

The Challenge of Diversity

The federal experience



Forum of Federations
An International Network on Federalism

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This film describes how five countries deal with their diverse ethnic and linguistic characteristics through their federal systems:

- **India**
- **Spain**
- **Switzerland**
- **Canada**
- **Belgium**

There are great differences among these federal countries:

- *India* has well over a billion people, *Switzerland* about seven million.
- *Canada*, like other countries in the Americas, is largely populated by people whose ancestors came from other parts of the world as colonists or immigrants.
- *Canada* also has a significant indigenous population that has yet to be fully recognized by its federal system.
- *Switzerland* has had a federal constitution since the mid 19th century.
- *Belgium and Spain* only adopted their versions of federalism in the latter part of the 20th century. *Spain* does not even use the term "federal" to describe its political system, though its practice of multi-level governance is federal in nature.

Those differences are important, and this video describes a variety of very different federal, or quasi-federal, responses to the need to accommodate two or more language/ethnic/ religious/ cultural groups within one country.

Those studying federalism, or seeking models and examples to help guide efforts to construct new political structures, will likely find something of interest in all cases.

For example:

- *Switzerland* shows how four language communities can share one country, while at the same time the regional divisions go beyond the language groups – there are 26 basic regional units (Cantons).
- *India* shows how a complex, vast society in Asia adapts federal notions to its own situation and how it evolved out of the British colonial system to become a democratic federation.
- *Spain* demonstrates how a multi-level political structure that recognizes distinct national communities within the country could rise out of the ashes of a long period of repressive dictatorship. It also demonstrates how it is possible to devise a constitution that allows a variety of different power sharing arrangements between regional governments and the federal government - not “one-size-fits-all.”
- *Belgium* shows how peoples can come up with creative, original solutions that respond to their own particular circumstances. One of those creative solutions in Belgium is the institution of “community” governments with jurisdiction beyond a single territory.
- In a similar way, *Canada* demonstrates how a constitution can guarantee minority language rights throughout a country, while allowing regions to maintain their distinctive characteristics.

Federalism is a large and complex subject and this video does not pretend to tell its full story. The Forum hopes that the video, which is forty minutes in length, stimulates discussion and further investigation.

Viewers of the video and those screening it with groups would do well to consult other references on the subject. The Forum of Federations has much material available in its online library in downloadable form. Just go to: www.forumfed.org

The video itself does not try to define federalism, though it does explain certain basic principles. Before screening the video, groups may wish to reflect upon and discuss federalism in a general sense.

In order to help that process, an outline of what experts agree are some of the main features of federalism follows (*this list was adapted from "Federations as a Method of Ethnic Conflict Regulation" by John McGarry and Brendan O'Leary, published on the Forum of Federations web site, www.forumfed.org*):

Divided Sovereignty: In a genuinely democratic federal country (which is often also referred to as a federation) there is a compound sovereign state in which at least two governmental units, the federal and the regional, enjoy constitutionally separate responsibilities - although they may also have concurrent powers.

Direct Citizen Engagement: Both the federal and the regional governments are empowered to *deal directly* with their citizens, and the relevant citizens *directly elect* (at least some components of) the federal and regional governments.

Constitutional Division of Powers: In a federation the federal government usually cannot unilaterally alter the division of powers. Such constitutional change requires the consent of both levels of government. Therefore, federalism automatically implies a codified and written constitution. It is normally accompanied at the federal level by a supreme or constitutional court, charged with umpiring differences between and among the different orders of government, and by a bicameral legislature in which the "federal" chamber (often called the Senate), as opposed to the popular chamber, may disproportionately represent the smallest regions.

A federal country is based on a covenant, a mutual agreement: It is important to emphasize that the authority of each government is derived from a constitution and convention rather than from another government.

In viewing the video, individuals, classes and groups may want to explore how each of the countries described fulfills these basic characteristics of federalism. A federation's effectiveness is not measured by how it corresponds to some textbook set of rules. But it would be useful to see how different federal systems achieve similar ends, and uphold similar principles, in different ways.

Suggested Questions for Discussion

There are many questions groups might want to discuss in light of this video and the stories it tells. Here are some suggestions:

- 1) How has *India* chosen to deal with the fact that there are so many language/ethnic and religious groups in the country?
- 2) How has *Indian* federalism evolved since 1947?
- 3) What, in general, are the responsibilities of *Swiss* cantons?
- 4) How are cantons integrated into the *Swiss* federal government?
- 5) What is the difference between the *Belgian* Community Governments and the Regional Governments?
- 6) Why did the *Belgians* decide to create these two orders of government, in addition to the federal government?
- 7) What do the *Spanish* mean when they say their federal system is "asymmetric" – and why do they think it works best for them?
- 8) How has the situation of Basques, Catalans and other minority groups of *Spain* changed since the death of Franco in 1975?
- 9) How does *Canada* recognize and respect the rights of both its main language groups, French and English?
- 10) How has the place of *Canada's* aboriginal peoples evolved in its federal structure?
- 11) For countries looking to create some kind of federal structure of their own what useful lessons might they derive from the experiences of these five federal countries?
- 12) What challenges that many countries and peoples might face were not addressed in the experiences, as portrayed, of these five countries?



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