authoritarian regimes and centralist nation-building projects. For instance, international powers imposed federalism to reconstitute Bosnia-Herzegovina after a bitter war and genocide that accompanied the disintegration of Yugoslavia. Russia adopted federalism to maintain what is left of the Soviet Union. Ethiopia adopted ethnic federalism in 1991 after the end of military dictatorship. Recently, the American led international forces caused the reconstitution Iraq as an ethnic federation following their invasion and occupation of the country in 2003. There are also calls for a federal arrangement for such countries as Sri Lanka and Somalia that were torn apart by decades of bitter conflicts.

There is, therefore, a growing interest in the use of federalism as a way of managing ethnically diverse countries. In ethnically divided countries, the hope is that political recognition of cultural and ethnic pluralism through federalism reduces ethnic tensions and conflicts. That is why federalism has been presented as a compromise between ethnic-nationalism, which like nationalism in its classical form advocates congruence between nations and states (Gellner 1983: 1; Hobswam 1990: 9), and assimilationist centralization by dominant ethnic groups in multiethnic countries.

2.2 Federalism and Federation: Conceptualisations

Like many social science concepts, defining federalism is problematic. According to Ivo Duchacek, federalism like democracy, socialism, progress, and justice evokes a positive response (1970: 191). Yet as it means different things to different people, federalism suffers from conceptual ambiguity (Agnew 1995: 299; Elazar 1987: 15; Sawyer 1969: 2).

2.2.1 Federalism and federation: making a distinction

Many attempts at defining federalism emphasise the division of power between two levels of government (Duchacek 1970: 192; Elazar 1979b; Riker 1964: 5; Wheare 1963: 2). K. C. Wheare, who considered the US federation as a model, defined a federal government as:

an association of states so organized that powers are divided between a general government, which in certain matters— for example, the making

of treaties and the coining of money— is independent of the government of the associated states, and, on the other hand, state governments which in certain matters are, in their turn, independent of the general government. This involves, as a necessary consequence, that general and regional governments both operate directly upon the people; each citizen is subject to two governments (1963: 2).

William Riker explained the essential features of a federal government by saying ‘a government of the federation and a set of governments rule over the same territory and people and each kind has the authority to make some decisions independently of the other’ (1964: 5). In contrast to these definitions that focus on territorial division of power, scholars like Daniel Elazar associate federalism with the prevalence of a covenant of partnership between the general government and its sub-units (see 1979a: 4, 2000: 2). He, in this respect, suggested that the term federalism was originally derived from the Latin word *foedus* and compared it with the Jewish covenantal political tradition (2000: x).

Many definitions of federalism explain one of its most significant features— division of power between the two orders of government. They, nevertheless, failed to make a distinction between the ideological propensities of federalism from its institutional construct. Preston King, who introduced the problem to the forefront of federal studies, argued that the lack of a distinction between the two aspects was partly responsible for the difficulty in conceptualising federalism (1982: 21). He, therefore, considered federalism from two angles— ideological and institutional.

Ideological federalism ‘reflects at least three different mobilization orientations, i.e. *centralist*, *decentralist*, and *balance*’ (Ibid, emphasis in the original). First, the federalist ideology of centralism was advanced at both the national and international levels. Internationally, there is a longstanding belief that peace could be maintained by restraining war-making capabilities of sovereign states through supranational (federal) structures (Ibid 21-2). It is also through centralisation, states, which had independent existence (e.g. USA), formed federations (Ibid 22, 25).

Second, federalist decentralism could be used to inhibit the growth and concentration of power. Here, decentralisation could be an expression of particularity, individualism and democracy (Ibid 43).

Third, federalism has been conceived as a balance between autonomy and independence; unity and diversity (Ibid 56). Although ‘the promotion of federalism as a political philosophy of “balance” is normally incoherent and unstable’ (Ibid 44), it has been championed as

an instrument of balancing demands for unity and separatism (Smith 1995b: 5).

In contrast, a federation is conceived as ‘an institutional arrangement, taking the form of a sovereign state, and distinguished from other states [e.g. unitary states] solely by the fact that its central government incorporates regional units into its decision procedure on some constitutionally entrenched basis’ (King 1982: 77). Thus, any existent form of federation can be consistent with at least one of the three types of federalisms— centralisation, decentralisation or balance (Ibid 22, 74). More specifically, ‘although there may be federalism without federation, there can be no federation without some matching variety of federalism’ (Ibid 76).

This study, following King (1982: 12-13), considers federalism as an ideological disposition particularly with overtures of balance between self-rule and shared-rule (Elazar 1979a: 4). In contrast, a federation is an institutional arrangement where the general government incorporates its sub-national units into its decision procedure on a constitutionally entrenched basis.

To what extent do these concepts explain Ethiopia’s ethnic federalism? Ethiopia’s ethnic federation has a corresponding ideological inspiration. It has been presented as an instrument of ending the legacy of unjust ethnic relations. The constitution has also decentralist and ‘confederalist’ overtures as it has, at least theoretically, subordinated the very existence of the federation to the ‘will’ of the ethnic communities to live together. However, the practice is far from the constitutional rhetoric.

2.2.2 Federal bargain, federal integration and federal restructuring

Every federation is a result of unique historical and political circumstances. Thus, it is impossible to suggest some universal set of factors that explain why countries become federal (Davis 1978: 124). It is, however, possible to consider some of the factors that lead to the formation of federations from political, economic and sociological perspectives (Gagnon 1988). If one singles out the political factors, there are different interpretations. William Riker, who sought to theorise about the origins of federations, argued that the federal bargain would be made ‘between prospective national leaders and officials of constituent governments for the purpose of aggregating territory’ in order to fend

off external military/diplomatic threats or to prepare for military/diplomatic aggression (1964: 11-12). In contrast, other students of federalism examine the political reasons that lead to a federation from the viewpoint of liberty, citizenship and democracy (Elazar 1979a: 18; Stepan 2001; Weinstock 2001).

The manner in which federations have been created is equally important. Generally, federations come about in two ways, either through the aggregation of independent states or the devolution of power to sub-national units (Burris 2001; Duchacek 1970; Weinstock 2001). Stein Rokkan and Derek U. Urwin call these processes organic and mechanical federalism (1982: 11). Similarly, Daniel Weinstock names them – federal integration and federal restructuring (2001: 75-83). In the first case, a federation is a result of a constitutional pact between two or more independent political entities. In contrast, federal restructuring or mechanical federalism refers to devolutionary processes that lead to the federalisation of a once unitary political system.²

Alfred Stepan who observed the limitations of these two broad divisions proposed three categories – coming together, holding together and putting together federations (1999: 23). His concept of coming together federations is almost synonymous with notions of federal integration and unions. Therefore, his main contribution is the attempt to reveal differences that prevail among federations established through devolution. Accordingly, holding together federations refers to those multi-ethnic federations established through a process of democratic bargaining (Ibid 22). In contrast, putting together federations like the former Soviet Union established through a ‘heavily coercive effort by a non-democratic centralizing power to put together a multinational state...’ (Ibid 23). Such federations lack a democratic content.

Identifying Ethiopia’s federalism into one of Stepan’s categories has been controversial. For scholars like Andreas Eshete, the ‘bargain’ that led to the formation of ethnic federalism in Ethiopia was offered by a ‘revolutionary overthrow of a unitary state.’ He, therefore, considered the Ethiopian federation as a result of the coming together of the country’s ethnic groups who freely decided to reconstruct their shared political community on a new basis (2003: 161). In contrast, Assefa Fissheha suggested that the formation of federalism in Ethiopia followed Stepan’s model of holding together federation (2006: 132). Edmond Keller, in his part noted that Ethiopia’s ethnic federalism began in 1991 as ‘holding together’ but receded since 1992 into a ‘putting together’ type due to the monopolisation of the political landscape by the EPRDF (2002: 24). Both of the above views, failed to appreciate the fact that the

post-1991 political order in Ethiopia was imposed by the EPRDF with little or no participation by other political forces. Thus from among Stepan's three approaches, the creation and maintenance of Ethiopian federalism resembles more of his putting together variant. In this thesis, instead of the three categories, concepts of federal restructuring and ethnic regionalisation that denote a move away from a unitary state structure into a state structure that considers ethnicity as its organising principle are used interchangeably.

2.2.3 National, multinational and ethnic federations

Contemporary interest in the use of federalism as a way of balancing centripetal and centrifugal forces led to the question of which type of federalism is compatible with those countries affected by ethnic conflicts. Accordingly, students of federalism classify federations based on their recognition of ethnic and linguistic diversities (Burgess 2006: 104; József 2005: 246; Kymlicka 2006: 64-5; Requejo 2001: 291).

In this respect, it is possible to divide federations broadly into two categories. In the first category, there are those federations that ensure territorial power sharing and do not recognise ethnic and linguistic cleavages (József 2005: 246). Many of the older western federations such as the US, Australia and Germany fall under this category. Typically, they are termed, national or mononational federations (Burgess 2006: 104; O'Leary 2001: 279). Most of these federations resulted from the coming together of their units, which previously existed independently. Their main purpose was 'to unite people living in different political units, who nevertheless shared a common language and culture' (Forsyth cited in O'Leary 2001: 279).

Federations in the second category not only recognise ethnic and linguistic diversity but also reflect them in their ideology and structures. Such federations are called as multinational and ethnic federations. There is no clear distinction between ethnic federalism rarely used in the Western context but emerged as a popular way of labelling Ethiopian federalism from that of multinational federalism. On the one hand, scholars like Will Kymlicka identify all those countries 'in which internal boundaries have been drawn and powers distributed in such a way as to ensure that each national group is able to maintain itself as a distinct and self-governing society and culture' as multinational federations (2006: 64-5). On the other hand, Henry E. Hale conceived an ethno-federal state as

one in which 'component territorial governance units are intentionally associated with specific ethnic categories' (2004: 165).

One may then ask why ethnic as opposed to multinational federalism is more appropriate in the Ethiopian context. It is conceivable to view this from the ideological rigour of ethnic regionalisation in that country (Kymlicka 2006: 56). In Ethiopia, unlike Western multinational federations (e.g. Spain) that mediated questions of ethnic autonomy through a protracted bargaining between the State and mobilised minority groups, federalism entailed a top down reconstitution of the country based on ethnicity (Ibid).

As a result, many ethnic groups, which before 1991 did not mobilise based on ethnic nationalism, were required to organise themselves according to their ethnicity so that they fit into the new ethno-federal system.³ Thus ethnic regionalisation led to the overall ethnification of politics in the country as the State promoted ethnicity as the key instrument of political mobilisation and state organisation. Indeed, Ethiopia today shows some of the characters of what Lidja Fleiner called ethnified polities:

Territorial boundaries are drawn in a way that maximizes ethnic homogeneity. [P]olicies are pursued which differentiate the status rights of citizens according to ethnic affiliation. [P]olicies are proposed, advocated and resisted, and associations as well as political parties are formed, in the name of fostering the well being of an ethnic community at the expense of excluding those internal and external groups who are considered not belonging to it (2001: 5).

That is why it is more appropriate to use ethnic federalism in the Ethiopian context than multinational federalism. In contrast to Ethiopia, those western federations (e.g. Canada and Switzerland) usually categorised as multinational do not promote ethnicity as the chief instrument of state organisation and mobilisation. Nor do they seek congruence between ethnic and intra-federal boundaries.

2.3 Theoretical Approaches to Federalism and Federations

Theoretical approaches to federalism reflect debates regarding the nature of federalism and its functions. They fit into two broad categories,

normative and empirical. Normative approaches generally discuss presumed advantages and disadvantages of (ideological and institutional) federalism (Burris 2001: 5440-4). At a normative level, some associate federalism with peace, security, citizenship and democracy. Others in contrast, argue that federalism brings regional inequalities and oppression of local minorities by local majorities (Shapiro cited in Burris 2001: 5440). Empirical studies discuss such features of federations as division of power between the general and constituent governments, changing nature of relationships between the two levels of government, variations among federal systems on a comparative basis, mechanisms through which federal systems operate, and causes and consequences of the establishment and dissolution of federal systems (Ibid 5440-2).

Such classification provides an easy distinction between theoretical (normative) and operational (empirical) aspects of federalism. However, it glosses over some of the major problems that students of federalism wish to examine. Consequently, several competing approaches to the study of federalism were developed. C.D. Tarlton (1965) identified formal, legal, political and sociological approaches. Anthony H. Birch, (1966) suggested these perspectives: institutional, sociological, process, and bargain. Rufus Davis (1978: 158), on his part, characterised the major trends in the study of federalism as a matter of degree, federalism as a quality of society, federalism as a process and federalism as sharing. Lori Thorlakson (2003) proposed three competing approaches to federalism – sociological, constitutional and governmental/political approaches.

These classifications demonstrate the diverse ways scholars examine key questions regarding federations. What follows is an examination of some of the theoretical approaches that have much relevance to this thesis.

2.3.1 Legal and constitutional approaches

Legal and constitutional approaches to the study of federations emphasise the role of constitutions in providing institutional frameworks on the division of power between the central and regional governments (Sawer 1969; Wheare 1963). K. C. Wheare, who was one of the key proponents of this approach, considered the US constitution as a prototype of a modern federation and defined a federal government as:

An association of states so organized that powers are divided between a general government which in certain matters – for example, the making of treaties and coining of money – is independent of the governments of the associated states, and, on the other hand, state governments which in certain matters, in their turn, are independent of the general government (1963: 2).

Moreover, he defined the federal principle as ‘the method of dividing powers so the general and regional governments are each, within a sphere, co-ordinate and independent’ (1963: 10). Wheare’s approach to federalism has been criticised as rigid, legalistic and inflexible. Such criticisms mainly emanate from his heavy emphasis on formal division of power and the notion that the two tiers of government are independent and coordinate (Livingston 1952: 81). Scholars also criticised his consideration of the US as a prototype for all other modern federations (Birch 1966: 16).

Despite their shortcomings, legal and constitutional approaches have some important contributions to the conceptual understanding of federalism. They, for example, provide some of the most distinctive features of a federation from other (unitary) forms of government, the division of powers between the general and regional governments (Burgess 1993: 17). Moreover, they underline that federations require written constitutions that prohibit unilateral changes by either of the two orders of government (Duchacek 1970: 203). In fact, almost all federal constitutions provide rigid procedures for constitutional amendment.

Furthermore, these approaches underscore the presence of an independent agency (supreme/constitutional court) that is responsible for adjudication of constitutional disputes (Wheare 1963). Due to consideration of the federal constitution as supreme from the two orders of government, almost all federations afford the task of constitutional interpretation to independent courts. Through constitutional interpretation (judicial review) in some federations like the US, the courts manage to participate indirectly in the making of public policies. However, this remains controversial (Duchacek 1970: 255-6). Ethiopia deviates from this dominant trend as it gave the responsibility of constitutional interpretation to a political organ, the HoF.

Lastly, legal and constitutional approaches identify bicameralism as an important feature of federal polities. Indeed, the dominant trend in federal legislatures is such that the lower house of parliament provides proportional representation to all citizens, while the upper house (second chamber) provides equal or qualified representation for the federating

units (Duchacek 1970: 234; Elazar 1987: 183). This is because second chambers help to articulate regional interests in the making of public policies. In the case of Ethiopia, the upper house of parliament does not have legislative functions.

2.3.2 Sociological approaches

The main thrust of sociological approaches in the study of federalism is the analysis of relationships between societal diversities and federalism. According to William S. Livingston, 'The essential nature of federalism is to be sought for, not in the shadings of legal and constitutional terminology, but in the forces – economic, social, political, cultural – that have made the outward forms of federalism necessary' (1952: 83-4). He further developed the concept of a federal society that implies the presence of geographically concentrated economic, social, religious and historical cleavages (Ibid 85). Later on, Michael B. Stein suggested that Livingston's concept of federal society could be more useful 'if it is confined to a society that is both poly-ethnic and multi-lingual in makeup' (1968: 729). According to Livingston, federalism emerged in Switzerland and Canada partly as a response to their ethnic diversities and the desire to create a governmental structure that mediates between the needs for autonomy and union (1968: 59).

The debates found in the sociological approach have some implications for Ethiopia. For instance, Ethiopia is a federal society of more than 85 ethno-linguistic groups. Moreover, the discourse on Ethiopian federalism developed mainly on the premise of finding an appropriate state structure that corresponds to the country's enormous diversity.

2.3.3 Symmetry and asymmetry in federations

The extent to which relationships within federations are symmetrical or asymmetrical has been an important aspect of federal studies. C.D. Tarlton (1965) examined the impact of federal asymmetry on conflict potential in federal-state relations. In contrast to the recent interest of scholars about the significance of *de jure* asymmetrical federalism, where the different units of the federation enjoy different levels of *de jure* autonomy (Watts 1994b: xi), Tarlton was interested in analysing the impact of *de facto* asymmetry. In his conception, asymmetry is about the

prevalence or the absence of common and shared social, cultural, economic and political values within a given federation (1965: 861).

His analysis was motivated by the failure of other approaches to examine ‘the diverse ways in which each member state in a federal system is able to relate to the system as a whole, the central authority, and each member state’ (Ibid). In order to examine this problem, he developed two conceptual categories – symmetry and asymmetry. In an ‘ideal symmetrical model’, the units are of equal territory and population size and have similar cultural patterns, social groupings, political institutions and relationships with the political centre (Ibid 868). In contrast, in the ‘ideal asymmetrical federal system’, the units of the federation correspond to ‘differences of interest, character, and makeup that exist within the whole society’ (Ibid 869).

Tarlton consequently used these models to explain what he termed federal-state conflict and secession potential (Ibid). Accordingly, he proposed that if there is more symmetry within a federation, ‘the greater the likelihood for the development of federalism as a suitable form of governmental organization’ (Ibid 861). In contrast, ‘if the system is highly asymmetrical in its components, then a harmonious federal system is unlikely to develop’ (Ibid).

Numerous *de facto* asymmetries characterise Ethiopian federalism. Even if the constitution promised symmetrical self-determination rights for all ethnic groups of the country, this was not uniformly put into practice. As a result, there have been differences among the ethnic groups in terms of levels of administrative structures that they control. Moreover, because of the use of ethnicity as the sole criteria for the formation of the ethnic regions, disparity exists in the territorial and population size of the constituent units. All these could contribute to ethnic tensions and conflicts (discussed in chapter 4).

2.3.4 Political and ideological approaches

Politico-ideological approaches to federalism focus on ‘the location of sovereignty, the protection of autonomy, and the genesis and evolution of the original federal contract...’ (Thorlakson 2003: 3). In other words, these approaches examine the ideological and philosophical foundation of federalism (Burgess 2006; Riker 1964; Stepan 1999) and the link between federalism and such other broader issues of politics such as democracy, freedom and political parties (Elazar 1987; Kymlicka 1998; Riker 1964). In fact, when presenting federalism as an ideological

construct its contribution to the maintenance of individual and communal liberty through power diffusion is emphasised (Elazar 1979a: 10; Gagnon and Charles 1999: 85).

Indeed, as succinctly observed by Daniel Weinstock, the liberty argument for federalism posits that ‘every government is a threat to individual liberty, and thus sees the proliferation of levels of government and the counterweights so created as favouring liberty’ (2001: 76). However, the ideological promotion of federalism as a way of guaranteeing democracy and freedom was challenged due to the creation of different majorities and minorities at national, regional and local levels. William Riker, for instance, observed:

Federalism cannot be a guarantee [of majoritarian freedom] but rather can actually be an impediment. The effect of allowing ultimate decision at two levels of government (which is the essence of the federal relationship) is that the losers at the national level may reverse the decision at the constituent level. Thus, the losers nationally may become the winners locally, which of course negate the national decision in at least portions of the federal nation. Thereby, of course, the freedom of the national majority is infringed upon by local majorities (1964: 142).

He furthermore suggested that federalism works against local minorities by encouraging local tyranny (Ibid 143). Going beyond such scepticisms, many scholars examined the political atmosphere under which a federal system of government could provide its professed qualities of non-centralisation of power and more individual and communal liberty (Duchacek 1979; Riker 1964; Stepan 2001).

Here, the analysis turns to, among other things, the relationship between federalism, democracy and political parties. Riker who was one of the earliest scholars to examine the relationship between federalism and political parties sought to explain the maintenance of the federal system in the US by looking at the decentralisation that existed within its party system. This, according to him, prevents national leaders from centralising power by controlling the political parties either through organisational or ideological devices (1964: 101). Later on, he suggested:

The structure of the parties parallels the structure of federalism. When parties are fully centralized, so is federalism (e.g. in the Soviet Union and Mexico). When parties are somewhat decentralized, then federalism is only partially centralized (1975: 137).

Similarly, Ivo D. Duchacek underscored:

Political parties are sometimes called great centralizers or decentralizers of a federal system. Their number, internal structure, ideology, leader's commitment to pluralism or unitary centralism, and actions are evidently related to the actual working of federalism (1970: 229).

Hence, a single party system, where the dominant party is monolithic, totalitarian or authoritarian and internally not federated, cannot permit decentralisation of power or the genuine operation of a federation (Ibid 330). In other words, where there is no political pluralism and open democratic contestation for power, it is difficult to talk about federalism. As a result, scholars have been recently engaged in examining the political framework in which federations may genuinely operate. One of the factors that made this enquiry relevant was that the collapse of the communist federations of the USSR and Yugoslavia (O'Leary 2001; Stepan 1999; Stepan 2001). There is today a firm belief that a federal system requires a liberal democratic system, open and competitive elections and the rule of law to operate genuinely. This reminds us what Leslie Lipson succinctly noted earlier, 'not all democracies have federal governments. Nevertheless, all genuine cases of federalism are found in democratic states' (cited in Duchacek 1979: 335). In sum, federations do not genuinely function without a democratic framework and those federations that operate in authoritarian political systems are none other than sham federations (Burgess 2006; O'Leary 2001).

Politico-ideological approaches help to explain some of the key problems of Ethiopian federalism. First, federalism in Ethiopia like other federations has an ideological inspiration. As will be discussed in the next chapter, the Stalinist theory of nationality influenced the reconstruction of the Ethiopian state into an ethnic federation. Like Soviet federalism, Ethiopia promised self-determination up to secession but in practice would not entertain autonomy beyond language and culture. Second, in spite of the formal commitment for a multiparty democracy by the 1994 Ethiopian constitution, a monolithic power structure emerged under the EPRDF. The EPRDF like the communist parties of the former Soviet Union claims to play the role of the 'vanguard' political party.

Table 2.1 Summary of theoretical approaches to federalism

Approaches	Central arguments	Some representative scholars and their publications
Legal and institutional approach	Federalism is conceived in terms of constitutional division of power between two levels of government	Wheare 1963
Sociological approach	Federal government is a device by which the federal qualities of society are articulated and protected.	Livingston 1952
Federalism as asymmetry and symmetry	The diverse ways (symmetrical and asymmetrical) in which each member state in a federal system is able to relate to the system as a whole, the central authority and among each other	Tarlton 1965
Political and ideological approaches	Federalism as a bargain. The federal bargain necessitated by military and/or diplomatic needs.	Riker 1964
	Federalism as an ideology of decentralism, centralism and balance.	King 1982
	Federalism as alternative to exclusive state-sovereignty by combining 'self-rule' and 'shared-rule'	Elazar 1987

In sum, the various ways students of federalism consider their subject matter show us the complexity of federalism, both as an ideological disposition and institutional arrangement. The competing approaches, nonetheless, provide some organising devices for this study.

2.4 Ethnicity and Ethnic Conflicts

Ethnicity and ethnic conflicts dominate contemporary discourses on the politics of multi-ethnic countries. However, these concepts mean different things to different people; therefore, competing and contradictory approaches typify their study (Boal 2001: 4806).

Ethnicity is a recent analytical construction; some of its elements like culture, language and kinship are old concepts, however (Hutchison and Smith 1996: 3). Ethnicity may mean 'the essence of an ethnic group' or 'the quality of belonging to an ethnic community or group' (Ibid 3). Therefore, in defining an ethnic group, scholars emphasise those factors that differentiate a given group from others and strengthen its internal

cohesion. A.D. Smith, for instance, defined an ethnic community as 'a named human population with myths of common ancestry, shared historical memories, one or more elements of a common culture, a link with a homeland and a sense of solidarity among at least some of its members' (1995a: 56-7).

Following this, ethnic conflict could be conceptualised as a conflict where 'the goals of at least one conflict party are defined in... ethnic terms, and in which the primary fault line of confrontation is one of ethnic distinction' (Wolff 2006: 2). In such a conflict:

At least one of the conflict parties will explain its dissatisfaction in ethnic terms – that is – one party to the conflict will claim that its distinct ethnic identity is the reason why its members cannot realize their interest, why they do not have the same rights, or why their claims are not satisfied. Thus ethnic conflicts are a form of group conflict in which at least one of the parties interprets the conflict, its causes and potential remedies along an actually existing or perceived discriminating ethnic divide (Ibid).

In spite of the prevailing recognition among scholars and policy-makers about the growing problem of ethnic conflicts, there is no scholarly agreement about the essence of ethnicity and ethnic conflicts. However, the various approaches on ethnicity and ethnic conflicts could be considered from three angles – primordialist, instrumentalist and constructivist (Lake and Rothchild 1998b: 5-6; Young 1993: 21-3).

The primordialist approach, also called naturalist and socio-biological, supposes that ethnic identity is something given or natural (Berghe 1995; Geertz 1963). Many proponents of this approach view ethnicity and ethnic conflicts in terms of natural and fixed characteristics of individuals and communities. Clifford Geertz, for example, contends that:

One is bound to one's kinsman, one's neighbour, one's fellow believer, *ipso facto*; as the result not merely personal affection, practical necessity, common interest, or incurred obligation, but at least in great part by virtue of some unaccountable absolute import attributed to the very tie [primordial] itself... (1996: 42).

Pierre van den Berghe takes the primordial view to the extreme and discusses ethnicity and race in terms of biological and genetic ties (1995: 57).

In the Ethiopian case, primordialism greatly influenced both popular perceptions of ethnic identity and political discourses. In this respect, in popular conceptions of ethnic identity, primordial elements, particularly descent plays a major role. For instance, descendents of the 19th century northern settlers in the south are identified as 'Amhara' even if many of them share the cultures and language of the local populations. Similarly, political discourses of national self-determination have used primordial elements. The popularity of the Stalinist doctrine of self-determination in Ethiopia since the beginning of the 1970s appeared to reinforce primordial elements of identity. Indeed, the 'self' in political discourses of ethnic self-determination found definition based on Stalinist principles of common descent, language, territory and common psychology (Hizkias 1996). The concept gained further consolidation after the constitutionalisation of ethnicity, as the organising principle of Ethiopian federalism in the beginning of the 1990s (Abbink 1997). In this atmosphere, many ethno-nationalist writers emphasise primordial elements of ethnicity in order to consolidate the internal cohesiveness of their groups. Gemetchu Megerssa writing from this angle, for example, sought to underscore the inborn nature of Oromo identity by saying that 'the simple definition of an Oromo would be that he/she is born from an Oromo father' (1996: 94).

The main criticism levelled against primordialism is the assumption that ethnic divisions are fixed, natural and static. Many scholars contend that ethnic identity is subject to renewal, remodification and renegotiation and it should be considered flexible and malleable (Brass 1991: 70; Eller and Coughlan 1996: 46; Hutchison and Smith 1996: 8). Instrumentalists who view ethnicity from this angle argue that individuals or groups use ethnicity to achieve political, economic and other goals (Brass 1991; Glazer and Moynihan 1975). However, the instrumentalist approach is criticised for its apparent failure to recognise that ethnic identity cannot be 'decided...by individuals at will but is embedded within and controlled by the larger society' (Lake and Rothchild 1998a: 5).

Marxist-Leninist view on ethnicity conforms to the instrumentalist approach. Nationalism and ethnicity were marginal to the theory of 'traditional' Marxism as that theory was mainly based on antagonistic relationships between economic classes (Gleason 1990; McAll 1990). Indeed, Marx 'expected national differences to disappear in time because

of his conception class identity ... rather than nationality was the decisive line of division between people' (Barany 2002: 35). Accordingly, Marxist-Leninist theories do not give adequate attention to ethnicity. The use of ethnicity in politics is considered by Marxists as a 'mask behind which actors conceal their class position from each other and from themselves' (Ibid.). In spite of the general position of Marxism on ethnicity – its subordination to class interest and its transient character – Russian and Austrian Marxists who were confronted with the problem of multiethnic empires intensely debated issues surrounding ethnicity such as ethnic domination, self-determination and secession. It was in this context the Marxist-Leninist theory of nationalities was developed by Lenin and Stalin. This theory recognized the right of nations to self determination including secession. But Soviet application of the right of self determination and secession was pragmatic and selective. More importantly right after their consolidation of power, Soviet communists emphasised the subordination of the question of nationalities (or ethnicity) to class struggle. Hence, self-determination (secession) was considered appropriate where it involved a breach in the imperialist structure. It would, however, be intolerable when it involved separation from a socialist system (Emerson 1960).

In Ethiopia, the instrumentalist approach could explain the growing importance of ethnicity in both academic and political discourses. Almost all ethno-nationalist movements such as the TPLF and the OLF sought to instrumentalise the primordial elements of their ethnic constituencies for political mobilisation. For instance, as contended by Mekuria Bulcha, Oromo nationalists used primordial elements such as language and descent not only to coalesce different Oromo groups but also to 're-ethnicize' individuals who 'lost' their Oromo identity because of their assimilation into the dominant Amhara culture (1997b: 9-10). In a similar fashion, the institutionalisation of ethnic federalism since the beginning of the 1990s induced the instrumentalisation of primordial identity for political mobilisation. This has been the case particularly in southern Ethiopia. The majority of the more than 54 ethnic groups of this region, even if they were not mobilised on the basis of ethnicity before 1991, after the institutionalisation of federalism, they were ethnically organised so that they fit into the new state structure. This process entailed a top down definition of the 'self' based on its primordial elements and its political mobilisation through ethnic movements created by the EPRDF (Vaughan 2003: 94-5).

Although the two polarised views on ethnicity provide important insights about the nature of ethnicity and ethnic conflicts, they appear to

be incomplete as they attempt to explain the problem from mutually exclusive and contradictory perspectives. It is no wonder then that scholars called for the development of a theory that breaks this divide (Horowitz 1985: 139).

The constructivist approach emerged as a response to the limitations of primordialism and instrumentalism to synthesise them by positing that 'ethnicity is neither immutable nor completely open' (Lake and Rothchild 1998a: 6). Furthermore, it contends that the socially constructed nature of ethnicity causes conflicts not because of individual actors (Ibid).

Scholars implicitly and explicitly used constructivism to explain inter-ethnic relations and conflicts in the Ethiopian context. For instance, Christopher Clapham writing about the ethnic identity of the Amhara suggested that 'being Amhara is much more a matter of how one behaves than of who one's parents were...' (1988: 24). Constructivism could also help explain the creation of ethnic categories in different contexts. For instance, many peripheral ethnic groups (like pastoralists in the south-eastern lowlands of Ethiopia) collectively categorise individuals who are included in the government bureaucracy, army and others as either 'Amhara', 'Christian', or 'highlander'⁴ despite the diversity of the personal ethnicity of the concerned individuals (Clapham 1975: 76; Markakis 1994a: 226).

2.5 Essence of Ethnic Conflict Management

Ethnic conflict management is about reducing ethnic tensions and conflicts (Horowitz 1991: 116). Policies and institutions of ethnic conflict management anchor on the recognition that ethnic, linguistic, religious and other social cleavages should not be suppressed either in the name of majoritarian democracy or nation building. Conflict management is not meant to resolve conflicts permanently. This is inconceivable. After all 'the crucial problem in politics is the management of conflict' (Schattschneider cited in Nordlinger 1972: 1). The capacity of federalism and other instruments to manage conflicts could not be, therefore, measured in terms of eliminating social conflicts (Gagnon 1993: 18).

Broadly speaking ethnic conflict management constitutes different legal, political, territorial, economic and other instruments through which multi-ethnic countries seek to reduce ethnic conflicts. According to F.S. Cohen, 'ethnic conflict management refers to the capacity of political institutions to contain ethnic conflict within their mechanisms, routines,

and procedures for resolution' (1997: 608). While there is a growing recognition today that multi-ethnic countries should provide recognition to cultural and ethnic pluralism with a view to reduce conflicts, the predominant practice of states in the past aimed at ethnic homogenisation. Multi-ethnic countries in this respect used a variety of instruments that range from physical extermination to coercive assimilation (Kymlicka 2001: 2).

John McGarry and Brendan O'Leary who outlined taxonomy of state practices regarding regulation of ethnic diversity divided ethnic policies of multi-ethnic countries into two broad categories of eliminating and managing diversities. Instruments of eliminating diversities include genocide, forced mass population transfers, secession/separation and integration/assimilation. Instruments of managing ethnic diversity, in contrast, include hegemonic control, arbitration, cantonisation, federalism and consociationalism (1993: 4).

From among the four instruments of eliminating differences, genocide and forced mass population transfers are not morally acceptable and hence should not be used to address problems of ethnic diversity (McGarry and O'Leary 1993: 6). In contrast, assimilation and secession have both supporters and detractors. However, they are instruments of ethnic homogenisation (Ibid 17). Many multi-ethnic countries throughout the world practiced assimilative strategies in order to eliminate ethnic diversity. Western democratic states that traditionally refuse to recognise collective rights of ethnic minorities and promoted what Sammy Smooha called a policy of 'privatization of ethnicity' extensively used assimilation (2002: 423). In general, assimilationist policies impose a single language and culture, deny collective or group rights and deprive ethnic groups of institutional mechanisms for separate existence (Ibid 424). In the case of Ethiopia, the imperial government used assimilation, promoting the Amharic language as a national language and prohibited the development of other languages.

However, today there is a growing realisation that forging ethnic groups into a 'homogenous nation is not a practical approach' (Lijphart 1991: 493). As a result, challenges to assimilative policies are increasing for their deficit in terms of social justice. Some scholars like Will Kymlicka even go further and argue that the exercise of key liberal values like freedom of the individual is tied to membership in culture and language that liberal democracies need to respect minority rights (1995: 74-5).

Secession like assimilation is a strategy of ethnic homogenisation (Horowitz 1991: 120). However, in this case, ethnic homogenisation is

sought through territorial partition. It could also be an aspect of self-determination. Many scholars accept that secession is compatible with liberal democratic theories (Beran 1984; Glaser 2003; Kymlicka 2004a). In this respect, Daryl J. Glaser contends:

[Secession by removing] ethnicity from the centre of political life and facilitate the reorganization of political competition around class, and ideological differences and methods of governance. Such a “normalization of politics” could render democratic debate more meaningful, allowing it to focus on ideas and programmes rather than ethnic loyalties (2003: 376).

In contrast, those who oppose secession dismiss the idea of creating ethnically homogenous states because of complex and overlapping patterns of ethnic identity and increased external and internal migration (Buchanan 1997: 329). In spite of these polarised views, such scholars like Arend Lijphart appear to have mixed views on secession. He in this respect noted that ‘[in] the vast majority of cases, partition or secession cannot be a practical solution’ (1991: 493). Nonetheless, Lijphart objected the consensus of some contemporary statesmen and scholars in completely rejecting secession. He advised politicians and statesmen to be tolerant towards secession, when it is possible (Ibid).

Coming to the case of Ethiopia, the discussion over secession has been fraught with controversies. Eritrea seceded in 1991 after a devastating three-decade civil war. The EPRDF government legalised the right of secession both in the 1991 charter and the 1994 constitution. The government and its supporters present the recognition of the right of secession as an important strategy of strengthening the newly formed ethnic federation by guaranteeing ethnic groups the right of unconditional exit. In contrast, critics argue that the inclusion of a secession provision in the constitution instead of stabilising the federation may encourage ethno-nationalist movements to press for secession and thereby induce conflicts (discussed in chapter 4).

Beyond these two polarised (assimilation and secession) instruments of regulating ethnic diversity, there are consociationalism and federalism. These are not only compliant with democratic norms but also became popular instruments of balancing unity and diversity in countries that are characterized by social cleavages (McGarry and O’Leary 1993: 6). The next two sections examine the role of each of these in ethnic conflict management.

2.6 Consociationalism and Ethnic Conflicts

The theory of consociational democracy has been one of the key questions that dominated comparative politics (Bogaards 2000). Arend Lijphart (1991, 1996) in several studies, shown how consociational democracy could be an alternative to majoritarian democracy in divided countries. In contrast to such liberals like John Stuart Mill who contended that ‘democracy is next to impossible’ in multi-ethnic societies and ‘completely impossible in linguistically divided countries’ (cited in Farrell and Langehove 2005: 234), Lijphart demonstrated the possibility of democracy in such countries through consociational arrangements (1996: 258). This theory emerged from the recognition that organising politics and governance around societal cleavages helps build stable democracy and manage ethnic conflicts. Thus, consociationalism is a policy of recognition of cultural and ethnic pluralism. Hence, several countries characterised by societal cleavages adopted elements of consociationalism.⁵

Consociationalism could be defined as ‘a twofold concept comprising a social side (segmented pluralism), and a political side (coalescing elites)’ (Bogaards 2000: 399). More specifically, it anchors on four elements (Lijphart 1991: 491). First, a *grand coalition* – the inclusion of representatives of different segments into the executive. Second, *proportionality* – the proportional presence of the different segments of the society in representative institutions, civil service and the proportional allocation of public funds. Third, *mutual veto* – the provision of veto for each of the segments. Fourth, *segmental autonomy* – decisions regarding internal matters of the segments should fall in their jurisdiction.

The consociational model by providing representation for every segment of society and by promoting consensual decision-making processes seeks to prevent the emergence of conflicts around social cleavages. Thus, it helps bring about a stable democracy in otherwise fragmented and deeply divided societies (Khidashel 1999: 197).

Consociationalism, according to Brendan O’Leary, has been accused of ‘freezing and institutionalizing collective identities at the expense of “emancipated” identities such as those focussed on class or gender’ and ‘encouraging proportional representation (PR)’, which would lead to ‘irreversible formation of ethnic, communal, or sectarian parties’ (2005a: 5-6). Moreover, the grand coalition on which consociational arrangements depend has been criticised for its democratic deficit as it heavily depends on inter-ethnic elite cooperation and coordination at the expense of a vibrant opposition (McRae 1991: 96).

Regardless of these scepticisms, multi-ethnic federations such as Belgium, Canada and Switzerland and such countries like the Netherlands with no federal structure used elements of consociationalism (Smith 1995b: 15; Elazar 1987: 70). Currently, there is growing interest among scholars to find ways in which consociationalism complements federalism (O'Leary 2001; Wolff 2005). This requires, among other things, overcoming the criticism usually levelled on consociationalism because of its reliance on grand coalition. In this respect, Brendan O'Leary underscored that 'democratic consociation does not require a complete, total, or all encompassing grand coalition in the executive' (2005a: 13). In a similar vein, Stephan Wolff came up with the idea of regional consociationalism that combines 'territorial autonomy and consociational power-sharing' in order to address one of the perennial problems of multi-ethnic federations, conflict between local minorities and local majorities (2005: 120).

Coming to Ethiopia, the theory of consociational democracy has so far not gained any meaningful attention in the theory and practice of Ethiopian federalism. This is partly because the idea of sharing power remains alien in the political tradition of the country. The dominant strategy that Ethiopian regimes traditionally use to stay in power has been hegemonic control. Moreover, the 1994 constitution, by adopting a majoritarian parliamentary system did not give room for power sharing and proportional electoral system.

2.7 Federalism and Ethnic Conflicts

Debates on multi-ethnic federalism exhibit two broad contending views. On the one hand, many scholars advocate the use of federalism as a way of stabilising multi-ethnic countries (Gurr 1994; Kimenyi 1998; Linz and Stepan 1996; Stepan 1999; Young 1994). On the other hand, there are scholars who argue that federalism exacerbates conflicts (Basta-Fleiner 2000; Cornell 2002; Nordlinger 1972; Snyder 2000). What follows is a discussion of each of these contending views.

2.7.1 Federalism as a means of managing ethnic conflicts

Those who advocate multi-ethnic federalism provide many justifications. John Agnew, for example, argues, 'federalism helps to manage inter-group conflicts that might otherwise escalate into violence and lead to

proliferation of mini-states without much viability' (1995: 396). Similarly, David Lake and Donald Rothchild asserted that federalism 'can play a role in managing political conflicts. By enabling local and regional authorities to wield a degree of autonomous power, elites at the political centre can promote confidence among local leaders' (1998a: 117). Vincent Ostrom also underscores that no other political structure provides better opportunities for multi-ethnic countries in the contemporary world than federalism (1979: 81). Federalism's attractiveness as an instrument of conflict management lies in its promise of making ethnically heterogeneous states more homogenous through the creation of sub-units (O'Leary 2001: 281).

If one goes further than these generalised propositions, some of the advantages of federalism in managing a multi-ethnic society could be examined from several angles. For instance, the creation of democratic self-government for minority ethnic groups through a federal arrangement is expected to increase their sense of security and positive identification with the multi-ethnic state and thereby reduce conflicts (T. Daniel cited in Kalin 2000: 3). Considering the Ethiopian case from this angle gives mixed signals. On the one hand, after the institutionalisation of ethnic federalism, many hitherto marginalised minority ethnic groups have been given representation at federal and regional levels (Alem 2005; Andreas 2003; Assefa 2007). On the other hand, because of EPRDF's unwillingness to share power, democracy and self-administration so far remain empty promises (Aalen 2006; Merera 2007).

Federalism's contribution to the preservation and development of minority cultures and languages could also contribute to the pacification of inter-ethnic relationships (Smith 1995b: 19). For instance, India's reorganisation of its federal structure based on territorial 'linguism' was considered an important decision that helped save India from foundering (Duchacek 1970: 297). In Ethiopia as well, the recognition of cultural and linguistic autonomy could have a positive contribution in paving the way for building a new democratic basis for the country as a multi-ethnic country.

Similarly, bargaining and compromise which are some of the typical features of a democratic federal polity could facilitate better management of conflicts (Chapman 1993: 71-2). Federal structures and processes not only provide multiple access points to political elites but also offer safety valves for the expression of dissatisfaction with government policies. They assist in finding solutions to the crises that erupt from time to time in federal polities (Gagnon 1993: 21). As far as Ethiopia's limited experience is concerned, the performance of federalism regarding

bargaining and compromise has been dismal because power remains monopolised by the dominant party.

Federalism could also be used to reduce ethnic tensions and conflicts by 'proliferating the points of power so as to take the heat off of a single focal point', encouraging inter-ethnic electoral cooperation, promoting alignments based on interests other than ethnicity and reducing economic and social disparities between groups (Horowitz 1985: 598-9). Proliferation of points of power could help reduce inter-ethnic conflicts, particularly those aimed at controlling the political centre by providing political and economic resources for competing ethnic elites at local and regional levels. This could help transform violent conflicts that competing ethnic groups undertake in their bid to control the political centre to intra-regional non-violent conflicts within local and regional administrations (Petter cited in Gagnon 1993: 23; Smith 1995b: 16-17).

The reality in federal Ethiopia is far from what is proposed here. In fact, the most noticeable change regarding conflict in Ethiopia after the formation of the federal structure has been the emergence of localised violent conflicts involving several of the ethnically constituted regions (Abbink 2006; Asnake 2004; Solomon 2006a). Though these conflicts do not appear to affect EPRDF's hold on power, they became menacing to local communities. At the same time, there are secessionist movements engaged in low-level armed warfare.

2.7.1 Federalism as a recipe for more ethnic conflicts

In contrast to the above optimistic views about the role of federalism in reducing ethnic conflicts, some scholars argue that it exacerbates them (Gagnon 2001: 320). Scepticism about the use of federalism in managing ethnic conflicts relate in part to the susceptibility of multi-ethnic federations to fragmentation. The USSR, Yugoslavia and Czechoslovakia, which collapsed after the end of the Cold War, exhibited vulnerability of multi-ethnic federations to conflict and fragmentation. Even some of the existing multi-ethnic federations like Belgium appear in a state of what Graham Smith called 'perpetual crises' (1995b: 9).

There are several arguments against the use of federalism as an instrument of ethnic conflict management. One of the major problems refers to the impossibility of making ethnic and administrative boundaries congruent. This tends to engender tensions and conflicts in the relationship between local/regional majorities and minorities. That is

why A.C. Cairns suggested that ‘federalism can contribute to inter-ethnic harmony and civility only when the ethnic groups in question are territorially concentrated and thus capable of escaping from each other...’ (Cairns, cited in Gagnon 1993: 23). This problem appears more profound in multi-ethnic countries that adopted federalism through federal restructuring processes. In fact, what Walker Connor (1973: 11) observed as practical challenges to the quest of ethno-nationalism at the international level like the sheer size of ethnic groups and the problem of fixing boundaries emerged in microcosm when many multi-ethnic countries like Ethiopia embarked upon federal restructuring processes. That is why John Coakley called for caution by saying:

The capacity of territorial restructuring to resolve ethnic tensions should not be overestimated. ... Ethnic boundary lines are rarely clearly drawn. Certain tensions in a polyethnic state may be resolved by dissolution into units corresponding to the component ethnic groups, but there tend to be problems in principle and in practice. The problem of principle is that the new units appeared typically polyethnic, and conflicts have been simply moved to a different level and multiplied, with the original conflict possibly being reproduced in microcosm (2003: 311-12).

Moreover, federalism might exacerbate the plight of local minorities. In this respect, William Riker (1964: 142) dismissed the notion that federalism promotes minoritarian freedom. He reached to this conclusion after observing the stiff resistance of the American south during the 1960s against the civil rights of blacks (local minorities) and the use of federalism as a shield to frustrate the wishes of the national majority on the question. It is because of federalism’s tendency of exacerbating conflicts between local majorities and local minorities that E. Nordlinger excluded it from his conflict regulation mechanisms (1972: 31-2). Similarly, Walter Kallin noted that ethnically constituted sub-national governments in multiethnic federations:

Exacerbate minority problems whenever they are unable to integrate or even tolerate persons on their territory who are of a different ethnic origin. Thus, decentralized forms of governance may become a danger for the individual rights and possibilities of democratic participation of persons belonging to other minorities or to the ethnic group that has the majority at the national level (2000: 5).

Moreover, defining the boundaries of ethnically constituted sub-national units of multi-ethnic federations has proven problematic and could cause ethnic tensions and conflicts. This is particularly true in urban areas and ethnic borderlands where two or more ethnic groups converge. The fluid and overlapping nature of ethnic identity in many multi-ethnic countries make drawing of intra-federal boundaries cause for conflicts. In Ethiopia, for example, several violent conflicts between neighbouring ethnic groups erupted because of contested boundaries (discussed in chapters 8 and 9). In some cases, traditional territorial conflicts over land resources between neighbouring pastoral ethnic groups are turning into more dangerous nation-state type boundary conflicts (Asnake 2004). In fact, this tends to support what A. Murphy observed:

When the territories in question are spatial surrogates of large-scale, potentially self-conscious cultural communities, most territorial conflicts become community conflicts as well. In the process, feelings of ethnicity are strengthened and new issues take on ethnoterritorial significance (1995: 93).

On top of the problem of incongruence between ethnic and sub-national boundaries, ethnic federalism has the tendency to reify and solidify ethnic cleavages in multi-ethnic countries giving them political, legal, institutional and above all territorial basis. As a result, many scholars do not view multi-ethnic federalism as helpful in managing ethnic conflicts. For instance, John Agnew observed that '[f]ederalism institutionalizes what may be "temporary" or partial group identities as permanent ones. The territorial nature of the federal solution inscribes difference and ensures its reproduction' (1995: 296).

Additionally, ethnic federalism tends to strengthen what David Brown calls the 'ideology of resentment' between both ethnic majorities and minorities. It could make difficult if not impossible the development of countrywide civic citizenship, which is required for deliberative democracy (2007: 75).

Ethnic federalism has been also accused of fostering ethnic mobilisation, secessionism and contributing to more conflicts. In this respect, several scholars emphasise the institutional and territorial basis that federalism provides to ethno-nationalist movements. For example, S. E. Cornell argued that territorial autonomy/federalism gives multifaceted support for secession by providing ethno-nationalist forces borders, group identity, cohesion, government, parliament, leadership

and external support (2002: 253-5). Similarly, E. Nordlinger noted that combination of territorially distinctive segments and federalism's grant of partial autonomy sometimes provides additional impetus to demands for greater autonomy; when the centrally-situated or centralist-oriented conflict group refuses these demands, secession and civil war follow (1972: 32).

In the same vein, federalism is criticised for frustrating countrywide free mobility of citizens and turning every constitutional conflict into ethnic conflicts (Basta-Fleiner 2000: 9).

2.7.2 Beyond the controversies: contextual factors

The above contending views on the relationship between federalism and ethnic conflict remain polarised and do not offer a clue regarding those factors that explain the successes and failures of federal experiments in multi-ethnic countries. In fact, both views provide ample empirical cases to substantiate their claims. Those who advocate the use of federalism as an instrument of ethnic conflict management could easily cite Switzerland and India as valid examples of federalism's promise to provide a system of government that balances unity and diversity. On the other hand, those who consider federalism a recipe for more conflicts have more than their fair share of empirical examples as numerous multi-ethnic countries that claimed to be federal, like the Soviet Union, Yugoslavia, Czechoslovakia and many more in the Third World collapsed partly because of ethnic tensions and conflicts. The presence of federalist successes and failures calls for the examination of those contextual factors that help explain why some federations succeed in democratically maintaining their multi-ethnic societies, while others miserably fail. Indeed, studying some of the salient features of those federations that have been reasonably successful in ensuring democratic self-rule and shared-rule sheds some light to this question.

First, the presence of a functional democratic system where there is open and peaceful contestation for power by some mutually agreed rules is quintessentially important for successful federations. In fact, almost all of those federations (e.g. Canada and Switzerland) that were reasonably successful in ensuring self-rule and shared-rule in a peaceful and democratic manner have been liberal democracies. In contrast, almost all of the collapsed federations (e.g. Soviet Union and Yugoslavia) operated under authoritarian systems. It is indeed because of the impossibility of maintaining the promises of federalism for decentralisation of power

under an authoritarian/totalitarian system that many scholars dub federations without democracy as sham federations. Moreover, in a democratic system institutions like political parties, civil society organisations and independent press positively contribute to peaceful management of ethnic conflicts by creating crosscutting partnerships that surpass mere ethnic cleavages. On the contrary, federalism in an authoritarian political framework tends to exacerbate ethnic divisions, suspicions and conflicts. As discussed in the next chapter, the record of Ethiopian federalism on this count has been problematic. Despite the constitutional promise for a multiparty political system, what has emerged is a monolithic power structure under the EPRDF. Consequently, there is no levelled playing field for all the political parties in the country.

Second, federalism has been reasonably successful in those countries where there is a good tradition of rule of law. In contrast, in countries where the gap between constitutional principles and practice is wide, both federal stability and conflict management will be at risk. In fact, lack of rule of law was one of the key factors that contributed to the collapse of federations in the former Eastern Bloc (Seroka 1994: 208). As with the question of democracy, Ethiopia does not have a good record regarding the rule of law.

Third, in addition to problems of democracy and rule of law, the continued ‘securitisation’ of ethnic relations and the lack of cross-ethnic consensus on liberal human rights, according to Will Kymlicka reduces the possibility of replicating ‘western models of multination federalism’ to Africa and Asia (2006: 56). Securitisation of ethnic relations refers to the fear that prevails in many developing multi-ethnic countries that any state recognition of ethnic pluralism could undermine national unity and embolden neighbouring countries with territorial ambitions. In contrast, the lack of cross-ethnic commitment to liberal human rights adversely affects the relationship between local majorities and minorities. Hence, it makes ethnic federalism less attractive.

Fourth, the degree of ethnic diversity and demographic balance within multiethnic countries may affect the success of multi-ethnic federations. In this respect, Brendan O’Leary observed that all those federations ‘that have been durably democratic for more than thirty years’ have what he called a *staatsvolk* (2001: 285).⁶ This refers to an ethnic group whose population size is well above 50 per cent of the overall population of a given multi-ethnic federation and controls the State through democratic elections (Ibid).

Multi-ethnic federations like Ethiopia and Nigeria that do not have a *staatsvolk*, according to O'Leary, could be susceptible to instability or perhaps to fragmentation, if they adopt a majoritarian electoral system (Ibid 287). This is because a majoritarian system of election tends to inhibit some of the competing ethnic groups from sharing power. After having said this, O'Leary suggested that if such multinational federations are going to be maintained in a democratic way, they need to adopt elements of power-sharing in order to bring the competing elites of the majority of the ethnic groups to the national government (Ibid 286-7).

Finally, the extent to which multi-ethnic federations should give a role to ethnicity in their institutional and ideological construction has been problematic. While the need to respond to demands of ethnic groups for representation and self-administration is widely acknowledged, scholars are critical of the 'elevation of ethnicity to the level of the sole...principle of political organization' (Olukoshi 2001: 31). This is because equating ethnicity with citizenship not only inhibits the development of civic citizenship but also engenders new rounds of conflicts.

2.8 Conclusion

This chapter reviewed contending approaches to federalism, ethnicity and ethnic conflict. Based on this examination, the following broad conclusions are possible. First, even if federalism means different things to different people, there are useful definitions that provide guidance to this study. Of particular significance in this respect is Preston King's attempt to distinguish ideological and institutional aspects of federalism. This distinction provides an analytical basis for studying federations (institutions), federalisms (ideologies) and their interactions.

Second, this chapter demonstrated several factors that motivate the formation of federal systems. The normative basis for establishing federalism relates to its ideological dispensation towards centralisation, decentralisation and balance. In the context of managing ethnic conflicts, the role of the federalist ideology of balance between self-rule and shared-rule is more significant.

Third, the different approaches to federalism outlined in this chapter exhibit the complexity and richness of the subject matter of federalism. However, one important point is clear from this review – the poverty of federalism as an ideological construct. Unlike other millenarian ideologies, it does not have systematic answers concerning crucial problems of humanity (Thorlakson 2003). The incoherence of

ideological federalism appears to have been partly responsible for the emergence of a wide variety of federations with a high level of cultural, social, economic, political and ideological variations. The difficulty of finding a general theory for federations becomes clear when one makes a quick survey of defunct and existing federations. For instance, the USSR and Yugoslavia were both federations but under highly centralised communist parties. Nigeria has had for most of its independent history military federal governments. In contrast, federations in the west operate under a democratic framework. This shows us that finding commonality between federal systems with the exception of constitutional division of power is still a difficult task.

Fourth, this chapter demonstrated that despite lack of consensus about the nature of ethnicity and ethnic conflicts, ethno-nationalist conflicts are a worldwide phenomenon. This chapter also emphasised neither primordial human differences nor mere political manipulations cause ethnic conflicts.

Reactions of multi-ethnic states to ethnic diversity and ethnic conflicts have always been variable. Some attempt to eliminate ethnic differences, while others seek to manage them. There is currently a growing international trend to use autonomy and federal arrangements as a way of managing ethnic conflicts. The interface between ethno-nationalist conflicts and federalism lies in the capacity of the latter to provide a balance between self-rule and shared-rule. However, the use of federalism as a way of managing ethnic conflicts has both its supporters and detractors. As observed from the experiences of many federations as discussed in this chapter, the success or failure of federations in handling conflicts depends on contextual factors that include democracy, rule of law, institutional design and others.

Notes

¹ In Africa alone in the wake of independence, a federal structure was established in Nigeria, Mali, East Africa, Ethiopia-Eritrea, Congo Republic and Central Africa. With the exception of Nigeria, all of these federations collapsed and the concerned states adopted a more centralised state structure (see Rothchild 1966).

² According to Ivo D. Duchacek, such devolution of power may occur for '...the sake of administrative expediency or in response to sub-national pressures' (1970: 94).

³ For instance, before 1991 the majority of the ethnic groups in the Southern region did not mobilise themselves based on ethnicity. The same is true with the previously dominant Amhara ethnic group. Amhara ethnic organisations established only after the onset of ethnic federal restructuring of the country.

⁴ According to David Shinn et al (2004:207), the term highland, 'has geographical, historical, and political meaning despite the fact that it is not precisely defined. For example, Tigrayan and Amhara are generally considered highlander... [They] share [predominantly] a common political structure, land tenure system, culture and religion'.

⁵ Many countries with societal cleavages like Canada (1840-1867), the Netherlands (1917-1960s), Lebanon (1943-1975), Switzerland (since 1943), Austria (1945-1966), Malaysia (since 1955 with a temporary breakdown from 1969 to 1971), and Belgium (since 1970) used principles of power-sharing (Lijphart 1996: 258).

⁶ According to O'Leary (2001:285) these 'durable federations' have a *staatsvolk* whose population size is more than 50 per cent. The durable federations are Australia (95), Austria (93), Germany (93), India (80) if its *staatsvolk* is considered Hindu people, the United States (74) and Canada (67) if its *staatsvolk* is considered to be Anglophones, Switzerland (64) and Malaysia (62).