Comparative Reflections on Diversity and Unity in Federal Countries

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Old and new diversities around the world

Diversity seems to be one of the hottest issues in contemporary domestic and international politics. Debates about ethnic, national, linguistic, religious and economic diversity and its accommodation in viable and legitimate polities feature prominently in discussions among academics and practitioners of comparative politics, conflict resolution studies, political sociology and political theory. The recent emergence of transnational migrant networks brought about by globalization and the growing inequalities in the world economy, together with the claims by old minority groups and new social movements based on nationality, ethnicity, language or religion, pose increasing demands for old and new federal countries to achieve: (a) the full and equal inclusion and recognition of differences; (b) the protection and accommodation of minorities; and (c) the promotion of equal citizenship and participation in a common public sphere.

A long-standing diversity responsible for the formation of majorities and minorities and, therefore, a need for the accommodation in plural societies is language. As an identity marker, language is crucial not only in the building and self-definition of different communities, but also in the creation of a common sphere of public discourse. Religion is also crucial in the making and shaping of diverse groups and heterogeneous polities. Not surprisingly, the protection of linguistic and religious minorities has been an original terrain for the expansion of minority rights. Likewise, ethnicity or the existence of politically mobilized territorial or national self-defined identities in multiethnic or multinational societies represent a paramount challenge for the governance and accommodation of differences. Both national minorities and indigenous populations in settler societies have increasingly demanded self-government rights and the setting of separate institutions in their homeland territories where they

often constitute the majority. They have also sought the establishment of reserved lands. In both cases, groups of this so-called deep diversity aspire to full jurisdiction over powers relevant to their cultural survival and nation-building projects. In many countries these diversities overlap with other non-territorial differences related to class, economic or gender, which can be more or less politicized.

Furthermore, the emergence of new diversities as a result of individual or group migrations can also be witnessed around the world. Consequently, new minorities seek greater recognition of their cultural differences and their inclusion in common institutions. In federal countries, immigration affects the cultural integrity of their various constituent units. These may feel threatened by new minorities, which may cause tensions between the demands of minority nations and the cultural rights of ethnic migrants.

Diversity in federal countries: multiple configurations of old and new diversities

As the 12 cases analyzed in this booklet show, not all federal countries reflect the same degree and types of diversity. Although not all traditional federations were originally designed to accommodate all these kinds of diversities or to empower ethnic or linguistic minorities, federal arrangements seem increasingly the preferred and most able means to conciliate respect for diversity with a common purpose or unity. Particular federal arrangements and policies based on particular configurations of social and political diversities deal differently with the accommodation of differences, the management of conflicts, and the establishment of a legitimate and stable order.

Historical and socio-political dimensions

Several factors such as history, geography, demography and economy have determined the evolution of the 12 cases presented in this booklet. There are several dimensions that constitute the social basis of federal countries and the main distinguishing features of each of them:

i.   The extent to which there is one predominant cultural / ethnic group or a variety of territorial minorities. In some cases, political identities are strong and socially mobilized (Switzerland) or are easily assimilated into the majoritarian cultural group (Germany or USA). In some cases federations face mobilized aboriginal people or indigenous populations ('First Nations' in Australia or Canada).

ii. The extent to which diversities appear associated with territory and ethnic, linguistic or religious minorities or majorities within the federation's constituent units. In some instances, ethnolinguistic or cultural groups are concentrated within a particular geographic area and minorities are attached to identifiable territories of their own (Russia,

Canada or Switzerland). In others, groups are dispersed throughout the territory of the federation (Brazil or the USA), or diversities may cut across different territories and groups (India or Nigeria).

iii. The number of constituent units forming the federal country. Some federations have developed by increasing the number of units and some have remained with two or three units reflecting mainly bicommunal cleavages (US or Switzerland vs. Belgium).

iv. The extent to which there are significant regional or non-state-wide parties ruling in component units or represented at the federal parliament (Spain), and the extent to which those parties may form coalitions at the federal level and command enough legitimacy or fail to represent the whole population in the various units (Belgium).

v. The extent to which socio-economic resources and group interests are territorially concentrated – or controlled by specific groups – and economic development diverges sharply among the different constituent units (Brazil, Australia, Ethiopia or Nigeria).

vi. The extent to which different kinds of diversity in the federal countries reinforce – or cut across – each other. In Switzerland, for example, religious, language or communal identities do not necessarily overlap. In Ethiopia differences are compounded, which may make accommodation harder.

vii. The extent to which there are secessionist movements in the federal country and the extent to which they resort to violence or terrorism to achieve their demands (Russia or Spain).

viii. The extent to which different ethnocultural or territorial groups or individuals are over / under-represented in the institutions of the federation's public administration, military, judiciary, business or intelligentsia (Russia, Nigeria).

Diversity in diversity

The configuration of diversity is also diverse in itself. A review of the 12 cases included in this booklet show the shortcomings of the usual differentiations between homogeneous and heterogeneous, national and plural, mononational and multinational federations, as well as the distinction between ethnic and territorial federalism. The picture is one of diversity in diversity, which defies easy categorization. This notwithstanding, it seems useful to group several configurations of diversities in separate categories that may indicate an increasing degree of challenge for institutional design, stability and legitimacy. Ranging from less to more politicized old and new diversity, we may identify six distinct groups:

1. National federations with historical and newly created political units, mainly monolingual with new groups of immigrants unequally distributed across units. Political parties are predominantly nation-wide (Germany).

2. National federations with indigenous populations, old immigrant groups, different religions, a dominant *lingua franca* and predominant nation-wide parties, and where new diversities are not territorially concentrated (USA, Australia, Brazil).
3. Multilingual, multi-unit recent federal countries, with a dominant *lingua franca* and national identity but with several mobilized minority national groups and increasing new religious and cultural diversity. Strong nation-wide parties but also strong sub-national parties ruling some constituent units (Spain).
4. Multilingual and multicultural federations (largely bi- or tri-communal) with no national *lingua franca,* with strong local identities compatible with a nation-wide identity. There are weak – or non-existent – nation-wide parties and there is increasing new polyethnic diversity within the constituent units (Belgium, Switzerland).
5. Bilingual federations where several national groups, including indigenous populations, and with one of them dominant, are mobilized. Non state-wide parties are strong and there is an increasing polyethnicity due to new immigration (Canada).
6. Multiethnic, multilingual and multireligious federal countries with multiple constituent units which are designed mainly along ethnic or linguistic lines, although there may be one *lingua franca*. There are different configurations of party systems, strong socioeconomic disparities and large internal migration flows (Russia, India, Nigeria, Ethiopia).

The federal governance of diversity: design options and institutional responses
Basic federal institutional arrangements for self-government and shared government
In response to the various configurations of diversity and in order to preserve unity and manage diversity, different institutional responses and strategies can be observed in the federal countries under analysis. The two basic functions that federal institutions aim to achieve; self government, autonomy and accommodation, on one side, and shared rule, integration and participation, on the other, vary in our 12 cases:

Self-government and autonomy arrangements
Among the various self-government arrangements for the management of diversity in the analyzed federal countries, the following can be identified: (a) a separation and exclusivity of powers and own-sources of revenue for the constituent units (Switzerland), (b) a decentralization of powers for cultural or nation-building policies (Belgium, Spain, Canada), and (c) an integration of the constituent units in constitutional amendment procedures (Switzerland, Canada). Asymmetries, the constitutionally entrenched special treatment or powers of some units, are also used to accommodate diversities (e.g. the special fiscal and tax arrangements for the Basque Country in Spain).

Integration and participation at the federal (central) institutions
In some federal countries second chambers directly represent consti-tuent units at the federal level. In others they are designed to give voice to certain minorities. Also formal and informal – *de jure* or *de facto* – conso-ciational arrangements are often put in place: (a) arrangements to guarantee various groups a place in national decision-making (Belgium), (b) the representation of all groups or territories in the federal cabinet (Canada, Switzerland, Belgium), (c) collective or rotating presidencies (Switzerland); (d) the conventional allocation of specific portfolios to politicians coming from certain units (Spain), or (e) electoral systems devised to produce a sufficient degree of proportionality to reflect existing minorities (Belgium, Switzerland, Spain).

Specific responses to multiple diversities and to the achievement of unity
Institutional responses to tackle specific types of diversity are also articu-lated in federal countries showing an array of strategies and values in their treatment of diversity. Two main approaches can be distinguished. When managing diversity some federal countries tend to emphasize integration and inclusion of ethno-cultural differences and its privatization by means of securing individual rights, while others seek to publicly recognize those differences and empower the groups with collective rights. The former promote citizens' equality before the law and generally oppose the institu-tional recognition of group identities, although accepting and respecting cultural or other diversity in private realms (US, Germany, Spain). The latter advocates the representation of groups and minorities as such, with full institutional recognition of differences (Ethiopia, Nigeria, Switzerland). Some federations use these two approaches in combination (India, Canada, Australia).

Ethnic/national diversity
Some federal countries disregard ethnic cleavages and, as a result, terri-torial boundaries of the constituent units cut across ethnic groups (USA, Brazil). Others make visible the territorial distribution of ethnic groups (Belgium, India or Ethiopia). In some other cases the boundaries of the constituent units reflect the territorial ethno-linguistic diversity, although the largest ethnocultural group is also distributed across many of those units (Canada, Nigeria, Russia, Switzerland). Some federal constitutions recognize the possibility and flexibility for re-designing the internal boundaries along ethnic or ethnolinguistic lines, or adding additional units to the federation which, sometimes, are carved out of existing units (India, Switzerland). Giving different constitutional status to the various types of constituent units is also an option for managing diversity (Russia). A further option can be labeled as one of 'constitutional ambiguity'. Leaving the constitutional definition of the federal arrangements ambiguous may

allow several groups to interpret their membership differently. This may avoid the 'swallowing' of a particular definition of diversity favored by majoritarian groups (Canada, Spain).

In federal countries where a minority group is a majority in a territorial unit, some citizens belonging to the federation's larger group may face a minority situation. In such a situation, constitutions can provide for a protection of the 'minorities within the minorities' (Canada). Likewise, and in order to 'pre-empt' forced territorial assimilation of the constituent units, the right of secession can be constitutionally recognized (Ethiopia).

Linguistic/religious diversity

Most federal countries aim at achieving unity in their shared political institutions by the establishment of one official language, or the promotion of a common *lingua franca*. In multi-lingual countries, beyond the constitutional recognition of the local languages, and the right for citizens to use their own vernacular languages, a common *lingua franca* is used widespread so that different peoples can easily communicate (Amharic in Ethiopia, Castilian-Spanish in Spain, English in India and Nigeria, Russian in the Russian Federation).

Other specific arrangements to deal with linguistic or ethnic diversity are of a non-territorial nature. They deal at an individual level disregarding citizens' place of residence (e.g. communities in Belgium or 'national-cultural autonomy" for some groups in Russia).

Concerning religion there is also a considerable variety of diversity, ranging from the secularist exclusion of all religious matters from the public sphere to corporatist forms of religious inclusion in the federal or constituent units' institutions. In some cases, some constituent units may recognize religious law (such as Sharia in Nigeria).

Migration and new diversity

New diversity brought about by individual migrants is generally dealt with through the traditional mechanisms of minority rights – which may be constitutionally protected – and by citizenship regulations. In some cases different orders of government may grant citizenship status to immigrants (Switzerland). In recent times, an increasing number of federal countries have implemented policies of 'multiculturalism' so that individual inclusion and recognition of cultural differences can be simultaneously achieved. Such policies go beyond mere non-discrimination and seek: (a) to extend anti-racism policies; (b) to reform educational curricula to incorporate the inputs and contributions of immigrant groups; (c) to fund publicly the cultural practices of immigrant groups.

In many federal countries, some constituent units have been active in using their self-government powers to secure the incorporation and integration of immigrants by means of implementing their own education,

labor and language policies (Canada, Belgium, Spain). Along these lines, sub-national governments have often been keen in requiring migrants to learn the vernacular language of the constituent unit (e.g. Québec in Canada). In other federations, language and citizenship tests have been established for immigrants (Germany).

Concluding remarks
In sum, federal countries face a number of dilemmas when confronting old and new types of diversity. Other than the long-standing tensions between autonomy and cooperation, flexibility and stability, centrifugal and centri-petal trends, federations have to reconcile one major challenge which is common to all cases concerned: the recognition of differences and the means to respect them while articulating unity, trust and solidarity among citizens and groups. Such a course of action implies that democratic federal polities ought to provide a common public space leaving room for diverse cultural practices and identities to exist and develop. Federal countries also seek to guarantee the conciliation of the rights of the indi-viduals – no matter where they live – and the recognition of minorities as groups. Most federal countries have proved that diversity is not a threat for their survival and prosperity, and that the recognition, accommodation and integration of ethnic, linguistic or religious minorities are compatible with legitimacy, national unity and social cohesion.