Words count in federations, where ‘shared-rule’ is a misnomer

A crowd gathered recently in Brussels to demonstrate the need for the country’s politicians to form a government after months of fruitless negotiations. One placard read: “One Flemish plus one Walloon equals two Belgians.”

This apparently simple point actually goes to the heart of the difficult politics that have emerged in Belgium. All elected politicians are identified exclusively with one linguistic community or the other. All political parties are either Flemish or Walloon. Cabinet must be composed equally of representatives of the two communities. And many decisions at the centre require both communities to agree.

Belgium’s constitution opens with the declaration that the country is “a federal state made up of communities and regions” – a stark contrast to the ringing opening of the U.S. constitution: “We the people of the United States, in order to form a more perfect union …”

One of the most popular capsule descriptions of federalism is that it combines regional self-rule with shared-rule at the centre. This applies particularly well to Belgium, which has decentralized many decisions for self-rule by its regions and linguistic communities, while having elaborate mechanisms of shared-rule at the centre.

But does it truly help to distinguish between self-rule and shared-rule among the orders of government in most federations? What does shared-rule imply? That the regional units participate in some central decisions, as in Germany? Or that linguistic or cultural communities have defined roles in sharing central decisions? While some such arrangements might exist in various federations, they are, at best, only part of the story.

“Shared-rule” does not capture the reality of how central governments function in most federations, whose central governments are made and unmade through direct elections. The whole electorate constitutes a community which exercises “self-rule” in its own right.

Part of the genius of federalism is that it can accommodate and give institutional expression to “nested” identities of citizens. Public opinion research has shown how complex political identities are. When, for example, Catalans are asked to define themselves, there is a rich range of responses, from “Catalan only”, “Catalan first, then Spanish”, “both equally”, “Spanish first, then Catalan”, to “Spanish only.” We can map such responses between sub-national units within and across federations. They tell us a lot about the likely dynamics of a federation – centralizing or decentralizing; symmetric or asymmetric. Of course, religious, linguistic, class or caste identities can also be important for political purposes.

In most federations, the majority of citizens identify with both the national (federal) identity and their regional communities – the states, provinces, cantons, Länder etc. A federation needs a critical mass of citizens in most parts of the country to have a national, as well as a regional, identity, if its unity is to be secure.

Of course, identities are not static. Citizens of the European Union have taken on a greater European identity, alongside their national identities. But the EU remains heavily based on shared-rule between governments because its citizens are not sufficiently strong in their European identity to be ready for significant European “self-rule” with a directly elected federal government.

True federal government involves a commitment to a national political community that is more than the sum of the constituent communities. It involves national self-rule as well as national shared-rule. This is why I avoid the self-rule/shared-rule formula when talking about federalism.

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