

## Book Review **Debating Federalism** TEGBARU

YARED<sup>1\*</sup>

Center for Federal Studies, Addis Ababa University

(tegbar2000@gmail.com)

Erk, Jan and Lawrence M. Anderson (ed.). 2010. *The Paradox of Federalism: Does self-Rule Accommodate or Exacerbate Ethnic Divisions?* New York: Routledge, 133 pp, ISBN10: 0-415-5649-8

Celebrating federalism as a political order that better accommodates diversity has been a dominant academic discourse. Some, however, question this ‘doxa’. The book edited by Jan Erk and Lawrence M. Anderson, ‘*The Paradox of Federalism: Does self-Rule Accommodate or Exacerbate Ethnic Divisions?*’ critically appraises the potential of federalism in accommodating ethnic divisions. In fact, the explicit theme of the book is to interrogate whether federalism or federal-like arrangements are secession-inducing or secession-preventing. The book deliberately distances itself from the ‘either-or’ mode of addressing the very question; *Does self-Rule Accommodate or Exacerbate Ethnic Divisions?* Rather, an attempt is made to approach the ‘paradox’ against the socio-political factors, institutional design and the will and capacity of the constituent units listed by the editors. Interestingly, the contributors thoroughly examined the potential of federalism in accommodating or exacerbating ethnic divisions and as to what makes federalism ‘secession-inducing’ or ‘secession-preventing’.

Despite the resurgence of the federal idea in international politics, the book argues that the notion that federalism is the effective, if not the ultimate, remedy to settle the socio-political anomalies in divided societies is farfetched. It is asserted that federalism has both secession inducing and secession preventing features that are often determined by what they call ‘certain circumstances’. The gist of the argument is that federalism at times instigates the very calamity it is supposed to reverse, i.e., political instability. The institutions federalism establishes to entrench self-rule and thereby redress ethnic, cultural and religious grievances may end up freezing, if not fossilizing, divisions leading to the ‘us and them’ attitude and subsequently to security dilemma among those ethno-cultural groups whose relation has been conflictual from the outset. The implication being, ‘whether federalism is a problem or a solution depends a great deal on factors that are external to-and, indeed, deeper than-the design of federalism itself’ (p. 11). Meadwell, in his contribution to the volume, concurs with this as

---

\* Tegbaru Yared is a PhD Candidate and a Lecturer at Center for Federal Studies, College of Law and Governance Studies, Addis Ababa University. His area of research interest ranges from federalism and regionalism and border studies to cross-border ethnicity and the politics and security of the Horn of Africa.

sersion.

According to Meadwell, in post-conflict and divided societies, the bargain between the center and the seceding group is often lopsided to the secessionist for the center partakes in the bargain exhausting all the political cards at hand. He argues that such bargains often take place in a political environment where the state is either on the verge of collapse or critically fragile. Accordingly, the state might be engaged in 'opportunistic politics' to 'dampen the flame' (Brancati, 2006) and the contending party takes the concession as 'a freedom to work on the ultimate freedom', i.e., secession.

The core of Meadwell's argument is that institutional means such as territorial decentralization including and up to federalism will lead to secessionist impulses within the seceding group. In fact, he submits to the idea that the secession impulse in post-federalism/decentralization could only be averted by coercive state machineries and by the presence of what Brendan O'Leary (2006) calls '*staatsvolk*' and their domination which, one can argue, in turn might perpetuate ethnic divisions and resentments, hence sowing the seed of political instability. More so, as Kymlicka (2010:214) notes 'such actions are likely to force secessionists underground where they are likely to become more militant and potentially violent'.

As per Meadwell, the result of political bargain between a fragile state and the contending parties yielding territorial decentralization or federalism would do little in holding a nation for such institutional means of accommodation will only give the contending or secessionist group an opportunity to adjust their 'timing' and work to achieve their ultimate objective. He attributes this mentality to what he calls 'gradualist' secessionist groups. As he puts it, such bargain enables the 'sincere secessionists' to enjoy much time doing their political engagement than an elected government at the center (state) with a relatively limited period of power compared to the former. Therefore, Meadwell reaffirms, the institutional design forged as a result of such a political concession will be too crippled to be 'self-enforcing' and consequently fail to be 'secession-proof'. Erk and Anderson categorize Meadwell's pre-federalization factors and political landscapes of bargain between the contending groups and the state as extra-constitutional or uncodified factors determining the fate of federalism as secession-inducing or secession-preventing. Of the list of these factors are also institutional design and what they call 'the political will of the subunits and their institutional and societal capacity' either to pursue secessionist tendency or enjoy the fruits of self-rule within a polity. All these three factors, it is argued, are mutually reinforcing. This is rightly so for the will to secede, for instance, might be instigated as a matter of contested institutional design in as much as the institutional design of federalism (such as self-administration, fiscal decentralization

and autonomy, ethno-cultural/linguistic/religious autonomy) might maximize the capacity of subunits to aspire increased autonomy and independence. Thus the litmus test of federalism is at moments of convergence between the will and capacity of what Meadwell calls 'sincere secessionists' and the fear is that let alone in such vicinity of political stalemate, the very institutions of federalism in divided societies make secession 'a realistic option'.

Nonetheless, Erk and Anderson also dwelled on the role of institutional architecture in stabilizing federations. Following Ronald Watts (2008), they aver those bipolar federations and those *with a single dominant group/subunit* or what O'Leary calls '*staatsvolk*' are susceptible to political polarization and instability. Thus, federations with relatively symmetrical and multiple subunits forge the political space to 'shift alliances' and dilute the 'us and them' mindset, thereby stabilize the state. The third factor, the uncodified factors, is also equally an important factor in inducing or curbing secession impulses in federations. The convergence of economic disparity with identity grievances is one that fuels the flame of secession. In such a circumstance, the role of minority elites is tantamount to an exploding and visible time bomb risking the territorial integrity of the federation in question. Economic factors aside, it is argued that sociological cleavages also subvert the rosy side of federalism if they correspond to territorial cleavages, economic disparity, and identity. The stabilizing subscription, therefore, depend on the political will of the contending parties or the potential of the constitutional-political design to forge and embrace cross-cutting impetus of allegiance for the 'overarching state'.

Philip Roeder, in his part, argues that ethnofederalism, unlike what he calls 'simple federalism', is secession-inducing and in his justification he concurs with Erk and Anderson that such arrangements fossilize identity and are fragile in the face of 'serious nationalist divisions'. As ethnofederalism institutionally makes all or more of the subunits homelands for minority or nationalist groups, Roeder, argues that it politicizes ethnicity and shapes the terms of politics as such among ethnic communities, and between ethnic communities and the state. As a matter of political fact, therefore, the state seldom becomes neutral of the ethnic communities which in effect leads to ethnic hierarchy in the power ladder; resulting in possible inter-ethnic tension and escalation of conflict, if not ethno-national secessionist impulses. The argument is that ethnofederal arrangements are from the outset inter-elite political concessions and/or compromises which are geared to maintain the territorial integrity of the state by way of giving autonomy to the contending ethnic groups short of independence. Evidently, the terms of the bargain speaks for itself that such arrangements are consented by both parties not out of political will but political necessity, hence cannot reverse

the competing nationalism and nation-state projects between the parties of the bargain. In the light of the aforementioned secession-inducing factors coupled with the very nature of ethnofederalism, therefore, one can only rely on how tactical those 'secessionist' ethnic groups might be in what Meadwell calls 'timing' to rally behind the grievance and transcend it from the aspiration of nation-hood to state-hood.

So much so on the 'paradox' of federalism 'as the right institutional and political instrument of accommodating ethno-/nationalism, Charles Taylor, in his concluding chapter in the book, cautions not to be over optimistic about federalism in this regard. As he puts it though, 'this is not to deny that federalism gives sub-national units political resources that can be deployed in the sense of a secessionist movement' (2010: 116). He contends that 'while it is true, for example, that the systemic operation of a region by a federal government dominated by another community can foster secessionist sentiments, it is equally true that the same result can occur for the same reasons in a unitary state' (ibid: 117); the implication being, a matter of political 'operation' than a mere presence of regional political entity subsequent to a federal arrangement. This assertion further offers an account to critically examine as to why democratic multinational federation would fail to tone down the voice of both 'gradualist' and 'sincere' secessionists in a federation. After all, 'in the actual democratic multinational states, [...] secessionist movements have endured 'hard-core' levels of support in the 20-40 per cent range within at least one of the territories controlled by national minorities' (Norman, 2006: 174). Thus, secessionist aspirations are political facts to face and as Wayne Norman aptly puts it, it is not that federalism (ethnofederalism, multinational or 'simple' federalism) makes secessionist sentiments inevitable but it is about managing the degree and extent of the sentiment by way of marrying federalism with democracy, legitimacy, rule of law and most of all 'autonomy' to the contending groups. In this regards, Kymlicka has a point as he underscores that the merit of federalism should not be gauged against the wishful expectations for federalism to make secession unthinkable and off the political agenda of states. Hence, 'this cannot be the standard for evaluating democratic multination [federations]' (2000: 207). Moreover, as Charles Taylor in his chapter of the book inquires, what better political arrangements with the utmost perfection can one recommend to the ills of those divided societies with all sorts of multifaceted and at times protracted socio-political cleavages and tensions?

Putting aside those federal and non-federal states with a constitutional clause for (unilateral) secession, one also needs to contextualize the critique that federalism is a stepping stone to secession. International Law does not allow

unilateral secession and it is clear from documents of international law that priority is given to the territorial integrity and political unity of a sovereign state. As one of the editors of this book, Anderson (2010b), in his contribution in another book puts it 'international structures [...] and international norms, like the maintenance of territorial integrity of states, can place limits on the likelihood and appeal of secession'. This implies that, as a matter of law and *realpolitik* secessionist groups cannot simply rely on the 'effectivity' principle. In fact, a simple political calculation in a democratic multinational federation dictates the secessionists to enjoy the autonomy under the federal arrangement and strive to expand the latitude of their autonomy.

Despite all the prescriptions that have been suggested by policy makers and scholars in pursuit of what Anderson (2010b) calls 'federal stability' in federations, it is still a material fact that federalism and its 'paradox' are being debated. Almost admittedly, the book only mapped out the issues resulting in the paradox, but resolving the 'paradox' is yet a task scholars of federalism should embark on. Nonetheless, investigating the roots of the 'paradox' is a less demanding task than resolving it which might possibly ease the intensity of the 'resolving task'. Oftentimes, empirical evidences and practices on the ground are the crux of theoretical formulations and this has been equally true to theories of federalism. Every federation and 'federal politics' thereof has been unique in at least some countable features. This has led most scholars of federalism to tend to the tacit approach of the subject with a priori conception of 'every federation has its own federalism'. This 'invent-your-own-federalism game' (Wright 1978:19) in politics seems to have been diffused in to the academic sphere and created the invent-your-own-federalism-theory game. As Burgess (1998:13) aptly puts it, therefore, 'federalism tends to mean different things to different people', hence the inadequacy of common theoretical ground for federalism.

The question one really should ask is, therefore, as to how the 'invent-your-own-federalism-game' paves the way to the invent-your-own-federalism-theory-game. The former has clearly inspired states to build a federal arrangement around their respective particularities. Accordingly, deviance from the common and presumed normative 'principles' instantaneously dictates one to play the invent-your-own-federalism-theory-game based on its 'unique' features, causes, rationales, and aspirations. And oftentimes, the 'uniqueness' is explained through institutions; 'accepted norms, rules, and standard operating procedures that are associated with essential features of the state' (Hall 1986 quoted in Anderson 2010b:129). 'Federalism - its origins, the meaning attached to its origins, its constituent attributes, its structures - is an institution [...] Institutions are also ideas or cognitive frames and discursive structures that provide a web of mean

ing that fills in the gaps between the formal and material institutional structures and policy outcomes' (Anderson 2010b:129). Thus, in order to unfold the 'paradox' of federalism in inducing or preventing secessionism, as Anderson rightly asserted, the object of analysis should be shifted to those institutions and institutional variations among federations. Accordingly, the question should be 'what kinds of institutions exacerbate or mute grievances that lead to secessionism?' than 'does federalism intensify and prevent secessionism?' as if federalism has a stable theoretical floor and is not as variegated as federations.

### References

- Anderson, Lawrence M. 2010. Towards a resolution of the Paradox of Federalism. In Jan Erk and Wilfried Swenden (ed.). *New Directions in Federalism Studies*. New York: Routledge.
- Brancati, Dawn. 2006. Decentralization: Fueling the Fire or Dampening the Flames of Ethnic Conflict and Secessionism? *International Organization*. Vol. 60, No. 4. Pp. 651-685.
- Burgess, Michael. 1988. Can Comparative Federalism Really be Comparative?, in C.Lloyd Brown- John, (ed.) *Centralizing and Decentralizing Trends in Federal States*. London: University Press of America.
- Kymlicka, Will. 2000. Federalism and Secession: At Home and Abroad. *Canadian Journal of Law and Jurisprudence*. Vol. XIII, No. 2. Pp. 207-224.
- Norman, Wayne. 2006. *Negotiating Nationalism: Nation-Building, Federalism and Secession in the Multinational State*. Oxford: Oxford University Press.
- O'Leary, Brendan (2001) 'An Iron Law of Nationalism and Federation? A (neo-Diceyan) Theory of the Necessity of a Federal Staatsvolk and Consociational Rescue', *Nations and Nationalism*. Vol.7, No.3.
- Watts, Ronald. 2008. *Comparing Federal Systems (3<sup>rd</sup>ed.)*. Kingston: Mc Gill Queen's University Press.
- Wright, Deil S.1978. Understanding Intergovernmental Relations: Public Policy and Participants' Perspectives. In D. Wright, (edn). *Local, State and National Governments*. Massachusetts: Duxbury.

## **Authors' Guidelines**

The journal seeks to encourage scholarly debates and discourses among the academics, practitioners, policy makers, the private sector and the audience at large. Manuscripts should be submitted in hard copy and soft copy-transformed into MSWord format.

### ***Categories of Manuscripts /Texts.***

Texts to be published in the EJFS fall into the following categories.

*Articles:* Articles submitted should explore pertaining issues of politics, governance, culture as well as socio-economic conditions involving Ethiopia and the region from the aforementioned fields of study. They would be in a form of piece of work based on original work or that of presenting a theoretical debate underpinning a particular issue of Federalism. An article may entertain basic theoretical explorations that continues to be a point of academic dialogue or reflect on questions deemed to be focus of future research. Again such issues may be raised within the context of the issues and challenges of socio-economic development in Ethiopia.

*Research Reports:* They can be done on on-going research projects. Basically, research reports are extracts from main findings of a research undertaking that will focus on motivation for research, approach and methodology, objective of the study, significance of the study, main findings, conclusion and recommendations.

*Book Reviews:* Can be commissioned either by the Editor-in-Chief or reviewers known to have profound understanding, experience and exposure to the study of Federalism. The main purpose of the book review is to inform a wider audience; what the book is about, assessment of its strength and shortcomings, bringing out the outstanding issues in the book, identifying contestable facts and issues, providing counter-arguments based on alternative facts, etc. The intent of the book reviews is to induce the readership to decide as to whether to read the book in question.

*Others:* They may include announcements, on significance academic events, news stories.

### ***Procedures for submission texts***

Two copies must be submitted for all texts: articles, book reviews and research reports. Texts should be typed in English with 12 fonts, Times New Roman, 1.15 spacing, normal (1page per sheet), portrait on A4 white paper. All pages should be numbered sequentially. The preferred length for articles and research reports is between a maximum of 8,000 words; and 1,500-2,000 word for book reviews.

At times the length requirements can be waived depending on the nature and, complexity and depth of a research. Authors will be required to provide a soft copy (PDF format) of their texts to be hand-delivered or sent by e-mail to the Editor-in-Chief. The soft copy must be the exact replica of the hard copy. It is the policy of the EJFS not to accept contributions published in other publications.

***Abstract and Title Page:*** Articles must be accompanied by a 200-word abstract with a Title at the centre top of the same page. The author's name and address should appear on the page including; e-mail, Tel. No., and Organizational/institutional affiliation.

***Language Reference:*** The Editor-in-Chief uses the Oxford and Webster's dictionaries. Thus authors are advised to use either of the two sources throughout their text as consistently as possible for spelling.

### ***Style Guidelines***

The EJFS employs the American Psychological Association, APA Style of reference entry. Non English words and phrases: that are common and appear in Standard English dictionaries should be set roman type, e.g. fait accompli, pro rata, a priori, etc. However isolated non-English language words and phrases that are not quotations should be set in italics, e.g. Kebele, Derg, Maheber, Iddir, Woreda, etc.

You can send your abstracts to the managing Editor,  
Tegbar2000@gmail.com.





## Contents

Editor's Note

### Research Articles

The Contemporary Relevance of Federalism ----- 1

*Ronald watts*

The Ethiopian Experience of Devolved Government -----15

*Christopher Clapham*

The Genesis of Ethiopian Federalism-----31

*Aaron Tesfaye*

Federalism: New Frontiers in Ethiopian Politics -----57

*Andreas Eshete*

Ethiopia's Experiment in Accommodating Diversity:

A Twenty years balance Sheet ----- 103

*Assefa Fiseha*

Centering the Periphery? The Praxis of Federalism at the Margins of the Ethiopian  
State ----- 155

*Dereje Feyissa*

### BookReview

Debating Federalism ----- 193

Erk, Jan and Lawrence M. Anderson (edn). 2010. *The Paradox of Federalism: Does self-Rule Accommodate or Exacerbate Ethnic Divisions?* New York: Routledge, 133 pp, ISBN10: 0-415-5649-8

*Tegbaru Yared*

