

FEDERATION IN AFRICA: CASE STUDIES OF ETHIOPIA AND NIGERIA

HASSAN, ABDULLAHI NUROW

R50/82343/2012

DR. ANITA KIAMBA

**A RESEARCH PROJECT SUBMITTED IN PARTIAL FULFILLMENT OF THE
DEGREE OF MASTER OF ARTS AT THE INSTITUTE OF DIPLOMACY AND
INTERNATIONAL STUDIES IN THE UNIVERSITY OF NAIROBI**

2014

DECLARATION

This research project is my original work and has not been presented for any other academic award in any institution of learning.

Signed_____

Date_____

HASSAN, ABDULLAHI NUROW

R50/82343/2012

This research project has been submitted for examination with my approval as university supervisor.

Signed_____

Date_____

DR. ANITA KIAMBA

DEDICATION

I wish to dedicate this project to my entire families whose daily advice to me was to get educated to the highest possible levels and never give up. I share the joy of successful completion with them and value the support they gave me.

ACKNOWLEDGEMENT

I wish to sincerely thank my supervisor, Dr. Anita Kiamba whose unwavering support, guidance, cooperation, motivation and mentorship went a great deal in ensuring the success of this research project. I wish to also thank lecturers from the Institute of Diplomacy and International studies who in the course of this master's study widened my understanding of the subject matter of this study. Further I wish to thank my family for giving me the peace of mind I needed during the pursuit of this project. Not to forget are my classmates who always encouraged me whenever things were tough. Finally, my sincere gratitude also goes to The University of Nairobi for having given me the admission and opportunity to pursue this course.

TABLE OF CONTENTS

DECLARATION	ii
DEDICATION	iii
ACKNOWLEDGEMENT	iv
TABLE OF CONTENTS.....	v
ABBREVIATIONS	viii
ABSTRACT.....	ix
Chapter One:Introduction.....	1
1.1 Background.....	1
1.2 Statement of the Research Problem	4
1.3 Objective of the Study	6
1.4 Literature Review.....	6
1.5 Justification of the Research Problem.....	17
1.6 Hypotheses of the Research	19
1.7 Theoretical Framework.....	19
1.8 Methodology of the Study	21
1.9 Chapter Outline.....	22
Chapter Two: The Distinction of Federalism and Federation.....	23
2.1 Introduction.....	23
2.2 Federalism and Federations	23
2.2.1 Federal Bargain and Restructuring	28
2.2.2 National, Multinational and Ethnic Federations	29
2.3 Varieties and Frameworks of Federation.....	32

2.3.1 The Social, Economic and Institutional Composition Federation	32
2.3.2 The Federal Political Structures.....	33
2.3.3 Federations and Democracy.....	37
2.4 Analytical Approaches to Federalism and Federations	39
2.4.1 Legal and Constitutional Approaches.....	40
2.4.2 Sociological Approaches	42
2.4.3 Political and Ideological Approaches	42
2.5 Symmetry and Asymmetry in Federations	45
Chapter Three: An Analysis of Federation in Ethiopia and Nigeria	48
3.1 Introduction.....	48
3.1.1 Federation in the African Context.....	49
3.2 Federation in Ethiopia.....	52
3.2.1 The Context of the Pre-Modern Federal System in Ethiopia.....	52
3.2.2 The Ethio-Eritrean Federation (1952-1962)	55
3.2.3 The Federal Constitution of Ethiopia.....	57
3.3 Federation in Nigeria	62
3.3.1 Evolution of Federalism in Nigeria.....	63
3.3.2 The Contemporary Nigerian Federal System	65
Chapter Four: Presentation of the Research Findings.....	75
4.1 Introduction.....	75
4.2 The Structure of Federation in Nigeria and Ethiopia.....	75
4.2.1 Ethnic Based Federation	76
4.2.2 Ethiopian Federation Structure	79

4.2.3 Nigerian Federal Structure.....	83
4.3 Federation and Management of the Ethno-Linguistic Diversity and Conflicts in Ethiopia and Nigeria	85
4.3.1 Ethiopian Federation and Management of the Ethno-Linguistic Diversity and Conflicts	87
4.3.2 Managing Ethnic Diversity and Conflicts in Nigeria’s Federal System.....	93
4.4 The Constitution, Intergovernmental Relations and Services Delivery to Communities in Nigeria and Ethiopian Federal Arrangements	96
4.4.1 Evolution of Inter-Governmental Relations.....	99
4.4.2 Federation and Inter-Governmental Relations.....	102
Chapter Five: Conclusion and Recommendations.....	105
5.1 Conclusion	105
5.2 Recommendations.....	108
REFERENCES.....	110

ABBREVIATIONS

ANC	:	African National Congress
CCI	:	Constitutional Inquiry
EPRDF	:	Ethiopian People's Revolutionary Democratic Front
HPR	:	House of Peoples' Representatives
HOF	:	The House of Federation
LGA	:	Local Governments' Areas
OAU	:	Organization of African Union
OLF	:	Oromo Liberation Front,
PDRE	:	People's Democratic Republic of Ethiopia
TPLF	:	Tigray People's Liberation Front,
TGE	:	Transitional Government of Ethiopia
UN	:	United Nations
URP	:	United Republic of Tanzania
USA	:	United State of America
USSR	:	Union of Soviet Socialist Republics

ABSTRACT

Federalism has been defined as a state in which two levels of government rule the same land and people, whereby each level has at least one area of action in which it is independent and there is some constitutional guarantee of the autonomy of each government in its own sphere. The study sought to investigate the modes to federation and the role it has played in conflict management in Nigeria and Ethiopia state. The specific objectives of the study were: to establish the structures of federation in Nigeria and Ethiopia, to investigate the role of federation in managing the ethno-linguistic diversity and conflicts in Nigeria and Ethiopia, to find out the role of the constitution in intergovernmental relations and service delivery to communities in Nigeria and Ethiopian federal arrangements. This study used secondary data in analyzing the variables. The findings from these secondary data were analyzed through content analysis. Ethiopia has been following federalism for the last two decades. It has provided peace and security for the great majority of the population following a violent civil war and laid down, for the first time in the history of Ethiopia, the legal foundation for a fully-fledged democracy. Nigeria has been a federation ever since independence and federalism has apparently served a number of purposes. In Nigeria federation has served as a guideline for a presumably fairer and equitable distribution of the country's resources, based on the size of population, than might otherwise have resulted.

Chapter One

Introduction

1.1 Background

Federalism has been defined as a state in which two levels of government rule the same land and people, whereby each level has at least one area of action in which it is independent and there is some constitutional guarantee of the autonomy of each government in its own sphere.¹Lijphart² states that federalism is a political organization in which the activities of government are divided between regional governments and a central government in a manner that each kind of government has some activities on which it makes final judgments. While federalism is an organizing principle that advocates a multi-tiered government combining elements of shared-rule through common institutions for some purposes and regional self-rule' for constituent units for some other purposes, federations refer to tangible institutional facts. Federations thus constitute the institutional and structural techniques for achieving one of the goals of federalism, and they are used to describe actual systems of governments.³

Federal systems are composed of a federal (national) government and constituent unit governments that are known by a variety of names in various countries. The longest federal political systems in the world are traced back in the USA (1789),

¹Fillippov, Mikhail, Peter C. Ordeshook, Olga Shvetsova (2004): *Designing Federalism: A Theory of Self-Sustainable Federal Institutions*. Cambridge University Press.

²Lijphart, Arend (1999): *Patterns of Democracy*. USA: Yale University Press.

³Assefa Fiseha (2007): *Federalism and the Accommodation of Diversity in Ethiopia*. A Comparative Study. Nijmegen: Wolf Legal Publishers.

Switzerland (1848), Canada (1867), and Australia (1901)⁴. While federalism is said to have succeeded in these countries, in many countries of East Europe, and other Third World countries federalism has miserably failed.⁵ The earliest advocates of federalism equated federalism with democracy.⁶ Democracy and federalism are always found together and that federalism is seen as a territorial dimension of democracy.⁷

Though historically there have been many federal experiments in the 1960s and 1970s that did not survive, it has left many important lessons for African state builders who fought desperately to create new nation states that themselves still struggle to hold together societies which remain deeply divided. With cultural diversity, democracy and development dynamic that continues to this day to shape and mould public perceptions of state-building and national integration within the continent, federalism has had to adapt and adjust to competing and often conflicting objectives. The overall impacts of culture, democracy and development on federal experiments have served to illustrate both the versatility and the vulnerability of the federal idea in a continent that has been dominated by both single party and authoritarian military dictatorships in pursuit of nation building projects. These resilient regimes symbolize the obstacles to federal successes and explain the failure of democratization processes to facilitate the federal idea.

⁴Watts, Ronald L. (1998): "Federalism, federal political systems, and federations" Annual Review of Political Science, 1: 117-37.

⁵ Ibid.

⁶Agbu, Osita (2004): "*Re-Inventing Federalism in Post-Transition Nigeria: Problems and prospects*", Africa Development, Vol. XXIX, No. 2, pp. 26-52.

⁷Duchacek, Ivo (1977): 'Antagonistic Cooperation: Territorial and Ethnic *Communities*', Publius: *The Journal of Federalism*, 7(4), Fall, 8-9.

The image of federalism in Africa is that of negative look.⁸ Its record of success is sparse while its failures seem apparent. Currently there are only three established federal political systems among the 54 states in Africa: Nigeria, Ethiopia and South Africa. However, the evident lack of successful contemporary federal systems should not be absolute impression that federalism in Africa is a failure. On the contrary, it continues to resonate as part of an ongoing political discourse about the nature of political authority in many formally non-federal states, such as Somalia, Sudan and the Democratic Republic of the Congo.

Federalism has since independence been considered as a viable tool to accommodate the diversity of the Nigerian nation and to appease and tame centrifugal forces.⁹ Since 1996, the federation has been composed of thirty-six constituent states and a Federal Capital Territory, Abuja where, although a single ethnic and linguistic group dominates some of these states, most are multiethnic. Nigerian federalism is considered as extremely centralized, a trait bestowed from the hyper-centralization tendencies of the military authoritarianism that dominated the lifespan of post-independence Nigeria. On the other hand, Ethiopia established an ethnic federal system in 1991 that gave full recognition to ethnic autonomy, while maintaining the unity of the state.¹⁰ Its new constitution created a federal system largely consisting of ethnic-based territorial units the constitution aspires to achieve ethnic autonomy and equality while maintaining the state.

⁸Agbu,Osita (2004): “*Re-Inventing Federalism in Post- Transition Nigeria: Problems and prospects,*” Africa Development, Vol. XXIX, No. 2, pp 31.

⁹Suberu, Rotimi. 2009. “Federalism in Africa: The Nigerian Experience in Comparative Perspective.” Ethno-politics 8.1: 67-86.

¹⁰Solomon Gashaw, “Nationalism and Ethnic Conflict in Ethiopia,” *The Rising Tide of Cultural Pluralism*, ed. Crawford Young (Madison: University of Wisconsin Press, 1993), 138–157.

The federal system is significant in that its constitution provides for secession of any ethnic unit. It encourages political parties to organize along ethnic lines, and champions an ethicized federal state with a secession option. This study seeks to analyze the characteristics of these federations in Nigeria and Ethiopia and ascertaining whether these federal systems have played any significant role in conflict management.

1.2 Statement of the Research Problem

Federation is a potential tool to accommodate ethnic, religious, and racial diversity. Some of Africa's independence heroes have posited that federalism exacerbates division and enmity leading to fragmentation and ultimately the collapse of the nation state. Despite these views, it is debatable whether federation may in and of itself contribute to accommodating diversity or aggravating antipathy. It appears that, mainly due to the nationalist enthusiasm that was witnessed in post-independence Africa, the view that federalism is unnecessary and undesirable in the context of Africa has been upheld by many.

In a federal system, the government's power is devolved to different levels in many states. However, the vast majority of African countries have rejected a constitutionally sanctioned federal structure of government. Though most African states exhibit high levels of linguistic, ethnic and religious diversity, governments have generally been hesitant and even unreceptive to the idea of instituting a federal form of government. Consequently, federalism has been and continues to be an outcast in Africa.

Ethiopia adopted ethnic federalism and restructured the regions along ethnic lines as soon as the Ethiopian People's Revolutionary Democratic Front (EPRDF) took political power by overthrowing the Marxist military government in 1991. Since its introduction in 1991 and officially sanctioned in the country's 1994 constitution, ethnic federalism and Article 39 of the Constitution that awarded the self-rule states (regions) the right to secede has become the major source of intense debate. For some, ethnic federalism and the right to secede discourage ethnic tensions in the country and encourage the various ethnic groups to live together peacefully. However, for others, this practice can go out of hand and may lead the country into never-ending ethnic wars and eventually to disintegration. Nigeria practices fiscal federation. Fiscal federalism is concerned with "understanding which functions and instruments are best centralized and which are best placed in the sphere of decentralized levels of government. Constitutionally, Nigeria is a federation, but in practice, and with the assumption of power by successive military administrations, the constitution has always been suspended and the country ruled more or less like a unitary state.

Despite the mixed notion of federation among majority of African countries, federation is practiced in Ethiopia and Nigeria, the success or failure of which is hard to assess and even harder to attribute to the ethnic basis of the federation. In contrast to the fact that many federal states in Europe, such as Belgium, Switzerland, and Spain are drawn mainly along linguistic and ethnic lines, ethnicity is seen as divisive and antithetical to the state formation and building aspirations of African nations. The current study sought to investigate the approaches to federation in Nigeria and Ethiopia states while analyzing

whether the system has played any significance role in conflict management in the two states.

1.3 Objective of the Study

The study seeks to investigate the modes to federation and the role it has played in conflict management in Nigeria and Ethiopia state. The specific objectives of the study were:

- i. To establish the structures of federation in Ethiopia and Nigeria.
- ii. To investigate the role of federation in managing the ethno-linguistic diversity and conflicts in Ethiopia and Nigeria.
- iii. To analyze the role of the constitution in intergovernmental relations and service delivery to communities in Ethiopia and Nigerian federal arrangements.

1.4 Literature Review

Federalism is concerned with the need of the people and politics to unite for common purposes yet remain separate to preserve their integrity.¹¹ Elazar¹² argues that federalism is concerned simultaneously with the diffusion of political power in the name of liberty and its concentration on behalf of unity.¹³ In this case, the basic federal principle involves with the combination of ‘self-rule’ and ‘shared-rule’. It is the framework that involves the linkage of individuals, groups and polities in lasting but limited union in such a way as to provide for the pursuit of common ends while maintaining the respective integrities of all parties. Consequently, federalism is considered as a comprehensive system of political

¹¹Elazar, D. J, (1987). Exploring Federalism, Tuscaloosa: The University of Alabama Press.

¹² Ibid.

¹³ Ibid.

relationships which emphasizes the combination of self-rule and shared-rule within the matrix of constitutionally dispersed power.¹⁴

Strong¹⁵ mentions that there are two extreme approaches to federalism: The first is where the federal authority's powers may be prescribed (such as in the United States of America), leaving the remainder to the constituent political entities; the second is a situation where the powers of the constituent bodies could be prescribed in the constitution (such as in Canada), leaving the remainder to the federal authority. This categorization of federalism has brought a clear spectrum within which to contextualize the study of federalism.

According to Garson & Williams,¹⁶ federalism involves the questions of national, state and local government relations. It comprises the ways in which levels of government relate and how the levels are interconnected. The federal system involves more than the mere creation of separate spheres of government. It involves constitutional principles, laws, and court interpretations that settle issues of allocation of authority between national and state governments. The federal relationship in the United States, for example, was created by the American Constitution.

Dent¹⁷ argues that federalism is an elusive concept which refers to both a constitutional dispensation and to a means of exercising power; it applies to the decentralized ordering

¹⁴ Ibid.

¹⁵ Strong (1963). A Symposium on comparative federalism. *Iowa Review*, 23.

¹⁶ Garson and Williams (1982), *The Rise of a New Federalism: Federal-State Cooperation in The United States*. 32p.

¹⁷ Dent, M. (1989). 'Federalism in Africa. With Special Reference to Nigeria'. 169p.

of an existing state where various geographical parts are inhabited by people with a separate ethos and identity which they wish to preserve within a single federal nation; and as process of government, federalism is essentially a form of power sharing. On the other hand, Elazar¹⁸ states that federalism is a rich and complex thing, a matter of formal constitutional divisions, appropriate institutions, patterns of political behavior, and ultimately political culture.

From the above context, the federal form of government arises in the context of the desire for power sharing between a national government and constituent state governments and as such the constitution plays a major role in the conduct of intergovernmental relations and how services are delivered to communities. Similarly, Barton and Chappell¹⁹ says that federalism is a system of government in which there is a constitutional division of power between a national government and state or constituent governments. According to Asmal,²⁰ the distinguishes between a federal constitution from a unitary one in relation to the competence of government is that the allocation of power between a federal and a provincial government is delineated in a federal constitution.

Macmahon,²¹ argues that federalism represents a principle for the organization of decision-making in an association of groups of people within a nation state. The peculiarity of this association is that such groups are endowed with a special function in central decision making. Furthermore, the group possesses a relative autonomy that is

¹⁸Elazar D.J, (Ed). (1994): *Federal Systems of the World*: Harlow, UK: Longman Group. xxi,2nd Ed. Pp,83.

¹⁹ Barton and Chappell (1985:354). *Federalism and social policy*. PP354).

²⁰Kader Asmal, (1994), "*Federalism and the Proposals of the National and Democratic Parties*," PP48).

²¹Macmahon, A.W.1962)The Political economy of fiscal federalism. International Institute of Management.

constitutionally recognized. Thus, a Federal system of government recognizes and respects the co-existence of concurrent governments with well-defined autonomy.²² Therefore, unlike Unitary States, the national government does not play any dominating role in its relationship with the other units of governance.

Lukman,²³ emphasizes the sharing of power in political system with each level of government exercising its power within constitutionally approved limit. It is commonly accepted today that an important characteristic of American Federalism (widely regarded as the model of modern Orthodox federalism) is the relative autonomy of the state to govern them; but this autonomy itself, governed by Constitutional limitations. Thus, a Federal system in the American sense of the world, allow for the constituents to articulate their dependent political will and at the same time participate in an ordered and permanent way in the formation of the central entity's will. In essence, the major distinctive characteristics of federalism are non- centralization (Cited in.²⁴

Ostrom²⁵ argues that the (American) federal system of government is characterized only by command and control but it is noted for providing multiple structures that have reference to diverse methods of problem solving. The methods in question permit people within the society to achieve peaceful conflict resolutions. Even though people have diverse interest, they pursue interdependent communities' interest. Ostrom argues from

²² Ibid.

²³ Lukman, M.M. (2004): Fiscal Federalism and the Quest for Resource Control in Nigeria. Unpublished M.Sc. Research Thesis, Department of Political Science, A.B.U. Zaria.

²⁴ Ibid.

²⁵ Ostrom (1994), The meaning of American federalism: constituting a self-governing society. Institute for Contemporary Studies.

American experience that the federal style is such that people govern through the institutions which they put in place and not that any ‘government’ governs.²⁶ To Ostrom, this should be a reflection of a true democratic society and a society that practice federal system of government.

The structures reflecting alternative are being put in place from time to time to serve the interest of people, these institutions are expected to co-operate with each other. Federalism is essentially a mechanism for managing conflict in a multi-culture state between two types of national self – determination which guarantee security for all in the nation state on the one hand and self-determination of the component groups to retain their identities on the other hand. Also, a technique for managing conflict among heterogeneous group in a state through a system of constitutional division of power which provide for ‘shared rule’ while also allowing for ‘self-rule’ at the sub-national level. Ostrom²⁷ further states that federalism assures the delineation of powers between tiers of government that thus provide for ‘shared rule’ among the important units of the federation and also make provision for autonomy and ‘self-rule’ at the sub-national level as groups seek to protect their local identities.

Watts²⁸ mentions that though it is difficult and complex to establish a federal arrangement based on ethnicity, one of the characteristics of federalism is its aspiration and purpose to generate and maintain both unity and diversity simultaneously. According to Elazar,²⁹

²⁶ Ibid.

²⁷ Ibid.

²⁸ Watts, R. (1999). *Comparing Federal System*. London: Mc Gill-Queen’s University Press.

²⁹ Elazar, D. J, (1987). *Exploring Federalism, Tuscaloosa*: The University of Alabama Press. PP 232.

federal systems operate best in society with sufficient homogeneity of fundamental interests. He mentions Switzerland as the first modern federation built on indigenous ethnic and linguistic differences that were considered permanent and worth accommodating.

Elazar notes that Political integration in federal systems is likely to be more difficult in places in which strongly rooted primordial groups continue to dominate political and social life. Nevertheless, in his opinion, federalism might be the best political framework in the existence of essentially permanent religious, ethnic, cultural or social groups around which political life must be organized. Consequently, territorial divisions of power can also be used to protect minorities and minority communities by allowing them greater autonomy within their own political jurisdictions.³⁰

In accommodating ethnic diversity, two forms of federal frameworks are considered.³¹ The first form is the structure of a polity cutting across ethnic cleavages and thereby diluting them through the creation of a cross cutting civic community and, the second form is structuring a comprehensive polity to give each people a primary means of expression through one or more of its constituent polities. However, federalism should transcend the recognition of differences eventually by structuring relationships that permit the groups bearing those differences to function together within the same political system. As a result, under certain circumstances, federalism offers the possibility of

³⁰ Ibid.

³¹ King, P. (1982), *Federalism and Federation*, London: Croom Helm.

creating a civic community that transcends the divisions among ethnic collectivities and thereby makes possible the establishment of civil society and workable political order.³²

Though federal arrangements could be structured on the basis of territorially segmented ethnic and linguistic or religious groups, the trouble is associated with institutionalizing primordial entities in political organization. As a result the 'ethnic nationalism' is probably the strongest force against federalism, because ethnic ideology could undermine power sharing arrangements and consequently, ethnic federalism could degenerate into civil war. Thus it is preferred to promote political order based on non-primordial or civic ties without disqualifying ethno-linguistic federal arrangements.³³

According to Lijphart,³⁴ in situations where ethnic groups are geographically concentrated, federalism could offer an exceptional opportunity for group autonomy. Therefore, by accommodating the inevitability of drawing federal arrangements based on ethnic boundaries in case of geographically concentrated ethnic groups, the federal framework with relatively many and small constituent units could make the federal dividing lines coincide as much as possible with the ethnic boundaries.

Lijphart however, recommends 'convocational democracy' which includes four essential attributes: grand coalition, segmented autonomy, proportionality and minority veto, in case ethnic groups are geographically dispersed and synchronized; where grand coalition

³² Ibid.

³³ Ibid.

³⁴ Lijphart, A. (2002). *The wave of power-sharing Democracy*, in Andrew Reynolds (ed.) *The Architecture of Democracy: Constitutional Design, conflict management, and Democracy*. Oxford: Oxford University press. Pp,51).

entails power sharing of all significant groups in political power, particularly in executive power. Segmented autonomy entails a delegation of decision making power to every significant group. Proportionality entails that political representation, civil service appointments and allocation of public funds should consider proportion of each significant group. Lastly, minority veto entails the power given for minority groups to veto any decision that can put their vital interest at stake due to majorities out votes.³⁵

Lijphart³⁶ discusses a variety of more or less functional power-sharing models in deeply divided societies. Some of the models were such as executive power sharing in a form of grand coalition cabinet of ethnic parties like in Malaysia and South Africa; equal representation of ethno linguistic or other groups in government like in the Belgian cabinets; and proportional shares of ministerial positions to the different linguistic groups, states and regions like in India.³⁷

Donald Horowitz³⁸ on the other hand argues that federal management based on ethnic homogeneity is detrimental to the creation of inter-ethnic cooperation. He recognizes the importance of power-sharing and territorial devolution, as he states that territorial compartmentalization with devolution of generous power can have tranquillizing effects in countries with territorially separate groups, significant sub-ethnic divisions and serious conflict at the centre. Moreover, a political framework that develops and legitimizes ethnic cleavages would be of limited utility to bring about compromised power-sharing

³⁵ Ibid.

³⁶ Ibid.

³⁷ Ibid.

³⁸ Horowitz, D. L, (1985). *Ethnic Groups in conflict* (Berkeley, Los Angeles, and London: University of California press .pp,164).

arrangement in states with desperate ethnic groups, because elites of majority groups would not be so easily self-abnegating as to give some of their political power and privileges to the minority groups. Horowitz maintains that both ethnic majority rule and ethnic minority rule are very ineffective and destructive type of arrangement in ethnically divided societies. Majority rule permits perpetual domination of the majority group or the ‘tyranny of the majority ethnic group’.³⁹

Horowitz maintains that in severely divided societies, matters such as equal control of the state, the designation of official languages and educational issues, such as languages of instruction, the content of curricula are very divisive question on which groups are not very willing to concede; they are more worried about ‘who gets what’ in a kind of zero-sum competition. Consequently, approaches or models that could crystallize or encourage ethnic entitlement may not be a viable option to bring inter-ethnic compromise and cooperation, because of the fact that ‘divisive issues are not easy to compromise’ and symbolic demands such as language seem to be less compromisable than claims that can be quantified.⁴⁰

According to Horowitz,⁴¹ in severely divided societies, such as in Nigeria, India and Malaysia, federalism has helped to reduce conflicts at the centre because many contested issues become state-level issues within ethnic groups; it has dispersed the flow of conflict in linguistically homogeneous states into sub-ethnic channels; it provides career opportunities for groups not well represented at the centre and it helps to restructure

³⁹ Ibid.

⁴⁰ Ibid.

⁴¹ Ibid.

institutions so as to alter ethnic balances and alignment. Moreover, he observes that ethnic federalism has mitigated or exacerbated minorities' exclusion: a group that is a minority at the centre may be a majority in one or more states and may be in a position to rule these states; at the same time it may also produce other minority groups that feel exclusion and domination at the local areas.

According to Ghai,⁴² federal model or territorial autonomy could be useful in maintaining unity while conceding claims of self-government by allowing ethnic or other groups claiming a distinct identity to exercise direct control over affairs of special concern to them while allowing the larger entity to exercise those powers which cover common interests. Ghai notes that in ethnic federation, the normal tensions of federalism like resource distribution and regional influence are likely to be aggravated by assuming ethnic dimensions. Inter-regional mobility is likely to be contentious and distinction between the private and public spheres may be less sharp than in other types of federalism. Consequently, the federal arrangement need great administrative capacity, political skill, and abundant resources therefore narrow group or ethnic interests alone may not create a desirable arrangement. It could produce poorly equipped provinces struggling to carry out new responsibilities which they neither understood nor wanted or producing less efficient bureaucracies or with politicians not given to compromises.⁴³

⁴²Ghai, Y. (2002). *Constitutional Asymmetries: Communal Representation, Federalism, and cultural Autonomy*. Oxford: Oxford University PP,155.

⁴³ Ibid.

Wheare⁴⁴ describes federalism has been as the method of dividing powers between the levels of governments so that the general and regional governments are each coordinated and independent of each other. It is a political concept in which a group of members are politically bound together by political covenant with a governing representative head. According to Arowolo,⁴⁵ it is a political theory that is divergent in concept, varied in ecology and dynamic in practice. The system has to do with how power is distributed or shared territorially and functionally among the various units in a federation.

Okpanachi,⁴⁶ describes federalism as an abstract ideological model to which a society is to be brought into conformity. It is a means of bringing people together through practical arrangements with the intention of meeting both the common and diverse needs of the people. This, therefore, implies that federalism is an institutional method of solving practical problems in an ethnically divided society. Thus the adoption of a political arrangement and institution that would give room for harmonious relationship between and among groups becomes inevitable to maintain political stability which engenders socio-economic development.

In a federal state there is division of power between the national government and the local political units-regions/states. Each constitutes an autonomous government, where the national government is supreme over the state or regional government in some matters that are of interest to both the states and the national government, federation is a

⁴⁴Wheare, K. C. (1967). *Federal Government*. Oxford University Press.

⁴⁵Arowolo, D. (2011). Fiscal Federalism in Nigeria: Theory and Dimensions. *Afro Asia Journal of Social Sciences*, 2(2.2) 1-21.

⁴⁶Okpanachi, E. and Garba, A. (2010). *Federalism and Constitutional Change in Nigeria*.

socio-economic and political compromise between region/state where the central government is constitutionally given the mandate to protect and supervise the conduct of the subordinate states thereby giving room for peaceful accommodation of heterogeneous interest of the ethnic groups that constitute the country. This means that, federation should be seen as an institutional instrument for achieving and preserving both integration and socio-political and economic stability in a multi-ethnic society.

1.5 Justification of the Research Problem

Federal government is a device by which the federal qualities of the society are articulated and protected. A federal society is thus, one with a plurality of ethnic groups with different historical, cultural and linguistic background but in which each ethnic group occupies a marked and distinct geographical location from the others. Federalism therefore, becomes a device for compromising unity and diversity. Federation implies the existence of differences that are perceived to be so fundamental as to have a capacity of maturing into conflict, but which if properly handled, will not develop into irreconcilable conflict.

For federation as a structural system to be considered, those in charge of the management of the system must perceive that there are differences among the groups enclosed by the system and they must perceive that these differences are not minuscule in nature as to pose serious problems that could put in jeopardy the whole existence of the system. Also, they must perceive that if properly managed, these differences can be accommodated through the granting of sufficient autonomy and if preserved, the system will be

beneficial to all parts of the system, not just a section of it. It is this mutuality of benefits that justify the expense, the energy and the frustrations incurred in operating the system.

Federation is meant to provide a technique of constitutional organization that permits action by a shared government for certain common purpose, together with autonomous action by constituent units of government for purposes that relate to maintaining their distinctiveness, with each level directly responsible to its own electorate. In Africa the federal idea has been both used and abused in equal measure at different times by a variety of political elites across the continent. Federalism has been championed both as an instrument of unity in diversity within states; its intra-state dimension and as a means by which established states have attempted to forge a closer relationship between states, the inter-state dimension. The former case has been largely a temporary phenomenon with few enduring examples while the latter has had a lasting career in terms of regional, mostly economic unions of states.

The adoption of federalism in Ethiopia and Nigeria appears to have been motivated by the problem of finding an appropriate state structure that could be used as an instrument of managing the complex ethno-linguistic diversity of the two countries and reduce conflicts. In spite of this, ethnic conflicts are still critical challenges in these states. In fact, the record of federalism regarding ethnic conflict is a mixed one. This study aims at investigating these issues by identifying and discussing the modes of federation in Nigeria and Ethiopia and establishing the role it has played in conflict management in the two states thus narrowing the literature gap.

1.6 Hypotheses of the Research

- i. Federal systems are established along ethnic groups in Ethiopia and Nigeria.
- ii. Federation has been used to manage the ethno-linguistic diversity and conflicts in Ethiopia and Nigeria.
- iii. The constitution guides the intergovernmental relations and service delivery to communities in Ethiopia and Nigerian federal systems.

1.7 Theoretical Framework

Federalism theory explains based on examination, how federations appear and how they are organized and are functioning. In relation to international relation theorists, this study analyzes one of the two divisions of this theory: liberal group, which represent the mainstream of federalism theory. The Liberal school is associated with 20th century authors like K. C. Wheare.⁴⁷In his work “Federal Government” (first published in 1946), Wheare advances the question of how federations are created, by arguing that there has to be a desire to “be under a single independent government for some purposes at any rate” and at the same time a wish to have regional governments, responsible for some matters. In other words people must desire to be united, but not to be unitary”. However, this is not enough, there must also be a capacity to operate a general government as well as independent, regional governments, not submitted to the general or federal government.⁴⁸ Wheare argues that there must be factors leading people to wish to unite in a federal manner. Therefore, he states that communities have been led to desire union for a variety

⁴⁷K. C. Wheare (1963: 2), *Federal Government*, 4th.ed. (London; Oxford University Press pp 2).

⁴⁸ Ibid.

of reasons.⁴⁹ Consequently, in the modern federation some factors seem always to have been present. A sense of military insecurity and the consequent need for common defence; a desire to be independent of foreign powers, and a realization that only through union could independence be secured; a hope of economic advantage from union; some political association of the community concerned prior to their federal union either in a loose confederation, or as parts of the same Empire, geographical neighbourhood; and similarity of political institutions. These factors all operated in the United States, Switzerland, Canada and Australia, to produce a desire for union among the communities concerned. They operated in varying degree in each case, but they were all present.

According to Wheare, the prerequisites, or pressures for integration, can be grouped in four groups: Security - A wish for independence combined with a perceived (military) threat; Prosperity - A hope for economic advantages; Commonness / familiarity – A beforehand knowledge of the other parties and the same understanding of political institutions and Geographic proximity. Moreover, community of race, language, religion and nationality would also produce a capacity for union. In other words he acknowledges the importance of culture.⁵⁰

Wheare argues that the factors leading to federation, do not create integration by themselves. What is needed is decisive elite which demonstrates leadership, to push forward: the factor of leadership, of skill in negotiation and propaganda, which can make all the difference between stagnation and an active desire for union. Wheare goes on to

⁴⁹ Ibid.

⁵⁰ K. C. Wheare (1963), *Federal Government*, 4th.ed. (London; Oxford University Press pp 2).

discuss the importance of similarity of social and political institutions, a discussion which he ends by concluding that the one which at the same time produces best the capacity for union is similarity of social, and particularly political institutions. It has been remarked already that the desire for union has practically never been aroused unless similarity of political institutions was present either actually or potentially among those who envisaged the union. This factor is one of the strongest of the forces which help states to work together.⁵¹

1.8 Methodology of the Study

This study will use secondary data in analyzing the variables. This is because the researcher has time limitation to collect primary data from the study areas.

Secondary data include data gathered from documents search such as media reports, analysis and review of published books, journals, papers, periodicals, and unpublished works as well as government's official documents. The study will use secondary data in the form of documented information from libraries and other relevant institutions.

The findings from these secondary data once collected will be analyzed through content analysis. According to Holsti,⁵² content analysis is any technique for making inferences by systematically and objectively identifying special characteristics of messages. In this context, the researcher scrutinize artifacts of social communication (artifacts are written or transcriptions of recorded communication).

⁵¹ Ibid.

⁵²Holsti, O.R.1969, Content Analysis for Social Sciences and Humanities. Reading MA; Addition-Wesley.

1.9 Chapter Outline

Chapter One: Provides the Background of the Study, statement of the problem, objectives of the study, literature review, justification of the study, hypothesis of the study, conceptual Framework and the research methodology.

Chapter Two: Discusses the Distinctions of Federalism and Federation Concepts

Chapter Three: provides a critical analysis of characteristics of federation in Nigeria and Ethiopia

Chapter Four: Presents a detailed analysis of the research findings in order to answer the research objectives.

Chapter Five: Outlines the conclusions of the study and provides recommendations for further study.

Chapter Two

The Distinction of Federalism and Federation

2.1 Introduction

This section of the study elaborates the conception of federation by defining federalism and federation and further looking into the analytical applications to these concepts.

2.2 Federalism and Federations

Most definitions of federalism emphasize the division of power between two levels of government.⁵³ Wheare,⁵⁴ while considering the US federation as a model defines 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 demands that general and regional governments both operate directly upon the people whereas each citizen is subject to two governments.

William Riker⁵⁵ in describing the essential features of a federal government mentions that 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. Daniel Elazar,⁵⁶ in contrast to these definitions that focus

⁵³Daniel J. Elazar(1979), "The Role of Federalism in Political Integration,"pp2).

⁵⁴K. C. Wheare (1963: 2), Federal Government, 4th.ed. (London; Oxford University Press pp 2).

⁵⁵William Riker (1964), Rationalist Federalism; the Ashgte Research Companion, pp5.

⁵⁶Daniel J. Elazar(1979), "The Role of Federalism in Political Integration," pp4.

on territorial division of power, associates federalism with the prevalence of a covenant of partnership between the general government and its sub-units. He argues that the term federalism was originally derived from the Latin word foedus and compares it with the Jewish covenantal political tradition. Consequently, many definitions of federalism explain one of its most significant features which is the 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,⁵⁷ while introducing the problem to the forefront of federal studies mentioned that the lack of a distinction between the two aspects was partly responsible for the difficulty in conceptualizing federalism. He thus saw federalism from two angles, that is. ideological and institutional.

Ideological federalism reflects at least three different mobilization orientations: centralists, decentralist, and balance.⁵⁸ First, the federalist ideology of centralism was advanced at both the national and international levels. Internationally, there is an ancient conviction that peace could be maintained by restraining war-making capabilities of sovereign states through supranational (federal) structures. It is also through centralization that states which had independent existence such as the USA formed federations.⁵⁹ Second, federalist decentralism could be a tool in inhibiting the growth and concentration of power. In this case, decentralization could be an expression of particularity, individualism and democracy. Third, federalism is a balance between

⁵⁷Preston King (1982), Preston King, Federalism and Federation (Baltimore: The Johns Hopkins University Press 21p.

⁵⁸ Ibid.

⁵⁹ Ibid.

autonomy and independence; unity and diversity.⁶⁰ Despite the fact that the advancement of federalism as a political philosophy of “balance” is seen as incoherent and unstable, it has been advocated as an instrument of balancing demands for unity and separatism.⁶¹

Federation is conceived as an institutional arrangement, taking the form of a sovereign state, and distinguished from other states (for example unitary states) solely by the fact that its central government incorporates regional units into its decision procedure on some constitutionally entrenched basis.⁶² Thus, any existent form of federation can adapt at least one of the three types of federalisms that is. Centralization, decentralization or balance.⁶³ Although there may be federalism without federation, there can be no federation without some matching variety of federalism. While federalism is an ideological disposition particularly with proposals of balance between self-rule and shared-rule,⁶⁴ 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.⁶⁵

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 where majority of post-colonial multi-ethnic countries of Asia and Africa adopted

⁶⁰ Ibid.

⁶¹ Smith, G. (ed.) (1995), *Federalism: the Multiethnic Challenge*, Essex: Longman. 5p.

⁶² King 1982), "Federalism vs. Decentralization: The Drift from Authenticity", *The Journal of Federalism*, vol. 6, no3.

⁶³ Ibid.

⁶⁴ Daniel J. Elazar(1979), "The Role of Federalism in Political Integration,"

⁶⁵ Ibid.

federalism.⁶⁶ According to Rothchild,⁶⁷ though 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. After the end of the Cold War, federalism once again emerged into the spotlight following two contradictory developments.⁶⁸ First, the disintegration of the socialist federations of the USSR, Yugoslavia and Czechoslovakia refreshed doubts about stability and durability of multi-ethnic federations. Consequently, the continuing standoff in Canada over the question of Quebec's independence and the frequent political stalemates that characterize federal Belgium strengthen uneasiness about the stability of multi-ethnic federations. Second, politicians used to reconstitute multiethnic countries through federalism after the collapse of authoritarian regimes and centralist nation-building projects. For example, international powers imposed federalism to reconstitute Bosnia-Herzegovina after a bitter war and genocide that accompanied the disintegration of Yugoslavia.⁶⁹

In the recent past, the American led international forces caused the reconstitution of Iraq as an ethnic federation following their invasion and occupation of the country in 2003. Russia adopted federalism to maintain what is left of the Soviet Union while Ethiopia adopted ethnic federalism in 1991 after the end of military dictatorship. Currently, there are also calls for a federal arrangement for such countries as Sri

⁶⁶ Watt, R.L (1994): *New Federations; Experiments in the Commonwealth*. Oxford at the Clarendon. Press.

⁶⁷Rothchild D. (1966), "The limits federalism: an examination of political institutional transfer in Africa," *Journal of modern studies*, 4:275-93.

⁶⁸Burgess, Michael (2000): *Federalism and European Union – The building of Europe, 1950-2000*, Routledge, London.

⁶⁹Burgess, Michael (2000): *Federalism and European Union – The building of Europe, 1950-2000*, Routledge, London.

Lanka and Somalia that have been torn apart by decades of bitter conflicts.⁷⁰ As a matter of fact, there is a mounting interest in the use of federalism as a way of managing ethnically diverse countries. In ethnically divided countries, it is argued that political recognition of cultural and ethnic pluralism through federalism reduces ethnic tensions and conflicts and as such, federalism has been presented as a compromise between ethnic-nationalism, which like nationalism in its classical form advocates congruence between nations and states and assimilationist centralization by dominant ethnic groups in multiethnic countries.⁷¹

There are three assumptions that have been made concerning federalism:⁷² First, in the context of the contemporary global scene, federal political systems combining shared rule and self-rule is avenue to a practical way of combining the benefits of unity and diversity through representative institutions, but they are no solution for humanity's political ills. Second, the effectiveness of a federal political system rest on the degree of public acceptance of the need to respect constitutional norms and structures, and on a spirit of compromise and tolerance. Third, within the broad category of federal systems and even within the narrower species of federations there are many variations in the application of the federal idea.

⁷⁰ Ibid.

⁷¹ Gellner E. (1983), *Multiple Identities in a Single State*: Indian Federalism in Comparative Perspective.

⁷² Watts, R.L. (1998), Federalism, federal political systems and federations, *Annual Review of Political Science* pp133).

2.2.1 Federal Bargain and Restructuring

Since every federation is a result of unique historical and political circumstances, it is thus difficult to propose some universal set of factors that explain why countries become federal.⁷³ However, some consideration have been given to some of the factors that lead to the formation of federations: from political, economic and sociological perspectives.⁷⁴ In considering the political factors, there are different interpretations. William Riker,⁷⁵ while seeking to theorize about the origins of federations, argues 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. On the other hand, some scholars of federalism examined the political reasons that lead to a federation from the viewpoint of liberty, citizenship and democracy.⁷⁶

Federations evolves in two ways, either through the aggregation of independent states or the devolution of power to sub-national units.⁷⁷ These processes have been referred to as organic and mechanical federalism.⁷⁸ Similarly, Daniel Weinstock refers to

⁷³Davis (1978), *The Federal Principle: A Journey Through Time in Quest of Meaning* (London: University of California Press), 124.

⁷⁴Breton Gagnon (1988), *Federalism and the Role of the State*, (Toronto: University of Toronto Press), pp. 279-305.

⁷⁵William Riker (1964), *Rationalist Federalism*; the Ashgate Research Companion pp11-12).

⁷⁶Daniel Weinstock (2001), Daniel Weinstock, "Towards a Normative Theory of Federalism," *International Social Science Journal* 75:83.

⁷⁷Burris Scot (2001), *Socialism, Federalism and the BC Party Systems 1933-1983*.

⁷⁸Stein Rokkan and Derek U. Urwin (1982: 11), 'Soviet federalism and ethnic mobilization', *World Politics*, No 2: 196-232.

them as federal integration and federal restructuring.⁷⁹ In the first case, a federation is as 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 federalization of a once unitary political system.⁸⁰

Alfred Stepan⁸¹ notes that there are limitations of these two broad divisions and proposed three categories of federations: coming together, holding together and putting together federations. The concept of coming together federations is seen as similar to the notions of federal integration and unions. Alfred's main contribution is the attempt to reveal differences that prevail among federations established through devolution. While holding together federations refers to those multi-ethnic federations established through a process of democratic bargaining, on the other hand, putting together federations is like the case of the former Soviet Union established through a heavily coercive effort by a non-democratic centralizing power to put together a multinational state which is a federation that lacks democratic content.⁸²

2.2.2 National, Multinational and Ethnic Federations

Federations have been classified based on their recognition of ethnic and linguistic diversities.⁸³ In this case, it is possible to divide federations broadly into two categories. The first category is about those federations that ensure territorial power

⁷⁹Daniel Weinstock (2001), Daniel Weinstock, "Towards a Normative Theory of Federalism," *International Social Science Journal* 75-83).

⁸⁰ Ibid.

⁸¹Stepan, Alfred (1999), "Federalism and Democracy: Beyond the U.S. Model", *Journal of Democracy*, Vol. 10, No. 4.

⁸²Ibid.

⁸³Will Kymlicka (2006), *Finding Our Way: Rethinking Ethno-cultural Relations in Canada*. Toronto: Oxford University Press.

sharing and do not recognize ethnic and linguistic cleavages.⁸⁴ Majority of older western federations such as the US, Australia and Germany fall under this category and are typically referred to as national or mono-national federations.⁸⁵ Most of these federations resulted from the coming together of their units, which previously existed independently and their main purpose was to unite people living in different political units, who nevertheless shared a common language and culture.⁸⁶

Federations in the second category recognize ethnic and linguistic diversity alongside reflecting them in their ideology and structures. Such federations are called as multinational and ethnic federations. Will Kymlicka⁸⁷ identifies 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. On the other hand, Henry E. Hale considered an ethno-federal states as one in which component territorial governance units are intentionally associated with specific ethnic categories.⁸⁸

In countries such as Ethiopia, many ethnic groups, which before 1991 were not constituted based on ethnic nationalism, were required to organize themselves

⁸⁴Burgess (2000), The Federal Spirit as a moral Basis is To Canadian Federalism; *International Journal of Canadian Studies*, 17p.

⁸⁵Brendan O’Leary (2001), “An Iron Law of Nationalism and Federation? A (neoDiceyan) Theory of the Necessity of a Federal Staatsvolk, and of Consociational Rescue”, *Nations and Nationalism*, 279pp.

⁸⁶Ibid.

⁸⁷Will Kymlicka (2006), *Finding Our Way: Rethinking Ethno-cultural Relations in Canada*. Toronto: Oxford University Press. 64-5).

⁸⁸Henry E. Hale (2004), “Divided We Stand: Institutional Sources of Ethno-federal State Survival and Collapse”, *World Politics*, Vol.3.

according to their ethnicity so that they fit into the new ethno-federal system.⁸⁹ Thus ethnic regionalization led to the overall ethnification of politics in the country as the State promoted ethnicity as the key instrument of political mobilization and state organization. Indeed, Ethiopia today shows some of the characters of what is referred to as ethnified polities,⁹⁰ where territorial boundaries are drawn in a way that maximizes ethnic homogeneity. Policies are pursued which differentiate the status rights of citizens according to ethnic affiliation and are proposed, advocated and resisted while 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.⁹¹

Consequently, it is more appropriate to use ethnic federalism in the Ethiopian context than multinational federalism. In contrast to Ethiopia, those western federations (Canada and Switzerland) usually categorized as multinational do not promote ethnicity as the chief instrument of state organization and mobilization and furthermore do not seek congruence between ethnic and intra-federal boundaries.⁹²

⁸⁹ Awa, E.O. (1975), *Issues in Federalism*, Benin City, Ethiopia Publishing Corporation.

⁹⁰ Lidja Fleiner R., (2001: 5), *Minority and Legitimacy of a Federal State: An Outsider Perception of the Swiss Model*. pp5.

⁹¹ Ibid.

⁹² Ibid.

2.3 Varieties and Frameworks of Federation

2.3.1 The Social, Economic and Institutional Composition Federation

Federations exist in many varieties and contexts. Federations differ greatly in their social and economic composition and their institutions,⁹³ and depending with the state in question that is very large and very small countries, rich and poor countries, countries that have very homogenous and very diverse populations. Some federations are long-standing democracies, while others have more recent and troubled histories of democracy. Federal structures and the internal institutional arrangements vary greatly. Federations can have as few as two territorial units or more than eighty such units.

While some federations are highly centralized, concentrating power in the central government, others are decentralized, with extensive autonomy and discretion allocated to constituent units. Some have clear separations of powers between the central and the territorial governments, while others have overlapping powers. Some have prime ministers and parliamentary governments but others have presidents and congressional institutions. Federations may have proportional representation or plurality electoral laws with only two political parties, or several. Some federations are stable and harmonious, while others are unstable and divided.⁹⁴ The functioning and success of different federal regimes are influenced by these factors. Consequently, no one model would be appropriate in all circumstances and the capacity for variety is one of federalism's strengths.

⁹³Bermeo, Nancy. 2002. "The Import of Institutions," *Journal of Democracy* 13 (2): 96-110.

⁹⁴Bauböck, Rainer. 2000. "Why Stay Together? A Pluralist Approach to Secession and Federation." In *Citizenship in Diverse Societies*, edited by Will Kymlicka and Wayne Norman. Oxford: Oxford University Press.

In any federal state, sovereignty is constitutionally split between at least two territorial levels so that units at each level have final authority and each act independently of the others in different areas.⁹⁵ Thus, the essence of a federation is that the territorially based regional units, called states, provinces, regions, Länder, republics, or cantons, are represented at the central level of government, and that this representation is constitutionally guaranteed.⁹⁶ The implication here hence is that the central government cannot make amendments the rights and responsibilities of the constituent units minus altering the constitution and that constitutional amendment require consensus from all or the majority of the units.

2.3.2 The Federal Political Structures

Federations are distinct federal political structures. In a genuinely democratic federation there is a composite sovereign state in which at least two governmental units, the federal and the regional, which may have concurrent powers, enjoy constitutionally separate competencies. Both the federal and the regional governments are sanctioned to deal directly with their citizens, and the relevant citizens directly elect the federal and regional governments.⁹⁷ In a federation, the federal government may deliberately alter the horizontal division of powers. A constitutional change affecting competencies requires the consensus of both levels of government. A political system is deemed to be federal if it is established by compact and has at/least two ‘arenas,’ ‘planes,’ ‘spheres,’ ‘tiers’ or ‘levels’ of government, each endowed with independent legitimacy and a constitutionally

⁹⁵Burgess, Michael (1993). 'Federalism and federation: a reappraisal' in Burgess, M. and Gagnon, A. (ed.) Comparative federalism and federation. New York: Harvester Wheatsheaf, p.4.

⁹⁶ Ibid.

⁹⁷ Ibid.

guaranteed place in the overall system, and possessing its own set of institutions, powers, and responsibilities.⁹⁸

In Africa formal agreements may exist but may not guide behavior. It is only in those polities where the processes of government reflected federal principles where the structure of federalism meaningful.⁹⁹ Federation therefore automatically implies a codified and written constitution, and normally is accompanied at the federal level by a supreme court, with the responsibility arbitrating differences between the governmental tiers, and by a dual legislature in which the federal as opposed to the popular chamber may disproportionately represent the smallest regions. The authority of each government is an initiative of a constitution rather than from another government.¹⁰⁰

Federations in different states vary in the extent to which they are majoritarian in character, though most constrain the power of federation-wide majorities.¹⁰¹ The United States, Australia and Brazil allow equal representation to each of their regions in the federal chamber, which means massive over-representation for the smaller ones. Federations differ furthermore in the capabilities granted the federal chamber, for example some, such as the US Senate are very powerful, and which is arguably more powerful than the House of Representatives because of its special powers over nominations to public office and in treaty-making.¹⁰² Others, including those in Canada,

⁹⁸Elazar, Daniel J. (1987) *Exploring Federalism*, Tuscaloosa: University of Alabama Press.

⁹⁹Watts, Ronald (1998). 'Federalism, federal systems and federations'. *Annual Review of Political Science*: 119.

¹⁰⁰ Ibid.

¹⁰¹ Alfred Stepan (2001). *Arguing Comparative Politics*, Oxford: Oxford University Press, pp 340-5.

¹⁰² 10 Ronald Watts (1998). 'Federalism, Federal Political Systems, and Federations.' *Annual Review of Political Science* 1: 117-37.

India, and Belgium are considered to be weak and in such cases constitutional change can be blocked by individual regions in some instances, though normally a veto requires a coalition of regions.¹⁰³

A federation is considered majoritarian when it lacks consensual practices of executive power-sharing, proportionality principles of representation and allocation, cultural autonomy and veto-rights. Furthermore, it is majoritarian to the extent that it lacks consensual institutions or practices such as the separation of powers, bills of rights, and courts and monetary institutions shielded from immediate governing majorities.¹⁰⁴ A majoritarian federation concentrates power and resources at the federal level and facilitates executive and legislative dominance either by a popularly endorsed executive president or by a single party premier and cabinet.¹⁰⁵

The federal principle of separate competencies does not spell down how much power each level may have. Regions in some federations may have less de facto power than those in decentralized unitary states. The constitutional division of powers is considered as not always an accurate guide to policy-making autonomy and discretion enjoyed by different tiers. Some powers may have fallen into a state of inactivity, or the superior financial and political resources of one level (usually the federal) may allow it to interfere in the other's jurisdiction. A better sign of the degree of autonomy enjoyed by regions

¹⁰³ Ibid.

¹⁰⁴ Graham Smith, *Federalism: the Multiethnic challenge* (London and New York: Longman, 1995).

¹⁰⁵ Ibid.

may be the proportion of public spending that is under the control of the respective levels.¹⁰⁶

A fundamental distinction characteristic of federation is either multi-national/multi-ethnic or mono-national. In a multi-national/multi-ethnic, the boundaries of the internal units are usually drawn in such a way that at least some of them are controlled by national or ethnic minorities.¹⁰⁷ Moreover, more than one nationality may be openly recognized as co-founders and co-owners of the federation. The first such federation was Switzerland, established in its current form in 1848, and the second, Canada, established in 1867.¹⁰⁸ The Indian subcontinent was divided after decolonization into the two multi-ethnic federations of India and Pakistan. Africa has two federations, Nigeria and Ethiopia, while South Africa appears federal only by name.

Multi-national federations have been proposed for a significant number of other divided societies, including Afghanistan, Burma, China, Cyprus, Georgia, Iraq and Indonesia. National federations may be nationally or ethnically similar. They could be organized often consciously, in order not to recognize more than one official nationality. This happens in situations where the state's national and ethnic minorities are also minorities in each of the constituent units.¹⁰⁹ The objective behind national federalism is nation-building; the elimination of internal national differences some of which could be ethnic in nature. The founding and model example of a national federation is the United States

¹⁰⁶ Andreas Eshete, (2003). "Ethnic Federalism: New Frontiers in Ethiopian politics," paper presented at the 1st National Conference on Federalism, Conflict and Peace Building, Addis Ababa.

¹⁰⁷ Ibid.

¹⁰⁸ Riker, William. 1964. *Federalism: Origin, Operation, Significance*. Boston: Little, Brown and Company.

¹⁰⁹ Ibid.

whose model was adopted by the Latin American federations of Mexico, Argentina, Brazil and Venezuela.

2.3.3 Federations and Democracy

Federations can also be distinguished in respect to their level of democracy. While Canada, the United States, and Belgium are seen as maturely democratic, Malaysia and Nigeria are considered partially democratic while still others, such as the communist federations of the Soviet Union, Yugoslavia and Czechoslovakia as undemocratic.¹¹⁰ On the other hand, a distinction can be drawn between genuine federations on the one hand and pseudo-federations on the other depending on whether the government is democratic or not. However, there is an increasingly current opinion in the academic literature on federalism that this distinction is not significant. Several renowned American scholars have interpreted the failings of the communist federations as an indictment of (multi-national) federalism per se.¹¹¹ They argued that it is the structure of the state that matters. The reality, however, is that democracy matters most, as does the type of democratic system.¹¹²

Federal states share some important qualities despite differences that may arise due to the diverse realities of the countries concerned. These include rule of law and constitutionalism, local autonomy and representative. Federal government institutions that bring benefits enjoy the loyalty of all the component units of the federation on a

¹¹⁰Watts, Ronald 1998. 'Federalism, federal systems and federations'. Annual Review of Political Science: 117-137.

¹¹¹Stepan, Alfred, 1999, "Federalism and Democracy: Beyond the U.S. Model," Journal of Democracy 10:19-34.

¹¹² Ibid.

sustainable basis. Currently, there are about twenty six federal countries which have, in spite of the basic similarities, variations in the way they organize its respective government structures.¹¹³ As a result, different federal systems have reflected diverse political and constitutional traditions, practices and historical experiences.

These peculiarities reflect not only dissimilarities in terms of history and societal structures, but they also indicate the levels of socio-economic development and degree of political maturity of the different actors in the countries concerned. One of the areas where federal systems exhibit considerable variations is the way they organize the second level of authorities.¹¹⁴ In this respect, and considering the case of the older federations, USA and Switzerland seem to portray the major distinctions. The States in the US stand on fairly different grounds as compared to the Swiss Cantons which are positioned in a way that permits the different racial, linguistic and cultural groups maintain their diversities within the federal union.¹¹⁵

The newer federal systems have been influenced largely by diversity based considerations. For instance, the recent constitutional reforms in Belgium have created room for the ethno-linguistic communities to appreciate certain constitutionally entrenched collective rights and freedoms while retaining the regions to play its more familiar role within the federal structure.¹¹⁶

¹¹³ Ibid.

¹¹⁴ King, Preston 1993. 'Federation and representation' in Burgess, M. and Gagnon, A. (ed.) Comparative federalism and federation. New York: Harvester Wheatsheaf.

¹¹⁵ Ibid.

¹¹⁶ Ibid.

2.4 Analytical Approaches to Federalism and Federations

Approaches to Federalism have been categorized into two broad sets, normative and empirical and reflect debates regarding the nature of federalism and its functions. Normative approaches generally discuss presumed advantages and disadvantages of (ideological and institutional) federalism.¹¹⁷ At a normative level, federalism has been associated with peace, security, citizenship and democracy. In contrast, other scholars have argued that federalism brings regional inequalities and oppression of local minorities by local majorities.¹¹⁸ Empirical studies are concerned with features of federations such 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.¹¹⁹

Consequently, there are several competing approaches to the study of federalism that have been developed. Tarlton¹²⁰ identifies formal, legal, political and sociological approaches. Anthony H. Birch¹²¹ institutional, sociological, process, and bargain as perspectives to the study of federation. Rufus Davis¹²² on the other hand characterized the major trends in the study of federalism as a matter of degree, federalism as a quality

¹¹⁷Scot Burris (2001), *Federalism and the New Rights*. Yale Law and Policy Review 14: 325-54.

¹¹⁸Ibid.

¹¹⁹ Ibid.

¹²⁰Charles D. Tarlton (1965). "Symmetry and Asymmetry as Elements of Federalism: A Theoretical Speculation," 861, 869pp.

¹²¹Birch, Anthony H. (1966). "Approaches to the Study of Federalism." Political Studies 14 (no. 1).

¹²²Rufus Davis (1978), 'The "Federal Principle" Reconsidered, Part 1,' Australian Journal of Politics and History no 1. pp158).

of society, federalism as a process and federalism as sharing. Lori Thorlakson¹²³ on his side proposes three competing approaches to federalism including sociological, constitutional and governmental/political approaches. These classifications exhibit the diversity in the ways scholars examine fundamental inquiries regarding federations.

2.4.1 Legal and Constitutional Approaches

The legal and constitutional approaches to the study of federations emphasize the role of constitutions in providing institutional frameworks on the division of power between the central and regional governments.¹²⁴ Wheare¹²⁵ one of the key proponents of this legal and constitutional approach notes that the US constitution is a prototype of a modern federation and he defines 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. On the other hand, state governments which in certain matters, in their turn, are independent of the general government.

Wheare, moreover, defines the federal principle as the method of dividing powers so that the general and regional governments are each, within a sphere, co-ordinate and independent.¹²⁶ His approach to federalism has however been criticized as rigid, legalistic and inflexible. These criticisms have emanated from his heavy emphasis on formal division of power and the notion that the two tiers of government are independent and

¹²³Lori Thorlakson (2003), "Comparing Federal institutions: power and representation in Six Federations," *West European Politics* 2 (6).

¹²⁴Wheare Kenneth (1963), *Federalism in Africa: The imperative of democratic development*.

¹²⁵*Ibid.*

¹²⁶ *Ibid.*

coordinate.¹²⁷ Criticism has also been directed towards his consideration of the US as a prototype for all other modern federations.¹²⁸

Despite their limitations, legal and constitutional approaches have some essential contributions to the conceptual understanding of federalism. They have provided 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.¹²⁹ Furthermore, they underscore that federations require written constitutions that prohibit unilateral changes by either of the two orders of government.¹³⁰ As a matter of fact, almost all federal constitutions provide rigid procedures for constitutional amendment. These approaches emphasize the presence of an independent agency (supreme/constitutional court) that is responsible for adjudication of constitutional disputes.¹³¹ 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.

¹²⁷Livingston (1952), "The Nature of Federalism", Political Science Quarterly (PSQ), Vol. 67, 4.

¹²⁸Birch (1966), "Approaches to the study of Federalism." Political studies 14(1).

¹²⁹Burgess (2000), The Federal Spirit as a moral Basis is To Canadian Federalism; International Journal of Canadian Studies.

¹³⁰Ivo D. Duchacek(1970), Comparative federalism: the territorial dimension of politics Modern comparative politics series, 203p.

¹³¹Wheare Kenneth (1963),*Federalism in Africa: The imperative of democratic development.*

2.4.2 Sociological Approaches

The sociological approaches are concerned with the analysis of relationships between societal diversities and federalism. William S. Livingston¹³² mentions that the essential nature of federalism is to be sought for, not in the shadings of legal and constitutional terminology, but in the economic, social, political, cultural forces that have made the outward forms of federalism necessary. He further developed the concept of a federal society that implies the presence of geographically concentrated economic, social, religious and historical leavages¹³³ Livingston's concept of federal society is seen to be more useful if it is confined to a society that is both poly-ethnic and multi-lingual in makeup.¹³⁴ Livingston argued that 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.¹³⁵

2.4.3 Political and Ideological Approaches

Politico-ideological approaches to federalism emphasize the location of sovereignty, the protection of autonomy, and the genesis and evolution of the original federal contract.¹³⁶ The approaches examine the ideological and philosophical foundation of federalism and the link between federalism and such other broader issues of

¹³²William S. Livingston (1952), 'A Note on the Nature of Federalism', *Political Science Quarterly*, 67, 81-95.

¹³³ Ibid.

¹³⁴Michael B. Stein (1968), "Political Theory and African Politics," *The Journal of Modern African Studies* 6, no. 1.

¹³⁵William S. Livingston (1952), 'A Note on the Nature of Federalism', *Political Science Quarterly*, 83-4).

¹³⁶Lori Thorlakson (2003), "Comparing Federal institutions: power and representation in Six Federations," *West European Politics* pp3.

politics such as democracy, freedom and political parties.¹³⁷ In presenting federalism as an ideological construct, its contribution to the maintenance of individual and communal liberty through power diffusion is emphasized.¹³⁸

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 favoring liberty.¹³⁹ However, the ideological promotion of federalism as a way of guaranteeing democracy and freedom has been challenged due to the creation of different majorities and minorities at national, regional and local levels. According to William Riker, federalism cannot be a guarantee of majoritarian freedom but rather can actually be an impediment.¹⁴⁰ 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. Therefore, the freedom of the national majority is infringed upon by local majorities.¹⁴¹

Duchacek¹⁴² has examined the political atmosphere under which a federal system of government could provide its professed qualities of non-centralization of power and

¹³⁷Kymlicka Will (1998), "Multinational Federalism in Canada: Rethinking the Partnership," *Beyond the Impasse, Toward Reconciliation*, Montreal: Institute for Research on Public Policy, pp. 15–50.

¹³⁸Gagnon and Charles (1999) "*Ethnic Nationalism and International Conflict: The Case of Serbia.*" *International Security* 19(3).

¹³⁹William Riker (2001), "Federalism and Environmental Regulation: A Public Choice Analysis," *Harvard Law Review* 76.

¹⁴⁰*Ibid.*

¹⁴¹*Ibid.*

¹⁴²Duchacek (1970), *Comparative Federalism: The Territorial Dimension of Politics*: New York.

more individual and communal liberty. The relationship between federalism, democracy and political parties has been the main analysis. Riker¹⁴³ one of the earliest scholars to examine the relationship between federalism and political parties attempted to explain the maintenance of the federal system in the US by looking at the decentralization that existed within its party system. In his views, this prevented national leaders from centralizing power by controlling the political parties either through organizational or ideological devices. He later mentioned that 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) while when parties are somewhat decentralized, then federalism is only partially centralized.¹⁴⁴ Political parties have been referred to great centralizers or decentralizers of a federal system. Their number, internal structure, ideology, leader's commitment to pluralism or unitary centralism, and action are evidently related to the actual working of federalism.¹⁴⁵

Riker has adds that in a single party system, where the dominant party is monolithic, totalitarian or authoritarian and internally not federated, there can be no decentralization of power or the genuine operation of a federation.¹⁴⁶ In other words, where there is no political pluralism and open democratic contestation for power, it is difficult to talk about federalism. Consequently, there has been concerted effort in examining the political framework in which federations may genuinely operate. One of

¹⁴³William Riker (2001), "Federalism and Environmental Regulation: A Public Choice Analysis," Harvard Law Review.

¹⁴⁴ Ibid.

¹⁴⁵Ivo D. Duchacek (1970), Comparative federalism: the territorial dimension of politics Modern comparative politics series, pp229.

¹⁴⁶Stepan, A. (1999) 'Federalism and Democracy: Beyond the U.S. Model', Journal of Democracy, Vol.10, No 4, October 19-3.

the factors that have made this enquiry relevant was that the collapse of the communist federations of the USSR and Yugoslavia.¹⁴⁷

Currently, there is a firm belief that a federal system requires a liberal democratic system, open and competitive elections and the rule of law to operate genuinely. All genuine cases of federalism are found in democratic states.¹⁴⁸ 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.¹⁴⁹

2.5 Symmetry and Asymmetry in Federations

Federal studies have concentrated on the extent to which relationships within federations are symmetrical or asymmetrical. Tarlton¹⁵⁰ examines the impact of federal asymmetry on conflict potential in federal-state relations. While the recent interest of scholars have been on the significance of de jure asymmetrical federalism, where the different units of the federation enjoy different levels of de jure-autonomy,¹⁵¹ Tarlton got interested in analyzing the impact of de facto asymmetry. He argued that asymmetry is about the prevalence or the absence of common and shared

¹⁴⁷Stepan, A. (1999) 'Federalism and Democracy: Beyond the U.S. Model', *Journal of Democracy*, Vol.10, No 4, October 19-34.

¹⁴⁸Duchacek (1970), *Comparative federalism: the territorial dimension of politics* Modern comparative politics series, pp335.

¹⁴⁹Burgess, Michael (2006): *Federalism and European Union – The building of Europe*, Routledge, London.

¹⁵⁰C.D. Tarlton (1965), 'Symmetry and Asymmetry as Elements of Federalism: A Theoretical Speculation', *Journal of Politics*, vol. 27.

¹⁵¹ Watt, R.L (1994): *New Federations; Experiments in the Commonwealth*. Oxford at the Clarendon Press.

social, cultural, economic and political values within a given federation.¹⁵²This 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. In order to examine this problem, he developed two conceptual categories i.e. 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. On the other hand, 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.’¹⁵³Tarlton consequently used these models to explain what he termed federal-state conflict and secession potential. He posited that the more symmetry within a federation, the greater the likelihood for the development of federalism as a suitable form of governmental organization.¹⁵⁴In contrast, should the system be highly asymmetrical in its components then a harmonious federal system is unlikely to develop.

Conclusion

Federalism as a principle exposes solution to the problem of governmental organization, especially in diverse societies, and is not only a principle but a methodology usually used in a diverse society in order to bring about what is called “limited union” aimed at

¹⁵²C.D. Tarlton (1965), 'Symmetry and Asymmetry as Elements of Federalism: A Theoretical Speculation', *Journal of Politics*, vol. 27.

¹⁵³ Ibid.

¹⁵⁴ Ibid.

providing limited unity. As a methodology of sharing power, it expresses a defined and generally acceptable allocation of power first between the central government and the other federating units. It is a pragmatic methodology of organizing power and distributing power and resources in a diverse society. It is also expressed in different ways in most cases with reference to historical content of the federal system that is being explained.

Chapter Three

An Analysis of Federation in Ethiopia and Nigeria

3.1 Introduction

This chapter analyzes the distinctive characteristics of federal systems in Ethiopia and Nigeria. Structural political organization has been seen as one of the indispensable determinants of administrative efficiency of any given state. All over the world, there exist several types of this structural political arrangement though, with varying degrees of significance and utility. Federalism is considered as one of such organizations which have withered the test of time in most democratic Polities of the world.¹⁵⁵

Federalism has been now accorded the characteristics of polity building hence the benefits of statehood-liberty and autonomy-are gained through federal (political) arrangement.¹⁵⁶ Thus revitalizing Laski's¹⁵⁷ argument that liberty in a state cannot be preserved without a measure of federalism is embedded in its political process. The political efficacy of federalism as a polity- building mechanism and an enhancer of people's liberty are deep rooted in history. Since its adoption as a political organization, it has continued to gain vitality by ways of practical application in different countries all over the world.

¹⁵⁵Ajayi, K. (1997).Federalism and Unitarism. In: D. Kolawole, (Ed): *Readings in Political Science*.Dekaal Publishers, Ibadan (Chapter eleven) Pp. 149-165.

¹⁵⁶Schmitt, N. (1997): History of Constitutional Making: European and Australian Experience. In: Friedrich Ebert Foundation: *Constitution and Federalism*. Friedrich Ebert Foundation, Lagos. Chapt. 2, Pp. 19-72.

¹⁵⁷Laski, H (1985).*A Grammar of Politics*. Allen &Unwin, London (1948). Livingstone, W.S.: Anote on the Nature of federalism. In: J.P. Meekison. (Ed): *Canadian Federalism: Myth or Reality*.Methven, Toronto.

The underlying assumption of federalism which provides opportunity for mutual understanding of the terms of sharing by the federating units has been identified as one of the catalyzing factors of the spread of the federal idea.¹⁵⁸ This growth has equally been associated with the fact that federalism has emerged as a means of accommodating the growing desire of people to preserve or revive the intimacy of small societies, and the growing necessity for larger combinations to mobilize the utilization of common resource better.¹⁵⁹

3.1.1 Federation in the African Context

African setting is characterized by considerable internal diversity and need for integrated national efforts towards social and economic advancement. It is asserted that federalism in Africa relates to the idea of having a workable political arrangement that necessarily requires the perpetual existence of different levels of authority sanctioned by a supreme constitution.¹⁶⁰ In this case, the constitution has to serve as a broader national framework for building consensus accepting the principle of unity-in-diversity as a basis for nation building. It is a common understanding for federal governments to have exclusive authority on some important national affairs such as defense, foreign relations, and management of major resources. Similarly, practices of several federal countries show that the units manage some of the local matters as their exclusive constitutional mandate.¹⁶¹

¹⁵⁸ Riker, W. (1964) *Federalism: Origin, Operation and Significance* (Boston: Little and Brown. Pp276.

¹⁵⁹ Schmitt, N. (1997): *History of Constitutional Making: European and Australian Experience*. In: Friedrich Ebert Foundation: *Constitution and Federalism*. Friedrich Ebert Foundation, Lagos. Chapt. 2, Pp24).

¹⁶⁰ Keller, Edmond J. (2002), *Ethnic Federalism, Fiscal Reform, Development and Democracy in Ethiopia*, *African Journal of Political Science* Vol 7 No. 1 Pp 43.

¹⁶¹ King, Preston (1982). *Federalism and federation*. London: Croom Helm. Pp187.

The African region seemed to reflect considerable divergence in the approaches followed in establishing the structure of the local authorities. African federal experimentations have been classified into two major categories: those which were introduced as part of the decolonization process and the ones that have emerged during the last two decades mainly as a response to internal conflicts.¹⁶² In the first category are the Central African Federation, the East African Federation and Mali Federation which were organized with the support and blessings of the colonial administrations largely as a means for creating economically viable states. However there were also individual countries that were initiated as federal entities.

Nigeria and Cameroon provide some very remarkable examples. Nigeria was organized with three large regional units that portrayed the long standing internal differences in terms history, culture and political traditions.¹⁶³ The major ground of diversity in Cameroon was not internal as it had to do with the effects of colonial rule on the attitude and desire of the peoples of the country. In effect, the Independence Nigerian Constitution gave prior considerations to accommodation of the regions whereas Cameroon's Constitution of 1960-61, which was somehow federal, had two units including East Cameroon and West Cameroon representing the Francophone and Anglophone sections of the country.¹⁶⁴ Apart from the Nigerian Federation and the autonomous status of Zanzibar within the United Republic of Tanzania (URT), most of the earlier African federal and federal-like establishments did not prove long lasting in

¹⁶² Aaron T. Gana & Samuel G. Egwu, ed. *Federalism in Africa: Framing the National Question*, Vol I, Africa World Press, Inc. (2003).

¹⁶³ Ibid.

¹⁶⁴ Ibid.

particular during the earlier decades after independence. The causes for the failure seemed to be more associated with the way the federal systems were managed than the grounds on which the units were organized.¹⁶⁵

In the current state of affairs, there seems to be a new interest for federalism and devolution of power in a number of African countries.¹⁶⁶ However, federalism has not been desirable response to all cases of conflict. Consequently, the bloody conflicts in countries such as Liberia and Rwanda were treated using different approaches that did not require a federal substitute. Nonetheless, it has been observed that some states that were formerly unitary have opted for a federal alternative principally as a more practical and realistic response to the existing conflicts in such countries. However, the basis of diversity which these newly emerged African federal systems seek to address may not be explained with reference solely to ethnicity. In addition to this common phenomenon, there could be other factors seeking appropriate responses.¹⁶⁷

In South Africa, conflicting perceptions about the long term interests of the different racial groups seem to contribute in shaping the attitudes and preferences of African National Congress (ANC) and other political parties on issues such as federalism and the like.¹⁶⁸ In other social settings, for example in the Sudan, religion appeared to have somehow a visible role besides ethnic and related differences. Consequently, the specific nature and peculiarities of each federal system is influenced to a large extent by the

¹⁶⁵ Akhtar Majeed, Ronald Watts and Douglas Brown, eds. *Distribution of Powers and Responsibilities, A Global Dialogue on Federalism*, Vol 2, Mc Gill- Queen's University Press, (2006).

¹⁶⁶ Ibid.

¹⁶⁷ Ronald Watts, *Comparing Federal Systems*, 3rd edn, McGill-Queen's University Press, (2008)

¹⁶⁸ Ibid.

historical experiences of the countries concerned prior to and at the time of the transition to some forms of federal dispensation.¹⁶⁹

3.2 Federation in Ethiopia

Ethiopia has a rich history, principally under a monarchy that served as a pillar of unity and a political system established on a balance of powers between centripetal and regional forces that ensured its long survival.¹⁷⁰ However, Ethiopia in the last century regrettably went into the abyss of history, went backwards when the rest of the world was moving forwards.¹⁷¹ The formation of the modern Ethiopian state parallel to the scramble for Africa at the end of the 19th century did not result in a happy outcome. Although it is home to a mosaic of various diverse groups, the Ethiopian state did not incorporate these groups into the political process and many thought there was national oppression, where the state was serving only part of the community.

3.2.1 The Context of the Pre-Modern Federal System in Ethiopia

A brief analysis of history reveals that Ethiopia has for the most part been under a decentralized rather than a centralized system of governance except for the twentieth century.¹⁷² This characterizes the periods that preceded the coming to power of Emperor Haile Selassie in 1930, with the exceptions of a brief unitary attempts by Emperors Tewodros (1847-1868) and Menlik II (1889-1913).¹⁷³ There was a co-existence of a

¹⁶⁹David P. Currie, ed. *Federalism and the New Nations of Africa*, The University of Chicago Press, (1964).

¹⁷⁰BahruZewde, *A History of Modern Ethiopia 1855-1974* (Athens, Ohio: Ohio University Press, 1991).

¹⁷¹ Ibid.

¹⁷²Ali Said, „Afar Ethnicity in Ethiopian Politics,“ in Mohamed Salih and John Markakis eds., *Ethnicity and the State in Eastern Africa*(Uppsala: Nordiska Afrikainstitutet, 1998).

¹⁷³ Ibid.

duality of authorities mainly that of the Imperial throne, representing the center and a number of provincial nobilities effectively exercising decentralized power.

The regionalism or provincialism as one essential element of diversity that defined the Ethiopian state characterized the relationship between the center and the provinces.¹⁷⁴ Provincialism is slightly different from the notion of ethnic attachments as it refers to a special attachment or affection between a person or a group indicating one's origin. In Ethiopia, it represented a sense of parochial identities and diversity of sentiments and interests. It had distinct boundaries and historical traditions of its own nurturing a passionate attachment to self-rule under the framework of imperial administration. The territory defined as a province also represented economic and political interests, which it defended collectively against trends of centralization, under the leadership of the local nobility.¹⁷⁵

The majority of the Kingdoms of the South, South West and Eastern sides existed as autonomous units only indirectly associated with the center usually marked by the payment of tributes.¹⁷⁶ This cluster of kingdoms existed effectively for centuries until they were finally incorporated into the Ethiopian state in the second half of the 19th century. They precede the centralized Ethiopian state of the 20th century. However, despite their semi-autonomous existence, there always existed a network of trade relationships as well

¹⁷⁴Dereje Feyissa, (2004), Ethnic Federalism in Ethiopia: The Experience of Gambela Regional State, a paper presented at the seminar on Ethnic Federalism: The Challenges for Ethiopia, Addis Ababa: 14-16.

¹⁷⁵Ibid.

¹⁷⁶Paul Henze(1994), The Economic Dimensions of Federalism in the Horn of Africa“ in Woodward and Forsyth, eds., Conflict and Peace in the Horn of Africa: Federalism and its Alternatives (Aldershot: Dartmouth.

as relationships based on religion. The imperial throne served as a symbol of unity and the political system combined a balance of forces between the monarchy and regional nobility, the former playing a centripetal role and the latter moderating the power of the center.¹⁷⁷

Ethiopia is considered as the oldest continually existing polity in Africa and has almost always been relatively decentralized at many stages in its long history, to the extent that only a vague tradition of statehood combined with a sense of religious and cultural community held it together at all.¹⁷⁸ The history of Ethiopia is indeed full of strife between forces of centralization on the one hand, and local governors urging for decentralization and autonomy on the other. Although the Ethiopian provincial rases (heads) were never able to establish for long their position as over-mighty subjects, the emperors on their side were unable to consolidate, century after century, the authority of the imperial government.¹⁷⁹ A perennial tension existed between the king of kings and the provincial rases (heads) and the balance between the two over a period of time differed depending on the strength of arms.

The clearest manifestation of the Empires de facto federation in Ethiopia can be discerned in the time of Emperor Yohannes IV (1872-1889) who continued to regard himself as first among equals, king of kings, in the strict sense of the word, not an

¹⁷⁷Christopher Clapham, (1993), "Constitutions and Governance in Ethiopian Political History," in *Constitutionalism: Reflections and Recommendations*, Symposium on the Making of the New Ethiopian Constitution (Addis Ababa: Inter Africa Group).

¹⁷⁸Maimire Mennasemay (2003), "Federalism, Ethnicity and the Transition to Democracy," *Horn of Africa*, v. XXI.

¹⁷⁹Margery Perham, (1963), *The Government of Ethiopia* (London: Faber and Faber Limited).

undisputable autocrat. Yohannes was ready to share power with his subordinates so long as his throne was not challenged. He adopted a more cautious policy of accommodation to regionalism, though intolerant towards religious diversity.¹⁸⁰ Though in theory it is often stated that the throne's authority was absolute on the contrary, it was not so in practice.

3.2.2 The Ethio-Eritrean Federation (1952-1962)

The Ethio-Eritrean federation was a significant political factor in influencing the revision of the 1955 Constitution.¹⁸¹ However, the crisis related to the dissolution of the federation remained to be the central challenge to three consecutive Ethiopian governments, including the present one. The territory now referred to as Eritrea was historically an integral part of Ethiopia since the Axumite Era in the first century AD. It did not exist as an entity of its own prior to 1890 when it was created by Italy.¹⁸² In the period preceding the federation, the demand of political parties in Eritrea was diverse concerning the destiny of Eritrea. While many Eritreans demanded unity with Ethiopia, others requested for immediate independence. Still others urged for a partition or at least a different status for the western side of the province. Consequently, the internal situation was divided.¹⁸³

¹⁸⁰ Ibid.

¹⁸¹ Heinrich Scholler, (1994), The Ethiopian Federation of 1952: an Obsolete Model or a Guide for the Future," in Peter Woodward and Murray F. eds., Conflict and Peace in the Horn of Africa (Aldershot: Dartmouth).

¹⁸² Ibid.

¹⁸³ Tesfatsion Medhanie (1994), Remarks on Eritrea and a Possible Framework for Peace," in Peter Woodward and Murray F. eds., Conflict and Peace in the Horn of Africa (Aldershot: Dartmouth).

Haile Selassie on the Ethiopian side demanded the full incorporation of Eritrea with zero tolerant.¹⁸⁴ Ethiopia's claim was based on her need for access to the sea and by the claim of historical title and cultural affinity of the two populations. Furthermore, Ethiopian diplomats successfully invoked the Organization of African Union (OAU) principle of non-territorial intervention in the internal affairs of the state and the need to respect the territorial integrity of African States whose territories were defined by colonial borders. Ethiopia argued that if Eritrea's plea received a hearing, it would upset the entire post-colonial African state system as legitimized by the Cairo Resolution of the OAU in 1964.¹⁸⁵

The United Nations (UN) General Assembly passed a resolution on December 2nd, 1950 stating that Eritrea should form an autonomous unit federated with Ethiopia under the sovereignty of the Ethiopian crown.¹⁸⁶ The first seven Articles of the Resolution passed by the UN General Assembly on December 2nd, 1950 formed the Federal Act. A draft constitution prepared by UN experts was submitted to an Eritrean Assembly and the latter adopted it on 10th July 1952. By proclamation Number 124 of 11th September 1952 the Eritrean Constitution with the Federal Act was put into force in Negarit Gazette. At this point in time, the federation of Eritrea with Ethiopia came into effect.¹⁸⁷

¹⁸⁴Heinrich Scholler, (1994), The Ethiopian Federation of 1952: an Obsolete Model or a Guide for the Future," in Peter Woodward and Murray F. eds., Conflict and Peace in the Horn of Africa (Aldershot: Dartmouth).

¹⁸⁵ Ibid.

¹⁸⁶Tesfatsion Medhanie (1994), Remarks on Eritrea and a Possible Framework for Peace, in Peter Woodward and Murray F. eds., Conflict and Peace in the Horn of Africa (Aldershot: Dartmouth.): Pp21-23.

¹⁸⁷Assafa Endeshaw (2002), Ethiopia: Perspectives for Change and Renewal(Send Lee Press).

The Federal Act as well as the Eritrean Constitution provided for a federal arrangement between the two governments. According to the Constitution, Eritrea was an autonomous unit federated with Ethiopia under the sovereignty of the Ethiopian Crown.¹⁸⁸ The government of Eritrea was authorized, as a manifestation of its autonomy, to exercise legislative, executive and judicial powers. The actual division of power under the federal act vested a number of basic functions in the federal government: notably defense, foreign affairs, currency and external trade while reserving residual powers to the Eritrean government. These included civil and criminal law, police, health, education, natural resources, agriculture, industry and internal communication.

Many controversies arose over the ambiguity of some of the concepts included in the documents as well as over the whole federal compromise. There seemed a consensus though that the term autonomous unit signified not a sovereign state but rather a politically organized unit linked federally with Ethiopia and that the phrase under the sovereignty of the Ethiopian crown implied that the federation, not the autonomous unit, enjoyed sovereignty.¹⁸⁹ Major controversies surrounded the status of the federation leading to its later dissolution in 1962. An analysis of the 1955 Constitution and the Eritrean Constitution suggests that Eritrea was only an independent region rather than a full-fledged unit in a federation as it is understood today.

3.2.3 The Federal Constitution of Ethiopia

The Constitution of 1995 explicitly declared Ethiopia as a federal polity with nine states

¹⁸⁸Maimire Mennasemay (2003), "Federalism, Ethnicity and the Transition to Democracy," *Horn of Africa*, v. XXI.

¹⁸⁹ *Ibid.*

constituting the federation. Thus Ethiopia has been a Federal Democratic Republic for more than a decade.¹⁹⁰ The step to the establishment of constitutional federalism was a culmination of the process of decentralization that had been going on since 1991 ushered in after the fall of the military regime. The ethno-nationalist liberation movements that forced the military regime out of power had already negotiated a Transitional Charter that aided establishment of the 14 “self-governing regions” of “nations, nationalities, and peoples”.¹⁹¹ Notably, these regions, with the right to self-determination, had areas of competence that were juxtaposed alongside that of the then Central government. Consequently, Ethiopia had been gradually evolving to a full-fledged federal system from 1991 to 1995, alongside experiencing decentralization that bordered federal non-centralization.

The 1995 constitution of Ethiopia which established the country as a federation of multi-ethnic nation recognized nine states as the sub-national entities that constitute the Ethiopian federation. Ethiopia’s has been viewed by many observers as “ethnic” or “ethnical” federalism because of the ethno-linguistic nature of the basis of state formation (that is, because “language, identity, settlement pattern, and consent of the people concerned” which are the bases on which state borders are delimited as per article 46(2) of the constitution).¹⁹² Moreover, some have gone further to characterize it as “tribal” federalism.¹⁹³

¹⁹⁰Eshete, Andreas (2003). “Ethnic Federalism in Ethiopia: New Frontiers”. Paper presented at a National Conference on Federalism, Conflict and Peace Building in Ethiopia, May 5-7 Addis Ababa, Ethiopia.

¹⁹¹ Ibid.

¹⁹²Mattei, Ugo (1995). *The New Ethiopian Constitution: First Thoughts on Ethnical Federalism and the Reception of Western Institutions*.

¹⁹³Haile, Minasse (1997). “Legality of Secession: The Case of Eritrea” 8 *Emory International Law Review*.

The federal constitution has a supreme status in the hierarchy of laws in the country. This accord it a special place as the basic norm to which all decisions, acts and practices are bound to conform. The principle of sanctity of human rights and freedoms is further elaborated by the incorporation of a host of rights in 31 articles (Articles 13-44).¹⁹⁴ Classical civil liberties of individual rights (which impose negative duties on states) and economic and socio-cultural rights (which impose the more cumbersome positive duties) are all recognized. Right to peace, development and environment, too, are granted constitutional recognition. Group rights (or collective rights as they are also known) are stressed. Thus the right of ethno-national communities to self-determination (political, cultural, as well as economic) is rather superfluously recognized.

The constitution guarantees ethno-national communities in Ethiopia not only the right to promote their cultures, develop their languages, preserve their identity and history, but also the right to “a full measure of self-governance” and even the right to secede from the Ethiopian polity (Article 39).¹⁹⁵ The federal constitution established a parliamentary system of government with the House of Peoples’ Representatives (HPR) as the supreme political organ in the country. The HPR is a legislature whose members are elected for a term of five years. Consequently, it is the institution which enjoys the decisional, control and representative powers of legislatures elsewhere. The Upper House, called the House of Federation (HOF), is a representative organ whose members are representatives of

¹⁹⁴Haile, Minasse (1996). “The New Ethiopian Constitution: Its Impact on Unity, Human Rights and Development,” *Suffolk Transnational Law Review* .Vol. 20 No. 1. 3.

¹⁹⁵Regassa, Tsegaye (2001) “Ethnic Federalism and the Right to Self-determination as a Constitutional Legal Solution to the Problems of Multi-ethnic Societies—The Case of Ethiopia” (Unpublished, LL.M Thesis submitted to the Law Faculty of the University of Amsterdam).

each “Nation, Nationality, and People” with the main task of constitutional interpretation (Article 62).¹⁹⁶ It has little part in the law-making process.

Consequently, the numerically dominant ethnic groups, which dominate the HPR, dominate the HOF as well. The HOF acting jointly with the HPR plays an important role in the determination of allocation of revenues jointly raised by the states and the federal government. On the other hand, the HOF task of constitutional interpretation is assisted by an expert body called Council of Constitutional Inquiry (CCI). The CCI examines each case upon which constitutional interpretation is requested and submits its recommendations to the HOF, which then makes a final binding decision upon cases (Article 84).¹⁹⁷ The decision thus given is considered law to be applied to similar cases that arise in the future.

The constitution acknowledges the establishment of an independent judiciary with the Federal Supreme Court at the top of a three tier judicial hierarchy. The courts are free to decide over all judicial cases including those in which constitutional rights of citizens stand tall. However, they have an equivocal position with regard to the power to interpret the constitution as the ultimate interpretive power is explicitly given to the HOF.¹⁹⁸ The constitution also recognizes the establishment of three tier state courts which exercise delegated jurisdiction over federal matters. Besides, adjudication by religious and customary courts is recognized (Article 34 (5) cum Article 78(5)). In addition, a three-tier

¹⁹⁶ Ibid.

¹⁹⁷ Mattei, Ugo (1995). *The New Ethiopian Constitution: First Thoughts on Ethnical Federalism and the Reception of Western Institutions*.

¹⁹⁸ Marks, Jr, Thomas and John Cooper (1988). *State Constitutional Law in a Nutshell*. St. Paul, Minn: West Group.

Federal Islamic court whose jurisdiction is established by the consent of the parties is also recognized.¹⁹⁹

The federal executive is composed of the Prime Minister and the Council of Ministers along with a ceremonial President. The Prime Minister is elected by the parliament i.e., the HPR while the president is elected by a two-thirds majority vote of the joint session of the HPR and the HOF (Article 70 (20)).²⁰⁰ The real executive power rests with the Prime Minister and his cabinet. Furthermore, the Constitution envisaged the establishment of other Constitutional institutions such as the Human Rights Commission, the Institution of the Ombudsman, the Census Commission, the office of the Auditor General and the National Electoral Board. Legislations to lay down the specifics of the operation of the Human Rights Commission and the Ombudsman have also been formally promulgated by parliament in operating as yet. Ethiopia's is considered as a rigid constitution where the mode of amendment is rather complex.²⁰¹ Amendment to the human rights chapter of the constitution can be introduced only when all state legislatures approve the proposed amendment; and when the HPR and the HOF, each voting on its own, approve the proposed amendment with a two-thirds majority vote (Article 105(1)).²⁰²

¹⁹⁹ Ibid.

²⁰⁰ Ibid.

²⁰¹ Stepan, Alfred (1999). "Federalism and Democracy: Beyond the U.S. Model" *Journal of Democracy*, Vol. 10, No. 4. 7.

²⁰² Regassa, Tsegaye (2002) "Federalism, Democracy and Governance," *The Ethiopian Legal Directory*. Addis Ababa: Professional Information System.

3.3 Federation in Nigeria

Nigeria is a country of a huge diversity and as such, one of bizarre complexities which are a reflection of the avalanche of ethno-cultural and religious groups co-habiting the territory and the intricacies of interaction among them. The pluralism of religious and ethnic diversities in Nigeria owes its origin to colonial conquest which inhabited the entire continent of Africa beginning from the early 19th century.²⁰³ The amalgamation of the Northern and Southern protectorate made Nigeria a multi- ethnic and multi lingual country.²⁰⁴

Anticipating the existence of the latest threats to the future political stability of the emergent nation-state, the founding fathers were desirous of a system of government that would neutralize the political threats and accommodate the divergent interest of the various ethno-cultural groups.²⁰⁵ This desire eventually found expression in the federal system of government as a diversity management technique. However, with the advent of the 1979 and 1999 constitution, there has been a profound change in the practice of federalism in the country in the sense that, the system has been practiced in an awkward manner which has left inquiry into whether Nigeria is truly operating a true federal system.²⁰⁶

²⁰³ Akindele S. T. and Olaopa O. R.: Local government creation and civil strife in Nigeria: the causes, effects and challenges.

²⁰⁴ Logams, P.C. (1994). "Cultural Pluralism and Nigerian Federalism". In: J.I. Elaigwu, et al. op.cit.

²⁰⁵ Ibid.

²⁰⁶ Ibid.

3.3.1 Evolution of Federalism in Nigeria

The structure of Nigeria federalism has been traced to 1914 when the Northern and Southern protectorates were amalgamated with unitary form of administration. From this time, governmental power within Nigeria started to be shared between the central government headed by the Governor-General and the governments of Northern and Southern protectorates led the lieutenant Governors.²⁰⁷ Consequently, with the presence and recognition of the two autonomous parts of Northern and Southern provinces, the administrative system of Nigeria appeared somehow as a federation.

The division of the country into three regions by the then Governor of Nigeria Sir Authur Richards under the Richard constitution of 1946 gave Nigeria face of a federal state.²⁰⁸ The Macpherson constitution of 1951 gave further concrete support in the sense that, it appointed lieutenant Governors to head these three regions and granted legislative power to the legislative and executive councils that were established. The Lyttleton constitution of 1954 detached the final shade of a unitary system of government from Nigeria by establishing a true federal state in the sense that it shared powers between the central and the regional governments. The Supreme Court was established to avoid constitutional conflicts that might arise between the central and regional governments, and to handle such conflict. After independence, Nigeria constitution has continued to retain the federal system imposed by the departed colonialist though with some minor modification.

²⁰⁷D. Kolawole (Ed.): *Issues in Nigerian Government and Politics*. Dekaal Publishers, Ibadan: Chapter seven, pp. 115-131 (1998).

²⁰⁸Afigo, A.E. (1981) *Federal Character: Its Meaning and History* in Ekeh et al (Ed) *Federal Character and Federalism in Nigeria* Ibadan, Macmillan Educational Books Ltd.

The evolution of Nigeria federalism has been based on three fundamental reasons;²⁰⁹ first, the British deliberately imposed the federal system on Nigeria in order to maintain a neo-colonial control of the country after independence. Since federalism is more or less an evidence of some form of disunity, political weakness and uneven economic development, the British deliberately wanted to keep the federating units as apart as possible so as to control the internal affairs of Nigeria to their own economic and political advantage after they would have granted her independence. The second aspect underscores the fact that historical and geographical factors determined the political evolution of Nigeria. The large and culturally diversified nature of the country made it hard for it to be governed from one centre. While the historical and geographical factors determined the constitutional evolution of Nigeria, these factors did not determine the shape and form of the federation that the British helped to create in Nigeria. Finally, federation in Nigeria was not as a result of a country that was originally unitary being broken into federating units, but of formerly totally independent kingdoms, Empires, nations and Autonomous communities being brought together, and ending up in a federal union.

Notably, with the historical evolution of Nigerian federalism, the choice of federalism as the preferred system of government for Nigeria was not accidental.²¹⁰ Given the heterogeneity of Nigerian polity, the founding fathers of Nigeria adopted the federal system as the most viable option of protecting the core interest of the federating units. This was demonstrated in the federal constitution, especially in the 1963 federal

²⁰⁹ Ibid.

²¹⁰ Aba, B.E (2006), *Understanding Nigerian Government and politics 2nded*: Lagos, Gofaflesh Publications.

republican constitution where the jurisdictions of the federating units that were clearly defined. For instance, each of the federating units had its own constitution which is one of the key properties of federalism.

Before the attainment of independence by Nigeria in 1960, the federating units of Eastern Nigeria, Northern Nigeria and Western Nigeria were in all intents and purposes independent entities. The attainment of their independence by the three federating units in 1957 (Eastern and Western Nigeria) and 1959 (Northern Nigeria) further strengthened their respective sovereignty.²¹¹ This means that they had an option of going their separate ways as independent states in the international community in 1957 and 1959 respectively. It is thus a criticism to some of the contemporary analysts of Nigerian politics who blame the British amalgamation of 1914 as the source of Nigeria's problems. It is the Nigerian leaders that lost opportunity exhibited by their failure to disengage from the forced amalgamation when they had the choice in 1957.²¹² Despite the introduction of federalism since the British left, Nigeria political system has been characterized by series of instability and backwardness. It is on this basis that the study shall consider some of the problems that bedevil Nigeria federal system.

3.3.2 The Contemporary Nigerian Federal System

In any country where there are divergences of language and of nationality, particularly of language, a unitary constitution is always a source of bitterness and hostility on the part

²¹¹Awolowo, O. (1968), *Path to Nigerian Federalism*: Ibadan Oxford University Press.

²¹²Wender, G. (1997): *Constitutions and Federalism*: Friedrich Ebert Foundations Lagos.

of linguistic or national minority groups.²¹³ On the other hand, as soon as a federal constitution is introduced in which each linguistic or national group is recognized and accorded regional autonomy, any bitterness and hostility against the constitutional arrangement must disappear. Consequently, a federal constitution is usually a more or less dead letter in any country which lacks any of the factors conducive to federalism. In a case where a country is bilingual or multi-lingual like Nigeria, the constitution must be federal, and the constituent state must be organized on linguistic basis and any experiment with a unitary constitution in a bilingual or multi-lingual or multi-national country must fail, in the long run.²¹⁴

With respect to the above argument, it has been noted that Nigeria only operates federal system on paper,²¹⁵ and that the federal structures have not been embraced in Nigerian society as based on the following reasons; First, the federal government, ever since the intervention of the military in government has always assumed superiority over the state government. Since military federalism had been more common than civilian federalism, this model made the federal government the “master in relation to the dependent” state governments. At independence largely autonomous regions had outstanding powers in the federation and functioned almost independently. The regions had independent revenue bases; separate constitutions, foreign missions, and the primary and secondary education were under the residual list while the university education was under the concurrent list. All these changed under military rule.

²¹³ Ibid.

²¹⁴ Federal Republic of Nigeria (1999), *The Constitution of the Federal Republic of Nigeria*: Abuja Federal Government Printer.

²¹⁵ Sagay, I. (2008). “How a True Federal System Should Run”. *The Nation*, Lagos, Vintage Press Limited.

Attempts by the state governments to reassert their autonomy during the second republic were aborted by the return of military rule. Some state governments that were controlled by parties other than the NPN took the NPN controlled federal government to court in many instances over matter of jurisdiction competence. This trend also reoccurs during the third republic when the Lagos state governor in person of Bola Ahmed Tinubu took the federal government to court over the issue of local government creation in Lagos state.²¹⁶It has been observed that in situations where the federal government sees itself as superior to the state governments, federalism does not work perfectly.²¹⁷ Federalism is therefore, an arrangement whereby powers within a multi-national country are shared between a central authority and a number of regionalized governments in such a way that each unit, including this central authority, exists as a government separately and independently from the others.

The fundamental and distinguished characteristic of a federal system is that neither the central nor the regional governments are subordinate to each other, but rather the two are coordinate and independent.²¹⁸ Each government exist, not as an appendage of another government but as an autonomous entity in the sense of being able to exercise its own will on the conduct of its affairs free from direction by any government. Thus, the federal government on one hand and the state governments on the other hand are autonomous in their respective spheres. However, this autonomous entity has not been

²¹⁶Adileje, C. (2003), *Issues in Nigerian Federalism* in AkinjideOsuntokun *et al* (ed.) *Issues in Nigerian Government and Politics*: Ibadan, Rex Charles Publications.

²¹⁷ Ibid.

²¹⁸Livingstone, W.S.: A note on the Nature of federalism. In:J.P. Meekison. (Ed): *Canadian Federalism: Myth or Reality*.

common in Nigerian federalism and this has continued to hamper the political stability in the country.²¹⁹

The issue of financial autonomy as proposed by scholars of federalism²²⁰ has not been achieved in Nigerian federalism. The high level of intervention of the federal government through national financial policies, grants- in-aids among others, increases the power of the federal government and makes the federating units subordinate to the federal government. Consequently, the increased revenue from oil boom has made the federal government to be more financially powerful over the state governments than before. As a result of this financial power, the federal government now embarks on some projects which were meant to be in the state residual list. The universal basic education board project is an example of this.²²¹

Similarly, this increased revenue from oil boom enables the federal government to give financial support to the state governments. In this sense, any state governments that proves “stubborn” or a state not control by the party at the centre is not likely to get financial support from the federal government. Vivid examples are Lagos and Yobe states among others. Hardly these states have received any form of financial support or assistance from the federal government because in several cases, they have always been at the conflict with the federal government and also, they are not control by the party at

²¹⁹Aba, B.E (2006), *Understanding Nigerian Government and politics 2nded*: Lagos, Gofaflesh Publications.

²²⁰Itse, S. (2001), *Nigeria: Federalism, the constitution and resource control*. A presentation at the sensitisation programme organized by the Ibori Vanguard at the Lagoon Restaurant, Lagos.

²²¹Ibid.

the centre.²²² In some cases, some state governments, in an attempt to get financial favor, have decided to have a good rapport with the federal government even at their own expense. In practice, this act does not make federalism work perfectly.²²³ In a federation, each government enjoys financial autonomy. This mean to enable each levels of government have the opportunity of performing their functions without appealing or begging for financial survival as is the case in Nigeria since the return to civil democratic rule.

The strengthening of local governments as a third tier of government in Nigeria began in 1976 with the local government reforms, which introduced a uniform local government system; gave local governments' jurisdictional competence in matters such as markets, automobile parks, and collection of local taxes; and made it statutory for both the federal and state governments to give specified percentages of their revenue to local governments.²²⁴ Although these reforms were embodied in the 1979 constitution and also strengthened in the new 1999 constitution, State governments in the third and fourth republic refused to allow local governments any measure of autonomy. This was partly due to these two reasons; they (the state governments) want to claim their superiority over the local governments just as the federal government is claiming their superiority over them. For this reason, effort has been made by state governments to reduce the control of the local governments; secondly, they (the state governments) are still struggling to reclaim their autonomy from the federal government.

²²² Wheare Kenneth (1963), *Federalism in Africa: The imperative of democratic development*.

²²³ Ibid.

²²⁴ Itse, S. (2001), Nigeria: Federalism, the constitution and resource control. A presentation at the sensitisation programme organized by the Ibori Vanguard at the Lagoon Restaurant, Lagos.

Since the Nigerian federal government accepted the recommendation of the Political Bureau that local governments should be made an effective tier of government, effort has been made to reduce their control by state governments. All local government funds are now paid directly to the local government by the federal government rather than through the state governments. The functions and jurisdiction of local governments have been streamlined, and state governments were asked to stay out of local affairs. This measure increased the importance of local governments and infused in their civilian-elected functionaries a certain stubbornness leading to open conflicts with state governments over matter of jurisdiction. In several cases, these conflicts have become the subject of litigation. State governments resisted the loss of jurisdiction, and many underscore the subordinate status of local governments at every opportunity.²²⁵

Resource control is a key prerequisite of federalism and the denial of this tenet is injurious to federalism. A federating unit, and not the central government, should exercise jurisdiction over the resources in its territory. The current struggles by some states in Nigeria especially the Niger Delta states over their resources have continued to give more growth of different types of sects, groups and militants that have continued to disrupt the political system of Nigeria.

Fiscal federalism is a concept that defines a financial arrangement and relations among the tiers of government which allow significance fiscal function to be exercised at lower level of government. Basically, this can be equated to revenue allocation.²²⁶ The revenue

²²⁵Toyin D. (2007), Nigeria's socio-political issues.

²²⁶Kesner-Skreb, M. (2009). "Fiscal Federalism: Financial Theory and Practice". 33(2), 235-237.

allocation system in Nigeria exhibit what is known as vertical and horizontal principle. The vertical principle is a form of revenue system whereby the federal government retains some of the federally collected revenues as its independent revenue to be paid into the federation account for distribution among the tiers of government in accordance with agreeable formula. On the other hand, the horizontal principle is a form of revenue system which has to do with the distribution of revenue among state and local governments. In this form of revenue system, consideration is given to issues like land mass, population, large number of local government etc.

One of the major problems facing Nigeria federalism is the issue of revenue allocation that is, how the resources generated in the country should be shared among the three tiers of government.²²⁷ In an attempt to solve this problem, various principle of revenue allocation has been adopted and they are: Principle of derivation- which is based on the fact that the revenue in the country should be allocated on the basis of each state's contribution to total revenue i.e. major resources derived from a particular area should be allocated to the area. This principle has been attacked because it makes rich states richer since the more developed states will contribute more to the federation account, starving needy states of developmental funds.

The second is the principle of national interest which is based on the need to develop states, improve progress, and sense of belonging to the federation. This is important considering the fact that many states in Nigeria are not economically viable which make

²²⁷The nation news paper, (October 18, 2011), the front page: State Governments rejects the revenue allocation.

them to depend solely on the monthly federal government allocation to meet their developmental needs. This principle has also been attacked by politicians from oil producing states, labeling the northern states as ‘‘parasites’- not working towards self-sustainability. The other one is the principle of independent revenue which is based on the federal government discretion in allocating revenue to state and local governments.

Before Nigerian independence, the regional government revenue allocation was more than that of the federal government. However, recent experience has shown the reverse in the sense that the federal government allocates more revenue to itself than the 36 states put together.²²⁸ This principle has been attacked by experts that by international standard, Nigeria discretionary transfer of revenue by the federal government to states and local government is small. Consequently, with the various means or ways Nigeria has attempted to solve the issue of revenue allocation, it is seen that the problem of revenue allocation is still a reoccurring decimal in Nigeria political system which have been causing a major setback to the country federal system.

The inefficiency and rejection of the fiscal policy adopted by successive regime in Nigeria has justified the fact that until a decisive and technical blue print that will be all embracing is worked out, which can encourage fiscal efficiency, fiscal equalization and fiscal autonomy; Nigeria will still remain in a fiscal state of confusion. Similarly, the political discord in the past and present is also a fundamental pointer to the fact that Nigeria need to returned to a sincere and true federal arrangement, where every level of government will be free to do its own tasks, in its own way and at its own pace. Unless

²²⁸ Ibid.

this is realized, the issue of fiscal federalism remains an issue that is likely to explode and tear apart the already unstable foundation of Nigerian federalism.²²⁹

Conclusion

Federation is a method of dividing powers between the levels of governments so that the general and regional governments are each co-ordinated and independent of each other. It is a political concept in which a group of members are politically bound together by political covenant with a governing representative head. It is a political theory that is divergent in concept, varied in ecology and dynamic in practice. The system has to do with how power is distributed or shared territorially and functionally among the various units in a federation.

In a federal state there is division of power between the national government and the local political units-regions/states. Each constitutes an autonomous government, where the national government is supreme over the state or regional government in some matters that are of interest to both the states and the national government. From the above, one can reason that federalism is a socio-economic and political compromise between region/state where the central government is constitutionally given the mandate to protect and supervise the conduct of the subordinate states thereby giving room for peaceful accommodation of heterogeneous interest of the ethnic groups that constitute the country. This means that, federalism should be seen as an institutional instrument for achieving and preserving both integration and socio-political and economic stability in a multi-ethnic society.

²²⁹ Ibid.

Federation is necessary for Africa to manage the problems emanating from diversity such as inequitable social and political relations, and unequal development of groups. Since ethnic groups associate with particular territories, African States are naturally suited for the establishment of federal systems of government. Federalism is very important means to accommodate difference in multicultural states. Unfortunately, despite the need for federalism in Africa, federation has had a poor run in countries where it has been applied.

Due to ethnic federation, ethnic entitlement produced a weak bureaucratic structure which is a key to developmental state. It was mainly due to the prioritization of ethno-language criteria rather than meritocratic which adversely affect to establish a highly competent bureaucratic staff. In addition, the political neutrality of the bureaucrat is still a challenge. On the other hand, the ethno-language criteria discourage the free movement of labour and capital which has its own limitation for the country's development. In some regions, ethnic federation has further exacerbated the rise of ethnic classification and as a consequence it divides rather than unite the people. Moreover, it generated more inter-ethnic and intra-ethnic conflicts which have a negative impact to the creation of civic countrywide citizenship for successful developmental state of Ethiopia and Nigeria.

Chapter Four

Presentation of the Research Findings

4.1 Introduction

This section of the study discusses the research findings based on the study objectives. The analysis of the secondary information available in relation to the subject of the study by reviewing media reports, analysis and review of published books, journals, papers, periodicals, and unpublished works as well as government's official documents.

4.2 The Structure of Federation in Nigeria and Ethiopia

As mentioned in the literature review above, when the mission is to accommodate ethnic diversity, two forms of federal frameworks are deliberated.²³⁰ The first form is the structure of a polity cutting across ethnic cleavages and thereby diluting them through the creation of a cross cutting civic community and, the second form is structuring a comprehensive polity to give each people a primary means of expression through one or more of its constituent polities. However, federalism should transcend the recognition of differences eventually by structuring relationships that permit the groups bearing those differences to function together within the same political system. As a result, under certain circumstances, federalism offers the possibility of creating a civic community that transcends the divisions among ethnic collectivities and thereby makes possible the establishment of civil society and workable political order.²³¹

²³⁰ King, P. (1982), *Federalism and Federation*, London: Croom Helm.

²³¹ *Ibid.*

Furthermore, it is mentioned in the literature review that though federal arrangements could be structured on the basis of territorially segmented ethnic and linguistic or religious groups, the trouble is associated with institutionalizing primordial entities in political organization. As a result the ‘ethnic nationalism’ is probably the strongest force against federalism, because ethnic ideology could undermine power sharing arrangements and consequently, ethnic federalism could degenerate into civil war. Thus it is preferred to promote political order based on non-primordial or civic ties without disqualifying ethno-linguistic federal arrangements.²³²

4.2.1 Ethnic Based Federation

Watts²³³ has noted that though it remains difficult and complex to establish a federal arrangement based on ethnicity, one of the characteristics of federalism is its aspiration and purpose to generate and maintain both unity and diversity simultaneously. As Elazar²³⁴ argued, federal systems operates best in society with sufficient homogeneity of fundamental interests, he talked of Switzerland as the first modern federation established on indigenous ethnic and linguistic differences that were considered permanent and worth accommodating. Political integration—federal or otherwise is likely to be more difficult in places in which are strongly rooted primordial groups continue to dominate political and social life.²³⁵

²³² Ibid.

²³³ Watts, R.L. (1999), Federalism, federal political systems and federations, Annual Review of Political Science 1 19-22.

²³⁴ Elazar, D. J, (1987). *Exploring Federalism, Tuscaloosa*: The University of Alabama Press.

²³⁵ Ibid.

Federalism might be the best political framework in the existence of essentially permanent religious, ethnic, cultural or social groups around which political life must be organized. Besides, territorial divisions of power can also be used to protect minorities and minority communities by allowing them greater autonomy within their own political jurisdictions. Consequently, some federal arrangements have been structured on the basis of territorially segmented ethnic, linguistic or religious groups, though the concern is associated with institutionalizing primordial entities in political organization. As such the 'ethnic nationalism' is considered the strongest force against federalism, because ethnic ideology could undermine power sharing arrangements and consequently, ethnic federalism could degenerate in to civil war. Thus it is preferred to promote political order based on non-primordial or civic ties without disqualifying ethno-linguistic federal arrangements.²³⁶

In the study literature, it is mentioned that in cases where ethnic groups are geographically concentrated, federalism offers an excellent opportunity for group autonomy. Therefore, by accommodating the inevitability of drawing federal arrangements based on ethnic boundaries in case of geographically concentrated ethnic groups, the federal framework with relatively many and small constituent units could make the federal dividing lines coincide as much as possible with the ethnic boundaries.²³⁷ However, if ethnic groups are geographically dispersed and synchronized,

²³⁶Elazar, D. J, (1987). *Exploring Federalism, Tuscaloosa*: The University of Alabama Press.

²³⁷Lijphart, A. (2002). *The wave of power-sharing Democracy*, in Andrew Reynolds (ed.) *The Architecture of Democracy: Constitutional Design, conflict management, and Democracy*. Oxford: Oxford University press.

Lijphart²³⁸ endorses ‘convocational democracy’ which includes four essential attributes: grand coalition, segmented autonomy, proportionality and minority veto. Grand coalition entails power sharing of all significant groups in political power, particularly in executive power. Segmented autonomy entails a delegation of decision making power to every significant group. Proportionality entails that political representation, civil service appointments and allocation of public funds, etc. should consider proportion of each significant group. Lastly, minority veto entails the power given for minority groups to veto any decision that can put their vital interest at stake due to majorities out votes.

While Lijphart enumerates a variety of more or less functional power-sharing models in deeply divided societies where some of the models were such as executive power sharing in a form of grand coalition cabinet of ethnic parties like in Malaysia and South Africa; equal representation of ethno linguistic or other groups in government like in the Belgian cabinets; and proportional shares of ministerial positions to the different linguistic groups, states and regions like in India,²³⁹ on the other hand, Donald Horowitz²⁴⁰ argued that federal management based on ethnic homogeneity is detrimental to the creation of inter-ethnic cooperation. Horowitz recognized the importance of power-sharing and territorial devolution, as he stated that territorial compartmentalization with devolution of generous power can have soothing effects in countries with territorially separate groups, significant sub-ethnic divisions and serious engagement at the centre.

²³⁸ Ibid.

²³⁹ Ibid.

²⁴⁰ Horowitz, D. L. (1985). *Ethnic Groups in conflict* (Berkeley, Los Angeles, and London: University of California press.

Moreover, Horowitz argued that a political framework that crystallizes and legitimizes ethnic cleavages would be of limited utility to bring about compromised power-sharing arrangement in states with desperate ethnic groups, because elites of majority groups would not be so easily self-abnegating as to give some of their political power and privileges to the minority groups. He maintained that both ethnic majority rule and ethnic minority rule are very ineffective and destructive type of arrangement in ethnically divided societies. Majority rule permits perpetual domination of the majority group or the ‘tyranny of the majority ethnic group’.²⁴¹ Consequently, there is no neat boundary separating the State from society.²⁴² Society-based explanations of political developments should not consider the State and society as distinct units. This means state and society are conceptualized as two intersecting and potentially independent variables.²⁴³ In terms of political development, both the State and society influence each other.

4.2.2 Ethiopian Federation Structure

Ethiopia is a multi-ethnic nation with enormous diversity with about 85 ethno-linguistic groups. Largely, the languages spoken in the country are divided into four linguistic families, Semitic, Cushitic, Omotic and Nilo-Saharan.²⁴⁴ The interaction between the State and the multi-ethnic society influenced the country’s political tradition and state structure. The ‘Greater Ethiopia’ emerged as multi-ethnic society because of what was referred to as the ‘Amhara thesis,’ the ‘Oromo anti-thesis’ and

²⁴¹ Ibid.

²⁴² Solomon, G. (1993). Nationalism and Ethnic conflict in Ethiopia, in C. Young (ed.), *The Rising Tide of Cultural Pluralism: The Nation-state at Bay*, Madison: University of Wisconsin Press.

²⁴³ Onimode, B. (1988). *The Political Economy of African Crisis*, London, Zed Press.

²⁴⁴ Tesfaye, H. (2010). *The challenge of Building of Democratic Developmental state*. Addis Ababa.

the ‘Ethiopian synthesis.’²⁴⁵ Consequently, the Ethiopian political elites still grapple to find an appropriate concept to define the essence of Ethiopia as a multi-ethnic country.²⁴⁶ This standoff could partly be explained by the unequal ethnic relationships that prevailed in the country since the end of the 19th century.²⁴⁷

The ethno-nationalist movements that took centre stage of opposition after the 1974 revolution were vocal about their unqualified right to exercise self-determination up to and including secession. The Tigray People’s Liberation Front (TPLF), for example, in its formative years claimed that it was fighting for self-determination which could result in anything from autonomy, federation, confederation, up to and including independence.²⁴⁸ The Eritrean separatist movements considered Eritrea as an Ethiopian colony and sought its independence. The Oromo Liberation Front (OLF), which emerged in 1974, also aimed at the creation of an independent state for the Oromo. The situation led to decades of devastating civil wars. The military regime’s attempt to reorganize the country’s internal administration after its establishment of People’s Democratic Republic of Ethiopia (PDRE) in 1987 failed to create a new social and political basis for the country.²⁴⁹

The incumbent party and government, Ethiopian People’s Revolutionary Democratic Front (EPRDF), came to power by overthrowing the military regime in May 1991. The

²⁴⁵ Ibid.

²⁴⁶(Asafa 1993; Merara, G. (2011). *From Autocracy to Revolutionary Democracy, 1960-2011*, Addis Ababa: Chamber printing house;

²⁴⁷Ibid.

²⁴⁸Markakis, J. (1987). *National and class conflict in the Horn of Africa*, Cambridge: Cambridge University Press.

²⁴⁹ Clapham, C. (1994) *Ethnicity and the national question in Ethiopia*, in P. Woodward and M. Forsyth (eds.), *conflict and peace in the horn of Africa: Federalism and its Alternatives*, Aldershot: Dartmouth.

new ruling group in power, who had started their movement for the liberation of their ethnic region (TPLF) from the central Ethiopia administration, had advocated ethnic-federalism by stressing that it could empower and equalize the diverse ethnic communities and reduce conflict. As a result, the overall centralized structure of the previous regime was been replaced by a federal state.

The July 1991 Peace and Democracy conference that led to the establishment of the Transitional Government of Ethiopia (TGE) adopted a Transitional charter that recognized Eritrea's secession. According to the preamble of the Transitional charter, 'self-determination of all the peoples shall be the governing principles of political, economic and social life'. It affirmed the right of ethnic groups to self-determination up to and including secession (Article 2). Based on the charter, the country's internal administration was structured in 14 regions along ethno-linguistic lines in 1992.²⁵⁰

The transitional government established a constitutional commission to draft a constitution. The commission adopted the federal constitution which was ratified by the constituent Assembly in December 1994 and, which came in to force in August 1995. Accordingly, the 1995 constitution of the Federal Democratic Republic of Ethiopia (FDRE), Article 49, created a federal government with nine ethnic-based regional states and two federally administered city-states (Addis Ababa and Dire Dawa). The regional states were delimited on the basis of language, settlement pattern and identity. These

²⁵⁰Transitional Government of Ethiopia (TGE) (1992). Proclamation No. 7/1992, A Proclamation to provide for the establishment of National/Regional self-governments, NegaritGazeta 51 year No.2.

include Tigray, Afar, Amhara, Oromia, Somali, Benishangul-Gumuz, Southern Nations, Nationalities and peoples (SNNPR), Gambella and Harari.²⁵¹

Like the 1991 charter, the constitution affirmed the unrestricted corporate right of all ethnic groups by asserting that every nation, nationality and people shall have the unrestricted right to self-determination up to secession (Article 39). The act of secession required a two-thirds vote in the legislature of the seceding ethnic group to be followed three years later by a referendum in the seceding region. Obviously, the federal restructuring of the country brought several changes to ethnicity and governance. The party in power (the EPRDF) contended that ethnic federalism was to be the basis for a reformed Ethiopian state structure and to bring about a solution to ethno-nationalist conflict.²⁵²

Federal forms of government in any country result from unique political and historical processes. In the Ethiopian case, the federal structure of the country relates to the problem of a failed nation-building project through assimilation and centralization. Thus, the ethnic-federal experiment of devolving public power to ethnic groups goes against the centralized nation-building project of the previous regimes. The previous regimes gave much emphasis to 'Ethiopian nationalism' as a unifying concept and promoted centralization rather than regional or ethnic autonomy.²⁵³

²⁵¹ Ibid.

²⁵² Ibid.

²⁵³ Asnake, K. (2006). *Federalism and Ethnic conflict in Ethiopia: A comparative study of the Somali and Benishangul-Gumuz regions*. Netherlands: Leiden University, Phd thesis.

The federal restructuring of Ethiopia can be considered as a response to the legacy of unequal ethnic relations in the country. In this respect, the EPRDF like its predecessors was engaged in a process of social engineering in order to develop what it considered an appropriate state structure for Ethiopia's multi-ethnic society.²⁵⁴ It is, however, important to note that any social engineering project could not be unidirectional. In the Ethiopian case as well the State itself was continually moulded by the society.²⁵⁵ The ongoing federal restructuring of the country has been continuously negotiated between the state and the society at several levels. In some instances, this involves redefining the identity of ethnic groups. It is seen that what was observed in Canadian context appears valid in the Ethiopian case, i.e. on the one hand, federalism shaped by the underlying divisions; on the other, it can powerfully influence societal divisions and the ways in which they are mobilized and expressed.²⁵⁶

4.2.3 Nigerian Federal Structure

The inability of Nigeria to separate ethnicity from governance has made Nigeria federalism to be designed on the basis of Nigeria ethnic diversity; designed by the colonialist and followed by the emergent political leaders who prior to independence assert influence in each of the three major ethnic groups. Nigeria federalism is more or less an asymmetric territorial association.²⁵⁷ This is because the country features one part that is twice the size of the combination of the other two regions, both in land mass and population which make it politically stronger. At independence in 1960, Nigeria inherited

²⁵⁴(Alem 2004: 100).

²⁵⁵Paulose, C. (2007). Clientelism and Ethiopia's post-1991 Decentralisation, *Journal of Modern African Studies*, 45(3).

²⁵⁶Ibid .

²⁵⁷Mbakogu, I. (2002). Socio-Cultural Factors and Ethnic Group Relationships in Contemporary Nigerian Society. *The African Anthropologist*, 9 (2), 117-136.

a weak constitutional development oriented politic that consolidated the hegemonic power of the three major ethnic groups, an unbalanced federation and an institutional government that deprived most of the majority minorities of their representation in the national government. Each of the three major ethnic groups significantly enjoyed a considerable socio-political autonomy which invariably became a source of conflict and instability.

However, Nigerian federalism after independence has continued to suffer from structural imbalance, where some states are either bigger or richer and even more developed than others. This has been a source of natural conflict in the Nigeria political system till now. For one thing, this has greatly reduced the basis of stability and the point came where the weaknesses inherent in the system came to a crisis. Ethnic identification and consciousness was strengthened by choosing regional and administrative units which coincided with the three major ethnic groups (Hausa-Fulani in the North, Yoruba in the West and Igbo in the East) though it reflected the pre-colonial pattern of Nigeria but to the exclusion of the minority groups. Exclusionism is a conscious domination of one ethnic group over and above another. In Nigeria the most affected groups are the minority ethnic groups. Unarguably, one can point out that ethnic consciousness has led to the exclusion of one group or the other in the distribution of socio-political wealth, a situation that has been the bane of national integration, hence the unstable, divisive and disintegrative federal structure.

Nigeria, today, is made up of 36 states and 774 local governments' areas (LGA) with Abuja as the federal capital. For administrative suitability and the sharing of political office, the country is sub-divided into six geo-political zones namely; South West, South East, South South, North West, North East, and North Central. Today the country is plagued with multitudes of conflict stemming from the inability of the state to provide adequate socio-political and economic security for all ethnic groups.

4.3 Federation and Management of the Ethno-Linguistic Diversity and Conflicts in Ethiopia and Nigeria

In severely divided societies, matters such as equal control of the state , the designation of official languages and educational issues, such as languages of instruction, the content of curricula are very divisive question on which groups are not very willing to concede; they are more worried about 'who gets what' in a kind of zero-sum competition. As a result, approaches or models that could crystallize or encourage ethnic entitlement may not be a viable option to bring inter-ethnic compromise and cooperation, because of the fact that 'divisive issues are not easy to compromise' and symbolic demands such as language seem to be less compromisable than claims that can be quantified.²⁵⁸

Related to federalism, Horowitz²⁵⁹ argued that in severely divided societies, such as in Nigeria, India and Malaysia, federalism has helped to reduce conflicts at the centre because many contested issues become state-level issues within ethnic groups; it has dispersed the flow of conflict in linguistically homogeneous states in to sub-ethnic channels; it provides career opportunities for groups not well represented at the centre

²⁵⁸Horowitz, D. L. (1985).*Ethnic Groups in conflict* (Berkeley, Los Angeles, and London: University of California press.

²⁵⁹ Ibid.

and it helps to restructure institutions so as to alter ethnic balances and alignment. He also observed that ethnic federalism has mitigated or exacerbated minorities' exclusion: a group that is a minority at the centre may be a majority in one or more states and may be in a position to rule these states, at the same time it may also produce other minority groups that feel exclusion and domination at the local areas.²⁶⁰

Federal model or territorial autonomy could be worthwhile in maintaining unity while conceding claims of self-government by allowing ethnic or other groups claiming a distinct identity to exercise direct control over affairs of special concern to them while allowing the larger entity to exercise those powers which cover common interests.²⁶¹ In ethnic federalism, the normal tensions of federalism like resource distribution and regional influence are likely to be aggravated by assuming ethnic dimensions. Inter-regional mobility is likely to be contentious and distinction between the private and public spheres may be less sharp than in other types of federalism.²⁶² Furthermore, the federal arrangement need great administrative capacity, political skill, and abundant resources hence narrow group or ethnic interests alone may not create a desirable arrangement. It could produce poorly equipped provinces struggling to carry out new responsibilities which they neither understood nor wanted or producing less efficient bureaucracies or with politicians not given to compromises.²⁶³

²⁶⁰Horowitz, D. L. (1994). Democracy in divided societies. In Larry Diamond and Marc Plattner (eds). Nationalism, ethnic conflict, and democracy. Baltimore and London: The Johns Hopkins University Press.

²⁶¹Ghai, Y. (2002). Constitutional Asymmetries: Communal Representation, Federalism, and cultural Autonomy. In Andrew Reynolds (ed.) The Architecture of Democracy: Constitutional Design, conflict Management, and Democracy, Oxford: Oxford University.

²⁶² Ibid.

²⁶³ Ibid.

Though there is no necessary connection between ethnicity and conflict as Horowitz argued, the basic for confrontation may emerge due to the inclusion of two or more ethnic communities within a single or adjacent territory of a state characterized by discriminatory and uneven status and resource allocation.²⁶⁴ Ted Gurr²⁶⁵ in his cross-national study of communal based conflicts showed that in many instances ethnic tensions and conflicts are more likely when certain groups perceive discrimination or exploitation in the context of state formation. Ethnic conflicts are usually centred on three general issues: ‘the desire for ‘exit’ or independence from the state, the demand for greater autonomy within the state or the recognition and protection of minority interests within a plural society. He also adds that ‘ethnic identity and interests per se do not risk unforeseen ethnic wars’ rather; the danger is hegemonic elites who use the state to promote their own people’s interests at the expense of others.²⁶⁶

4.3.1 Ethiopian Federation and Management of the Ethno-Linguistic Diversity and Conflicts

Since the project of ethnic federalism in 1991, Ethiopia’s ethnic groups were provided with the right to self-determination which would lead to peace and provide a new basis for the unity of the country. However, decentralization and proliferation of conflicts at local and regional levels accompanied the federal restructuring of the country.²⁶⁷ In addition, according to the Crises Group report, ethnic conflicts have not disappeared but

²⁶⁴Horowitz, D. L. (1985).*Ethnic Groups in conflict* (Berkeley, Los Angeles, and London: University of California press.

²⁶⁵Gurr, Ted R. (2000). Ethnic Warfare on the Wane, in *Foreign Affairs*, May/June 2000, Volume 79, No. 3, pp 52-64.

²⁶⁶ Ibid.

²⁶⁷Asnake, K. (2006). *Federalism and Ethnic conflict in Ethiopia: A comparative study of the Somali and Benishangul-Gumuz regions*. Netherlands: Leiden University, Phd thesis.

have been either transferred from the national to the regional and district levels. Relations between ethnic groups have become increasingly competitive as they vie for control of administrative boundaries, land and natural resources.²⁶⁸ Hence, after the introduction of this policy ethnic conflicts happened in different parts of regions.

Ethiopian ethnic federalism includes ethnically defined national citizenship, self-administration on an ethno-linguistic basis as enshrined in the constitution, ethnically defined political representation and decision making at all administrative levels.²⁶⁹ In fact, the ethnic federalism is a clear break with the past, which allows people to be involved with and understand local government. However, with the exception of linguistic and cultural autonomy, the constituent members of the ethnic federation cannot exercise administrative and political autonomy.²⁷⁰ Thus, it is possible to explain the wide gulf between the theory and practice of Ethiopian federalism in terms of political autonomy by the emergence of a dominant one-party system under the EPRDF. Hence, 'state and society relationships in Ethiopia today, are mainly characterized by the hegemonic control of the masses (or the majority) by the few who maintain control over the state and its economic and military assets.'²⁷¹

In the Ethiopian case, the most noticeable change regarding ethnic conflicts after the formation of the ethnic federal structure has been the emergence of localized violent

²⁶⁸ International Crises Group (2009). Ethiopia: Ethnic Federalism and its discontents. Africa report- 4 September 2009.

²⁶⁹ FDRE (1995). The Constitution of the Federal Democratic Republic of Ethiopia.

²⁷⁰ Asnake, K. (2006). Federalism and Ethnic conflict in Ethiopia: A comparative study of the Somali and Benishangul-Gumuz regions. Netherlands: Leiden University, Phd thesis.

²⁷¹ Ibid.

conflicts involving several of the ethnically constituted regions.²⁷² At the same time, there are secessionist movement's engaged in low-level armed guerrilla warfare. The EPRDF's conception of ethnicity did not always match the multi-ethnic makeup of many cities and areas. The southern region, Gambella, Benishangul- Gumuz and Harari are inhabited by multiple ethnic groups. Tigray, Amhara, Oromo and Somali states are dominated by one ethnic group but host others.²⁷³

Granting self-administration to dominant ethnic groups thus created new minorities. In some case this minorities didn't speak the language of the new administration. The principle was interpreted by some groups as an opportunity to claim exclusion rights over land by evicting settlers and other newcomers. These tensions have often been nurtured by politicians from local indigenous groups. Examples include the conflict between the Berta and Oromo settlers in Asosa zone the exploded during the 2000 federal elections. Sometimes the conflicts take on the character of ethnic cleansing; 'non-natives' have been chased away in Arussi, Harar and Bale.²⁷⁴

Beginning in the first half of the 1990s, a wave of local conflicts gripped the country as groups were incited by the transitional charter to settle old disputes or claim territory they felt was rightfully theirs. Some of the most severe were between Amhara settlers and Anuak in December 2003 in Gambella. In Somali after 2000, several hundreds were

²⁷²Abbink, J.(2006). Discomfiture of Democracy? The 2005 election Crisis in Ethiopia and its aftermath.*African affairs* 105(419), pp. 173-199.

²⁷³ International Crises Group (2009). Ethiopia: Ethnic Federalism and its discontents. Africa report- 4 september 2009.

²⁷⁴Abbink, J.(2006). Discomfiture of Democracy? The 2005 election Crisis in Ethiopia and its aftermath.*African affairs* 105(419), pp. 173-199.

killed in repeated fighting between the sheikash, a small clan that sought to establish its own district, and Ogaden sub-clans. A border dispute between the Guji and Gedeo exploded in to large-scale fighting in 1998 over control of Hagere Mariam district. Land disputes triggered by administrative boundary changes incited a confrontation between the Guji and Borena in June 2006, causing at least 100 deaths and massive displacement. Some 70,000 fled the border area between Oromiya and Somali after conflict erupted. By a very conservative estimate, several thousand peoples were killed in inter-ethnic conflicts in Ethiopia between 1991 and 2005.²⁷⁵

One of the crucial impacts of ethnic federalism was the generation and transformation of intra-regional autonomy conflicts and inter-regional conflicts. Empirical evidence has showed that, in the Somali region, autonomy led to intra- and inter-clan divisions and conflicts. According to Asnake, the most important division affecting the Somali region and its relations with the political centre was the division that emerged between the Ogaden and the non-Ogaden clans.²⁷⁶ Moreover, the identity and autonomy question of the Bantu minorities and the Sheikash-Ogaden conflict over administrative structure (territory) demonstrated how federal restructuring affected inter-clan relations.²⁷⁷ On the other hand, the ethnic politics created the organization of clan in political unit in the region. As a result, the politicization of clan relation led to one of the worst localized

²⁷⁵ Abbink, J. (2006). Discomfiture of Democracy? The 2005 election Crisis in Ethiopia and its aftermath. *African affairs* 105(419), pp. 173-199.

²⁷⁶ Asnake, K. (2006). Federalism and Ethnic conflict in Ethiopia: A comparative study of the Somali and Benishangul-Gumuz regions. Netherlands: Leiden University, Phd thesis.

²⁷⁷ Ibid.

conflicts in the region between the Ogaden and the Sheikash. This conflict led to the death of hundreds of people and the displacement of thousands.²⁷⁸

Similarly, in Benishangul-Gumuz region showed the impact of federalism on the generation and transformation of conflicts. According to Young,²⁷⁹ in the pre-1991 ethnic tensions in Benishangul-Gumuz areas were limited to conflict between adjacent communities for various reasons of livelihood challenges and social facets such as land grabbing, cattle raiding and cultural clashes. Very low intensity sporadic clashes used to occur between Gumuz and Amhara and between Gumuz and Oromo in the south part of the region. However the post-1991 ethnic tensions are very new and induced in connection with the establishment of the regional state government, competition for political leadership position in the state bureaucracy, group's hegemonic ambitions and language issues.

Consequently, the Ethiopian ethnic federal system has been termed as significant in that it provides for secession of any ethnic unit. Opponents of ethnic federalism fear that it invites ethnic conflict and risks state disintegration.²⁸⁰ The Ethiopian state, they worry, may face the same fate as the USSR and Yugoslavia.²⁸¹ Others, of an ethno-nationalist persuasion, doubt the government's real commitment of self-determination; they support

²⁷⁸ Ibid.

²⁷⁹ Young, J. (1999). Along Ethiopia's western frontier: Gambella and Benishangul in transition. *The journal of Modern African studies*. Pp.321-346.

²⁸⁰ Ottaway, M. (1995). The Ethiopian Transition: Democratization or New Authoritarianism? In *Northeast African Studies*.

²⁸¹ Solomon, G. (1993). Nationalism and Ethnic conflict in Ethiopia, in C. Young (ed.), *The Rising Tide of Cultural Pluralism: The Nation-state at Bay*, Madison: University of Wisconsin Press.

the ethnic federal constitution per se, but claim that it has not been put in to practice.²⁸² Supporters of ethnic federalism point out that it has maintained the unity of the Ethiopian peoples and the territorial integrity of the state, while providing full recognition to the principle of ethnic equality.

Celebrated by some as the panacea for holding multi-ethnic Ethiopia together, it is decried by others as a dangerous concept that will eventually dismember the country. For nationalists, the policy is a deliberate strategy to undermine national identity. They see the constitutional granting of self-determination to ethnic group as deliberate step backward from the nation building process.²⁸³ Many describe ethnic federalism as a malicious TPLF tactic to plant divisions among ethnic groups so as to facilitate rule by the Tigrayan minority. The allegation that the TPLF manipulates ethnic identities and conflicts to stay in power is made by most opposition supporters. Critics decry worsening ethnic relations as a result of ethnic based competition. In their view, the political system divides rather than unites people, by creating mutual suspicion and rancour and instituting tribal dynamics that could easily spiral out of control. The constitutional clause that gives nationalities the right to seceded is touted as proof of the EPRDF's anti-Ethiopian stance. Eritrea's independence, which turned Ethiopia in to a landlocked country, is viewed as evidence of a desire to disjoint.

Proponents of ethnic federalism, however, acclaim the recognition of group rights, seeing creation of ethnic-based administrative entities as the only meaningful approach for

²⁸² Ibid.

²⁸³ Paulose, C. (2007). Clientelism and Ethiopia's post-1991 Decentralisation, *Journal of Modern African Studies*, 45(3).

defusing ethnic discontents. According to this view- actively propagated by the government- Ethiopian's ethnic and minority groups have suffered centuries of domination by a central state that forced Amharic language and culture up on them. Granting 'nationalities' their culture, ethnic, and political aspirations is necessary to redress historic injustice. Thus, it brought important recognition of their culture and language to many groups.

Empirical evidences has shown that there are two trends of autonomy conflicts in Ethiopia, conflicts between the titular ethnic groups and conflicts between the titular and non-titular groups.²⁸⁴ In the first case (Bertha-Gumuz dispute), it happened that the availability of resources at local and regional levels like the office of the president, financial resources and other caused a dispute between the two dominant titular ethnic groups of the region. Hence, in post-1991 the region has been practicing the politics of inclusion and exclusion based on two categories of peoples, titular and non-titular.²⁸⁵ This has generated violent conflicts in the region. Consequently, the general argument is that due to the ethnic federal structure of Ethiopia, the sentiment of state nationalism is declining and ethno nationalism has emerged which adversely affects the unity of the country.

4.3.2 Managing Ethnic Diversity and Conflicts in Nigeria's Federal System

Inequalities (socio-economic) among the various ethnic groups as orchestrated by a long period of colonial administration (1860-1960) have made Nigeria a scene of ethnic

²⁸⁴Asnake, K. (2006). Federalism and Ethnic conflict in Ethiopia: A comparative study of the Somali and Benishangul-Gumuz regions. Netherlands: Leiden University, Phd thesis.

²⁸⁵ Ibid.

conflicts. The central issue is that the social formation of Nigeria which is basically ethnically heterogeneous and by implication a multi-cultural society may result in a high potentiality for lack of cordiality, mutual suspicion and fear and in addition a high tendency towards violent confrontation for various socio-political reasons.²⁸⁶ Ethnic conflict has arisen out of this context of mutual fear and suspicion over distribution of socio-political and economic goods and lack of cordiality. Thus the inability of every ethnic group to access socio-political and economic goods continues to impact negatively on the force of national integration and cohesion.

Ethnic conflict is a product of the long history of unequal access to power, resources and opportunities among the different ethnic groups in the country. Thus the demands of such a challenge are exacting.²⁸⁷ Significantly, this context has led to open confrontation and conflict because the stressful condition of the body polity raised questions that challenge the very basis on which the political community – modern Nigeria – is organized. The fact that the various ethnic groups that constitute the pre- Nigeria state once co-existed socially and economically raises the question of whether ethnicity is a social construct or a natural order?

Contemporary ethnic communities and identities in Nigeria are not likely to dwindle even with the inevitability of civilization, but rather represent critical aspects of Nigeria's experience of modernity itself. Ethnic conflict in Nigeria is therefore the outcome of a

²⁸⁶Dibua, J. I. (2005). Citizenship and resource control in Nigeria: the case of minority communities in the Niger Delta, *Africa spectrum* 39, (1) 5-28.

²⁸⁷Mustapha, A. R. (1986) "The National Question and Radical Politics in Nigeria", *Review of African Political Economy*, No. 37: 81-97.

continuous and continuing process of social construction emanating from the encounters of different ethnic groups with each other as well as the deliberate mobilization and manipulations of ethnicity by the political class. Of significance here is the problem of socio-political exclusivism of ethnic groups and individuals in Nigeria. As a result ethnicity has become a bane to the socio-political development of the country. Ethnic pluralism no doubt is and will remain a fundamental characteristic of modern Nigeria that must be recognized and incorporated within any project of nation-building. Consequently, Nigeria's many ethnic fingers can be transformed into a formidable fist for socio-political development.

Before the attainment of independence, Nigeria's constitutional development experiences were concerned with the principal goal of managing ethnicity, which had shown clear signs of subverting the nation-building project.²⁸⁸ Federalism, the creation of regions and states and local governments, the shift from parliamentary to presidency, the institutionalization of quota systems, the prohibition of ethnic political parties, consociational politicking, and the adoption of the federal character principle are some of the approaches that Nigeria has taken to manage ethnic diversity. These mechanisms have enjoyed the intellectual backing of institutionalists who posit that there is a connection between ethnic conflict or peace and the nature of political institutions.²⁸⁹

²⁸⁸ Ibid.

²⁸⁹ Osaghae, E. E. (1998). Managing Multiple Minority Problems in a Divided Society: The Nigerian Experience. *The Journal of Modern African Studies*, 36 (1), 1-24.

Several works on ethnicity in Nigeria have been committed to examining the impact of these approaches to the management of ethnicity.²⁹⁰ Given the sheer multiplicity and fluidity of the territorial and cultural cleavages that can be used to justify the demands for new states and the federal resources they bring with them, there is no certainty that the states-creation process will ever be concluded in Nigeria.²⁹¹ Analysts have attributed the limitations of the ethnic management policies to improper implementation, distortion of visions and lack of political will.²⁹² Some however doubt the possibility of a state that generates fissiparous tendencies and a predatory class that is endlessly looking for formulas to divide the Nigerian peoples implementing policies that promote ethnic peace and harmony.²⁹³

4.4 The Constitution, Intergovernmental Relations and Services Delivery to Communities in Nigeria and Ethiopian Federal Arrangements

Federalism involves decentralization which involves two processes: Political decentralization and administrative decentralization. While administrative decentralization is not the same as political decentralization, it can, under enlightened central leadership, lead to democratization and greater political participation.²⁹⁴ The effectiveness of federal systems is measured by assessing the political decentralization and the administrative decentralization. Political decentralization can be measured by

²⁹⁰Ibid.

²⁹¹ Mustapha, A. R. (1985) "Back to the Future: Multi-ethnicity and the State in Africa" in L. Basta and J. Ibrahim eds. *Federalism and Decentralization in Africa*, Fribourg: Institute du Federalism.

²⁹²Ibrahim, J. (2000) "The Transformation of ethno-Regional Identities in Nigeria" in A.Jega ed. *Identity Transformation and Identity Politics under Structural Adjustment in Nigeria*, Uppsala & Kano: Nordic African Institute and Centre for Research and Documentation: 41-61.

²⁹³Adamolekun, L. ed. (1991) "Federalism in Nigeria: Toward Federal Democracy", *Publius: The Journal of Federalism*, Vol. 21, No. 4.

²⁹⁴C. and Konte, M. (2011). *Political versus Economic Institutions in Growth Process*. Aix-Marseille University, France.

assessing the public's support at the sub-regional level for governmental institutions at national, regional and local levels.²⁹⁵ The administrative decentralization can also be measured by examining the three most common forms of administrative decentralizations: decentralization, delegation and devolution.

Decentralization is a form of administrative where decision making process regarding financial and managerial matters is transferred to federal institutions at the local or state levels.²⁹⁶ Delegation, another form of administrative decentralization, is a situation where administrative or decision making authority is transferred to lower level in ascertain well defined cases. Devolution is a situation that involves the transfer of constitutionally specified authorities from the central government to local governments and autonomous States.²⁹⁷ Though federalism in Africa is usually considered as imported model from the Western World, there are researchers who argue that in Ethiopia federalism is part of the country's political tradition. As reported by Serra-Horguelin,²⁹⁸ Dr. Alemayehu Aredo, the ex- president of the civil service college argues that during the Era of Princes (1770-1855), Ethiopia had feudal federalism. Similarly, Abbink²⁹⁹ asserted that in its most of history Ethiopia has a tradition of federation because the power of the monarch was often superficial and remote, and regional autonomy substantial. However, Serra-

²⁹⁵Keller, Edmond J. (2002), Ethnic Federalism, Fiscal Reform, Development and Democracy in Ethiopia, *African Journal of Political Science* Vol 7 No. 1.

²⁹⁶Ibid.

²⁹⁷(Keller 2002 26-27; Cohen and Peterson 1999: 20-30)

²⁹⁸Serra-Horguelin, Arnault (1999): "The Federal Experiment in Ethiopia: A Socio-political Analysis". Centre D'étude D'Afrique Noire.No. 64.

²⁹⁹Abbink, Jon (1997): "Ethnicity and Constitutionalism in Contemporary Ethiopia." *Journal of African Law*,41: 159-174.

Horguelin³⁰⁰ rejected this argument and for him both the arguments of Aredo and Abbink are not sufficient to claim that Ethiopia was a federation. According to him, Ethiopia was closer to an empire than a federation.

The Ethiopian Constitution that has become the basis for the country's principle of ethnic federalism.³⁰¹ Though, at present, federalism is considered as one of the possible ways to curtail ethnic conflicts, in its initial form (as evidenced and substantiated by examining the American and Swiss models) it was not intended or designed to solve or contain ethnic conflicts.³⁰² Ethiopia began as what appeared to be holding together federation in 1991, but within a year ended up as a "putting together federation."³⁰³ The Ethiopian government followed a strategy of administrative decentralization that mixed de-concentration and devolution.³⁰⁴

Although, the Constitution states that States may prepare their own constitutions, decide their own official language, develop their own administrative systems, establish separate police forces, and collect certain taxes, the initiative for these arrangements came from the center than from the constituent States. This imposition from the top or from the Center scheme is also shared by Kidane³⁰⁵ and Hassen.³⁰⁶ Power sharing formulae

³⁰⁰Serra-Horguelin, Arnault (1999): "The Federal Experiment in Ethiopia: A Socio-political Analysis". Centre D'etude D'Afrique Noire.No. 64.

³⁰¹Turton, D. (2005): "Four Questions about Ethiopia's Federalism," STAIR1, No. 2, pp.88-101

³⁰²Aalen, Lovise (2002): Ethnic Federalism in a Dominant Party State: The Ethiopian Experience 1991-2000.

³⁰³Keller (2002: 24).

³⁰⁴Ibid.

³⁰⁵Kidane Mengisteab (1999): "Ethiopia's Ethnic-based federalism: State-Building or Empire Reviving?" Unpublished paper.

usually include decentralization, regional autonomy and federalism, and they are principally considered as ideal strategies for avoiding or solving ethnic strives and for attaining democracy. In order to achieve these, Ethiopia's strategy includes the use of administrative institutions and institutional reform as instruments of change.³⁰⁷ For Turton³⁰⁸ the EPRDF's principle of self-determination for federal regional units "has gone further than any other African State, and probably further than any state worldwide, in using ethnicity as its fundamental organizing principle. In other parts of the World, federalism was exercised to meet administrative and bureaucratic needs (except Canada and Switzerland) than to accommodate ethno-territorial pluralism in a single state."³⁰⁹

4.4.1 Evolution of Inter-Governmental Relations

Inter-governmental relations refer to the structure and processes of transactions among levels of governance in a political system. The relationship between the national government and the sub units is dynamic and subject to change through judicial interpretation as well as through operational, re-presentational and political means. The federal arrangement has allowed countries to resolve the dilemma of achieving national unity for certain overarching purpose while preserving autonomy for reasons of regional, ethnic, religious or socio-economic diversity.³¹⁰ Inter-governmental relations are the interactions or dealings which exist or take place between different levels of government within a state. The concept of inter-governmental relations is usually associated with the

³⁰⁶Hassen, Mohamed (1999): "Ethiopia: Missed Opportunities for peaceful Democratic Process." In: State-building and Democratization in Africa.

³⁰⁷ Keller (2002: 22), p.

³⁰⁸Turton, D. (2005): "Four Questions about Ethiopia's Federalism," STAIR1, No. 2, pp.88-101.

³⁰⁹ Ibid.

³¹⁰ Watts, R. (1999). Comparing Federal System. London: Mc Gill-Queen's University Press.

countries which operate the federal system of government, where the relationship which exists between the federal or national/central government and the sub-national government (states/regions) are spelt out in the constitution.

The constitution usually contains the powers which each level of government can exercise and any arrangement must come through a constitutional amendment involving the two levels of government.³¹¹ Inter-governmental relations started attracting attention at the tail – end of 1930s in the United States of America. The emergence of the ‘Welfare State’ in the 1930s (The New Deal Era) helped bring about the need and concern frontier-governmental relations. The federal government policy to undertake social and economic development programmes on a large-scale had serious consequences for state and local governments.

This new policy now heightened interdependence among the three levels of government in the United States. This interdependence called for an appreciable degree of harmonization and coordination of economic and social policies and programmes. This political dimension, gave rise to an administrative one: a need arose to manage the complex public bureaucracies that resulted from the implementation of the new policies. Administrative arrangements had to be made for taking care of the many interactions among the officials of the different levels of government to ensure cohesion among them. This period of political and administrative co-operation in the United States in commonly referred to as the era of ‘Cooperative Federalism’.³¹²

³¹¹Ibid.

³¹² Ibid.

Another country where the concept of Intergovernmental Relations is fairly well developed is Canada.³¹³

In Canada, the emergence of the welfare state, at the federal level in the 1950s and 1960 produced a situation in which the term ‘‘ Cooperative Federalism’ was used to describe the Canadian federal administrative system. Three conclusions according to Adamolekun emerged from the American and Canadian experiences. First, IGR assumes importance when the Federal government in a federal system undertakes significant economic and social development programmes that influence the activities of other levels of government. Second, the political explanation for IGR is usually accompanied by the administrative explanation and both lead to an emphasis on co-operation, coordination and collaboration among the levels of government. Third, is the timeframe which varies from one country to another, While IGR emerged as a major concern between the late 1930s and the 1950s in the USA; the comparable period when it entered the public agenda in Canada was the 1950s and 1960s.

In Nigeria, however, some aspect of IGR became key issues even before a federal system of government became operational in 1954. Unlike the USA and Canada, experiences where the initial years of intergovernmental relations were characterized by cooperation and collaboration, conflict and competition featured prominently, as cooperation and collaboration, in the inaugural years of IGR in Nigeria. However, in classifying inter-governmental relations, the emphasis is always on federal – state relations, each time,

³¹³ Adamolekun, L. and Ayo, S. B. (1989) The Evolution of the Nigerian Federal Administration System. *Publius*, 19 (1), 157-176.

IGR is discussed, albeit, a complete picture of IGR emerges, when there is consideration of how both levels of government (federal, state) relate to local government units existing with each state or country.

4.4.2 Federation and Inter-Governmental Relations

Although the term Federalism and Intergovernmental relations are frequently considered interchangeable, David notes there is difference between the two concepts. Walker sees Federalism as encompassing constitutional, legal, jurisdictional, political and hierarchical concepts. Major institutional actors that influence the federal system are the executive, legislative and judicial branches, the bureaucracy and the states themselves. In addition, the regulatory, fiscal, and political processes have also shaped the relationship between the national government and the states.

In contrast, Walker³¹⁴ describes inter-governmental relations as more encompassing multi-tiered (rather than two tiered as under federalism) more functional, fiscal and administrative in focus. It also tends to be more flexible and informal, though, it does not lack formal features. While it does not refer to governmental units, the concept of inter-governmental relations involves contracts between governmental officials as well as their attitudes, actions and pre-occupation with financial issues.³¹⁵

Wheare³¹⁶ provides the basis for understanding federalism in its contemporary practice in term of federal association among component units does not exist anywhere. The old

³¹⁴ Watts, R. (1999). Comparing Federal System. London: Mc Gill-Queen's University Press.

³¹⁵ Ibid.

³¹⁶ Wheare Kenneth (1979), *Federalism in Africa: The imperative of democratic development*.

sense of autonomy or inter-dependence of component units in their areas of jurisdiction has given away to cooperation, interaction and inter dependence which makes a need for intergovernmental relation in a federation unavailable. He noted that interdependence among tiers of government in the exercise of governmental functions required different orders of government to treat each as partners. This has required extensive consultation, coordination and co-operation between governments. He viewed inter-governmental relations as the 'consultation, co-operation and co-ordination' between and among units of governments.³¹⁷

Julson³¹⁸ views inter-governmental relations as an attempt to elucidate the multi-faceted ways in which federal or central government is related to other tiers and levels of government among themselves in a particular country. This relationship must exist, he said for the cooperative existence of an entity. If the federal government is responsible for the creation of each tier of government, they must co-operate and relate with one another. He went further to identify six forms of inter-governmental relations. These include; federal-state; federal-state-local; federal-local; State-state; state and local and local-local relations.

Intergovernmental relations are the responses that have been developed to facilitate co-operative policy making among divided governments within a federal system; and are supposed to play 'a bridge-building' role to bring a degree of coordination and

³¹⁷ Ibid.

³¹⁸ Ibid.

cooperation to divided powers by;³¹⁹ I.G.R must be established so that they are capable of achieving policy objectives that have been set (and so that there is the capability of avoiding duplication and overlap; Effective information about policy objectives and decision-making must be in public domain so that there is clarity around the bases for decision and actions as well as greater pressure brought to bear on governments to maintain the federal reform agenda and to be accountable for progress and outcomes of reform; Government must be subject to appropriate check and balances to ensure their actions and decisions are scrutinized and justified; Inter-governmental relationship must be capable of achieving objectives in a timely manner free from political capture or stalling and against a long term vision and actions and decision must be free from undue influence, from political or private interests. They must have high-level commitment.

³¹⁹Glickman, H. (Ed). (1995). *Ethnic Conflict and Democratization in Africa*. Atlanta, GA: African Studies Association Press.

Chapter Five

Conclusion and Recommendations

5.1 Conclusion

Federation has been described as a means of bringing people together through practical arrangements with the intention of meeting both the common and diverse needs of the people. This therefore, implies that federalism is an institutional method of solving practical problems in an ethnically divided society. Thus the adoption of a political arrangement and institution that would give room for harmonious relationship between and among groups becomes inevitable to maintain political stability which engenders socio-economic development.

Notwithstanding the ethnic and religious diversity of Africa it is actually surprising that no more than a handful of the continent's states have opted for formal or constitutional federalism. Ethnic federalism is unpopular in Africa though it is successful and popular in those very few European countries that undertook a form of ethnic federation. Ethiopia has been following federalism for the last two decades. When one considers the level of internal conflict, military violence and repression by agencies of the state that characterized the period of the restructuring of Ethiopia as an ethnic-based federation has been an undeniable success. It has provided peace and security for the great majority of the population following a violent civil war and laid down, for the first time in the history of Ethiopia, the legal foundation for a fully-fledged democracy.

On the other hand, considering the success of federalism in Ethiopia not against the record of the previous regime, but against the essential requirements of a genuinely federal division of powers, one cannot but entertain fears for its long-term future. Ethnic federalism has failed to solve ethnic conflicts in Ethiopia. In the post 1991 Ethiopia, major and minor ethnic conflicts have been raging in many parts of the country including the capital, Addis Ababa, due to political, economic and border problems. Conflicts have become very common between the Oromo and the Somali ethnic groups; Oromo and Harari, Somali and Afar; Oromo and Southern nations, Oromo and Amhara. These conflicts have led to the death of many innocent people, the destruction of property, and the dislocation of many people.

According to the official report of the Ethiopian Federal Police in the 2000 EC (2007/8GC) alone, there were 28 ethnic conflicts in the country. Universities and schools have also become the center for ethnic conflicts and are frequently closed due to ethnic clashes. Moreover, due to ethnic conflicts ethnic minorities are being expelled from various regions. The inclusion of Article 39 in the Constitution has encouraged the ethnic-based organizations in the country that have secessionist programs to fight for a separate state.

For the last two decades the secessionist movements of the OLF (Oromo Liberation Front) and the ONLF (Ogaden National Liberation Front) have reached a very high level and the political parties are able to get international attention by conducting armed resistance. For instance, in the 1992 regional election the ONLF won and formed a

regional government that lasted just only a year. In the following election the WSLF (Western Somali Liberation Front) in collaboration with the ONLF won and formed a government. In February 1994, the Ogaden clan dominated regional assembly opted for secession from Ethiopia by exercising the right to self-determination as stipulated in the Constitution.

The continent's most populous state, Nigeria, has been a federation ever since independence and federalism has apparently served a number of purposes. Consequently, the system have helped limit ethnic and religious conflict by granting those minorities which form majorities in their respective states extensive autonomy—including the right of some states in the northern parts to base their legislation on Islamic law. It has served as a guideline for a presumably fairer and equitable distribution of the country's resources, based on the size of population, than might otherwise have resulted. And it may, finally, it has promoted democracy by bringing government closer to the people.

However, a closer look reveals that there is a downside to each of these advantages. First of all, even though the adoption of *shari'a* law in a number of states was a reflection of an Islamic revivalism which was partly a response to the increasingly assertive Christian (predominantly Pentecostal) missionaries in the northern parts of the country it does entail human rights problems—and some of the Islamic groups operating in the north are in fact profoundly atavistic, religiously fanatical, xenophobic, gender-oppressive and generally reactionary—a good example being the *Boko Haram* group.

Secondly, just as the federal system did not suffice for preventing the attempted secession by Biafra (1967-70), which also produced a massive humanitarian disaster (St.Jorre 1972) it has not been able to prevent insurgencies in the southern parts of the country, especially in the Niger Delta region. Part of the explanation has to do with the distribution of costs and benefits of the oil industry, where the states and peoples in the Delta region demand a larger share of the revenues, partly as a consequence of its allegedly being “their” oil and partly as compensation for damages incurred by the drilling. Whether these would have been even worse in a unitary state is impossible to tell.

Thirdly, whereas trust would be commensurate with closeness, opinion polls in 2009 showed that whereas 45% expressed either “a lot of” or “a very great deal” of trust in the national President, only 28% trusted their elected local leaders—and whereas 36% suspected the President’s office of involvement in corruption, the corresponding figure for local elected councils was 55% .

5.2 Recommendations

The major problems of the Ethiopian ethnic federation have been outlined as the decision that each major sub-national group should be dominant in one, and only one, regional state. Ethiopia has to create a national public to overcome conflicts caused by recent constitution and historical claims of various groups.

The reason why the ethnic-based federation in Ethiopia seems to fail lies not only in the character of the Ethiopian constitution, outlined along the ethno-linguistic borders, but also in the historical claims and oppositions that the constitution managed to stress. The first step towards depoliticizing ethnicity is to re-arrange the ethno-linguistic borders delineated by the constitution.

Considering the dynamic distribution of ethnic groups in Nigeria prior to the state creation experiment that gave birth to the current 36 states, there were majority and minority ethnic groups within the polity. From an understanding of ethnic composition of Nigeria, there should be different methods through which the ethnic groups in Nigeria can be composed into states (provinces). Consequently, consideration should be given to the diversity and the homogeneity of each state to be created, in terms ethnic group, size, and economic viability.

Furthermore, consideration must be given to the fact that there are many different socio-political and economic challenges that are peculiar to each ethnic group as well as each ethnic group's interests politically and economically. The suggestion therefore is that the creation of states (province) should be done in a way that will make each state a uni-ethnic group instead of the present multi-ethnic ones. Nigeria can take a clue from India's experiment when its former 29 states were reconstituted into 14 states in 1956 with each state having the same language as well as equal socio-political and economic status. It will help resolve the question of citizenship and indigene-ship which poses more challenges for the unity and socio-political integration of the country.

REFERENCES

- Aalen, Lovise (2002): *Ethnic Federalism in a Dominant Party State: The Ethiopian Experience 1991-2000*.
- Aaron T. Gana & Samuel G. (2003). *Federalism in Africa: Framing the National Question*, Vol I, Africa World Press.
- Aba, B.E (2006), *Understanding Nigerian Government and politics*; 2nded: Lagos, Gofaflesh Publications.
- Abbink, Jon (1997): "Ethnicity and Constitutionalism in Contemporary Ethiopia." *Journal of African Law*, 41: 159-174.
- Adamolekun, L. and Ayo, S. B. (1989) The Evolution of the Nigerian Federal Administration System. *Publius*, 19 (1), 157-176.
- Adamolekun, L. ed. (1991) "Federalism in Nigeria: Toward Federal Democracy", *Publius: The Journal of Federalism*, Vol. 21, No. 4.
- Adileje, C. (2003), *Issues in Nigerian Federalism*; in Akinjide Osuntokun et al (ed.) *Issues in Nigerian Government and Politics*: Ibadan, Rex Charles Publications.
- Afigo, A.E. (1981). *Federal Character: Its Meaning and History* in Ekeh et al (Ed) *Federal Character and Federalism in Nigeria* Ibadan, Macmillan Educational Books Ltd.
- Agbu, Osita (2004): "Re-Inventing Federalism in Post- Transition Nigeria: Problems and prospects", *Africa Development*, Vol. XXIX, No. 2, pp. 26-52.
- Ajayi, K. (1997). *Federalism and Unitarism*. In: D. Kolawole, (Ed): *Readings in Political Science*. Dekaal Publishers, Ibadan (Chapter eleven) Pp. 149-165.
- Akhtar Majeed, Ronald Watts and Douglas Brown, (2006). *Distribution of Powers and Responsibilities*, A Global Dialogue on Federalism, Vol 2, Mc Gill- Queen's University Press.
- Akindele S. T. and Olaopa O. R. (1998). *Local government creation and civil strife in Nigeria: the causes, effects and challenges*.
- Alemante G. Selassie (2003), "Ethnic Federalism: Its Promise and Pitfalls for Africa", *Yale Journal of International Law* 2003, Vol.
- Alemseged (2004), *Ethnicity and Dilemmas of State Making: Ethnic Federalism and Institutional Reforms in Ethiopia*.

- Alfred Stepan (2001). *Arguing Comparative Politics*, Oxford: Oxford University Press, pp 340-510 Ronald Watts (1998). 'Federalism, Federal Political Systems, and Federations.' *Annual Review of Political Science*1: 117-37.
- Ali Said, (1998).*Afar Ethnicity in Ethiopian Politics*," in Mohamed Salih and John Markakiseds., *Ethnicity and the State in Eastern Africa* (Uppsala: Nordiska Afrikainstitutet).
- Allen & Unwin, London (1948). Livingstone, W.S.: *A note on the Nature of federalism*. In: J.P. Meekison. (Ed): *Canadian Federalism: Myth or Reality*. Methven, Toronto.
- Andreas Eshete, (2003). "Ethnic Federalism: New Frontiers in Ethiopian politics," paper presented at the 1st National Conference on Federalism, Conflict and Peace Building, Addis Ababa.
- Arowolo, D. (2011). Fiscal Federalism in Nigeria: Theory and Dimensions. *Afro Asia Journal of Social Sciences*, 2(2.2) 1-21.
- Asafa 1993; Merara, G. (2011). *From Autocracy to Revolutionary Democracy, 1960-2011*, Addis Ababa: Chamber printing house;
- Asnake, K. (2006). *Federalism and Ethnic conflict in Ethiopia: A comparative study of the Somali and Benishangul-Gumuz regions*. Netherlands: Leiden University, Phd thesis.
- Assafa Endeshaw (2002), *Ethiopia: Perspectives for Change and Renewal* (Send Lee Press).
- Assefa Fiseha (2007): *Federalism and the Accommodation of Diversity in Ethiopia. A Comparative Study*. Nijmegen: Wolf Legal Publishers.
- Awa, E.O. (1975), *Issues in Federalism*. Benin City, Ethiopia Publishing Corporation.
- Awolowo, O. (1968), *Path to Nigerian Federalism*: Ibadan Oxford University Press. Barton and Chappel (1985:354). "Federalism and Social Policy."
- BahruZewde, 1991).*A History of Modern Ethiopia 1855-1974* :Athens, Ohio: Ohio University Press.
- Bauböck, Rainer. (2000). "Why Stay Together? A Pluralist Approach to Secession and Federation."In *Citizenship in Diverse Societies*, edited by Will Kymlicka and Wayne Norman. Oxford: Oxford University Press.
- Bermeo, Nancy. 2002. "The Import of Institutions," *Journal of Democracy* 13 (2): 96-110.

- Birch, Anthony H. (1966). "*Approaches to the Study of Federalism.*" *Political Studies* 14 (no. 1).
- Breton Gagnon (1988), *Federalism and the Role of the State*, (Toronto: University of Toronto Press), pp. 279-305.
- Burgess (2000), The Federal Spirit as a moral Basis is To Canadian Federalism; *International Journal of Canadian Studies*, 17p.
- Burgess, Michael (1993). '*Federalism and federation: a reappraisal*' in Burgess, M. and Gagnon, A. (ed.) *Comparative federalism and federation*. New York: Harvester Wheatsheaf, p.4.
- Burgess, Michael (2006): *Federalism and European Union – The building of Europe, 1950- 2000*, Routledge, London.
- Burris Scot (2001), *Socialism, Federalism and the BC Party Systems 1933-1983*.
- C. and Konte, M. (2011). *Political versus Economic Institutions in Growth Process*. Aix-Marseille University, France.
- C.D. Tarlton (1965), '*Symmetry and Asymmetry as Elements of Federalism: A Theoretical Speculation*', *Journal of Politics*, vol. 27.
- Charles DTarlton (1965). "*Symmetry and Asymmetry as Elements of Federalism: A Theoretical Speculation*," 861, 869pp.
- Christopher Clapham, (1993), *Constitutions and Governance in Ethiopian Political History*, in *Constitutionalism: Reflections and Recommendations*, Symposium on the Making of the New Ethiopian Constitution (Addis Ababa: Inter Africa Group).
- Clapham, C. (1994) *Ethnicity and the national question in Ethiopia*, in P. Woodward and M.Forsyth (eds.), *conflict and peace in the horn of Africa: Federalism and its Alternatives*, Aldershot: Dartmouth.
- D. Kolawole (Ed.): *Issues in Nigerian Government and Politics*. Dekaal Publishers, Ibadan: Chapter seven, pp. 115-131 (1998).
- Daniel Weinstock (2001), "*Towards a Normative Theory of Federalism*," *International Social Science Journal* 75:83.
- David P. Currie, , (1964). *Federalism and the New Nations of Africa*, The University of Chicago Press.
- Davis (1978), *The Federal Principle: A Journey Through Time in Quest of Meaning* (London: University of California Press), 124.

- Dent, M. (1989). *Federalism in Africa*. With Special Reference to Nigeria'. 169p.
- Dereje Feyissa, (2004), *Ethnic Federalism in Ethiopia: The Experience of Gambela Regional State*, a paper presented at the seminar on Ethnic Federalism: The Challenges for Ethiopia, Addis Ababa: 14-16.
- Dibua, J. I. (2005). Citizenship and resource control in Nigeria: the case of minority communities in the Niger Delta, *Africa spectrum* 39, (1) 5-28.
- Duchacek (1970), *Comparative Federalism: The Territorial Dimension of Politics*: New York.
- Duchacek (1970), *Comparative federalism: the territorial dimension of politics*. Modern comparative politics series, 335pp.
- Duchacek, Ivo (1977): 'Antagonistic Cooperation: Territorial and Ethnic Communities', *Publius: The Journal of Federalism*, 7(4), Fall, 8-9.
- E.J.Hobswam (1990), 'Federalism, Nationalism and Socialism in Yugoslavia,' 123, 142.
- Elazar D.J, (Ed). (1994): *Federal Systems of the World*: Harlow, UK: Longman Group. xxi,2nd Ed.
- Elazar, D. J, (1987). *Exploring Federalism, Tuscaloosa*: The University of Alabama Press.
- Elazar, Daniel J. (1987), *Exploring Federalism*, Tuscaloosa: University of Alabama Press.
- Elgar. Nyong'o, P. Anyang' (2002): "The Study of African Politics. A Critical Appreciation of a Heritage". Heinrich Böll Foundation. Regional Office for East and Horn of Africa. Nairobi. p. 101.
- Eshete, Andreas (2003). "*Ethnic Federalism in Ethiopia: New Frontiers*". Paper presented at a National Conference on Federalism, Conflict and Peace Building in Ethiopia, May 5-7 Addis Ababa, Ethiopia.
- FDRE (1995). The Constitution of the Federal Democratic Republic of Ethiopia.
- Federal Republic of Nigeria (1999), *The Constitution of the Federal Republic of Nigeria*: Abuja Federal Government Printer.
- Fillippov, Mikhail, Peter C. Ordeshook, Olga Shvetsova (2004): *Designing Federalism: A Theory of Self-Sustainable Federal Institutions*. Cambridge University Press.
- Gagnon and Charles (1999). "*Ethnic Nationalism and International Conflict: The Case of Serbia*." *International Security* 19(3).

- Garson and Williams (1982), *The Rise of a New Federalism: Federal-State Cooperation in The United States*.32p.
- Gellner E. (1983), *Multiple Identities in a Single State: Indian Federalism in Comparative Perspective*.
- Ghai, Y. (2002). *Constitutional Asymmetries: Communal Representation, Federalism, and cultural Autonomy*. In Andrew Reynolds (ed.) *The Architecture of Democracy: Constitutional Design, conflict Management, and Democracy*, Oxford: Oxford University.
- Glickman, H. (Ed). (1995). *Ethnic Conflict and Democratization in Africa*. Atlanta, GA: African Studies Association Press.
- Graham Smith, (1995). *Federalism: the Multiethnic challenge*: London and New York: Longman.
- Gurr, Ted R. (2000). *Ethnic Warfare on the Wane*, in *Foreign Affairs*, May/June 2000, Volume 79, No. 3, pp 52-64.
- Haile, Minasse (1996). “*The New Ethiopian Constitution: Its Impact on Unity, Human Rights and Development*,” *Suffolk Transnational Law Review* .Vol. 20 No. 1. 3.
- Haile, Minasse (1997). “*Legality of Secession: The Case of Eritrea*” 8 *Emory International Law Review*.
- Hassen, Mohamed (1999): “*Ethiopia: Missed Opportunities for peaceful Democratic Process*.” In: *State-building and Democratization in Africa*.
- Heinrich Scholler, (1994), *The Ethiopian Federation of 1952: an Obsolete Model or a Guide for the Future*, in Peter Woodward and Murray F. eds., *Conflict and Peace in the Horn of Africa* (Aldershot: Dartmouth).
- Henry E. Hale (2004), “*Divided We Stand: Institutional Sources of Ethno-federal State Survival and Collapse*”, *World Politics*, Vol.
- Horowitz, D. L. (1985).*Ethnic Groups in conflict* (Berkeley, Los Angeles, and London: University of California press.
- Horowitz, D. L. (1994). *Democracy in divided societies*. In Larry Diamond and Marc Plattner(eds). *Nationalism, ethnic conflict, and democracy*. Baltimore and London: The Johns Hopkins University Press.
- Ibrahim, J. (2000) “*The Transformation of ethno-Regional Identities in Nigeria*” in A.Jegaed. *Identity Transformation and Identity Politics under Structural Adjustment in Nigeria*, Uppsala & Kano: Nordic African Institute and Centre for Research and Documentation: 41-61.

- International Crises Group (2009). Ethiopia: Ethnic Federalism and its discontents. Africa report- 4 September 2009.
- Itse, S. (2001), *Nigeria: Federalism, the constitution and resource control*. A presentation at the sensitisation programme organized by the Ibori Vanguard at the Lagoon Restaurant, Lagos.
- Ivo D. Duchacek (1970), *Comparative federalism: the territorial dimension of politics*. Modern comparative politics series, 229p
- K. C. Wheare (1963: 2), *Federal Government*, 4th.ed. (London; Oxford University Press 266p.
- Kader Asmal, (1994), "*Federalism and the Proposals of the National and Democratic Parties*,"
- Karl Marx (1859), *Contribution to the Critique of Political Economy*.
- Keller, Edmond J. (2002), Ethnic Federalism, Fiscal Reform, Development and Democracy in Ethiopia, *African Journal of Political Science* Vol 7 No. 1.
- Keller, Edmond J. (June 2002): "*Ethnic Federalism, Fiscal Reform, Development and Democracy in Ethiopia*," *African Journal of political science* (formerly *African Journal of Political Economic*), Vol. 7, No.1, pp. 21-50.
- Kesner-Skreb, M. (2009). "*Fiscal Federalism: Financial Theory and Practice*". 33(2), 235-237.
- Kidane Mengisteab (1999): "Ethiopia's Ethnic-based federalism: State-Building or Empire Reviving?" "Unpublished paper.
- Kimenyi, M. S. (1997): *Ethnic Diversity, Liberty and the State: The African Dilemma*, Cheltenham: Edward.
- King, (1982), "*Federalism vs. Decentralization: The Drift from Authenticity*", *The Journal of Federalism*, vol. 6, no 3.
- King, P. (1982), *Federalism and Federation*, London: Croom Helm.
- King, Preston (1982). *Federalism and federation*. London: Croom Helm.
- King, Preston (1993). '*Federation and representation*' in Burgess, M. and Gagnon, A. (ed.) *Comparative federalism and federation*. New York.
- Kymlicka Will (1998), "*Multinational Federalism in Canada: Rethinking the Partnership*," *Beyond the Impasse, Toward Reconciliation, Montreal*: Institute for Research on Public Policy, pp. 15-50.

- Laski, H (1985). *A Grammar of Politics*.
- Lidja Fleiner R., (2001: 5), *Minority and Legitimacy of a Federal State: An Outsider Perception of the Swiss Model*.
- Lijphart, A. (1997). *Democracy in plural society*: New Haven: Yale University Press.
- Lijphart, A. (2002). The wave of power-sharing Democracy, in Andrew Reynolds (ed.).
- Lijphart, Arend (1999): *Patterns of Democracy*. USA: Yale University Press.
- Livingston (1952), "*The Nature of Federalism*", *Political Science Quarterly (PSQ)*, Vol. 67, 81-95. 4.
- Logams, P.C. (1994). "*Cultural Pluralism and Nigerian Federalism*". In: J.I. Elaigwu, et al. op.cit.
- Lori Thorlakson (2003), "*Comparing Federal institutions: power and representation in Six Federations*," *West European Politics* 2 (6).
- Lukman, M.M. (2004): *Fiscal Federalism and the Quest for Resource Control in Nigeria*. Unpublished M.Sc. Research Thesis, Department of Political Science, A.B.U. Zaria.
- Macmahon, A.W (1962): *Federalism: Nature and Emergent*. New York, Russel and Russel, Inc.
- Maimire Mennasemay (2003), "*Federalism, Ethnicity and the Transition to Democracy*," *Horn of Africa*, v. XXI.
- Margery Perham, (1963), *The Government of Ethiopia* (London: Faber and Faber Limited).
- Markakis, J. (1987). *National and class conflict in the Horn of Africa*, Cambridge: Cambridge University Press.
- Marks, Jr, Thomas and John Cooper (1988). *State Constitutional Law in a Nutshell*. St. Paul, Minn: West Group.
- Mattei, Ugo (1995). *The New Ethiopian Constitution: First Thoughts on Ethnical Federalism and the Reception of Western Institutions*.
- Mbakogu, I. (2002). Socio-Cultural Factors and Ethnic Group Relationships in Contemporary Nigerian Society. *The African Anthropologist*, 9 (2), 117-136.
- Michael B. Stein (1968), "Political Theory and African Politics," *The Journal of Modern African Studies* 6, no. 1.

- Mustapha, A. R. (1985) “Back to the Future: Multi-ethnicity and the State in Africa” in L. Basta and J. Ibrahim eds. *Federalism and Decentralization in Africa*, Fribourg: Institute du Federalism.
- Mustapha, A. R. (1986) “The National Question and Radical Politics in Nigeria”, *Review of African Political Economy*, No. 37: 81-97.
- Okpanachi, E. and Garba, A. (2010). *Federalism and Constitutional Change in Nigeria*.
- Onimode, B. (1988). *The Political Economy of African Crisis*, London, Zed Press.
- Osaghae, E. E. (1998). Managing Multiple Minority Problems in a Divided Society: The Nigerian Experience. *The Journal of Modern African Studies*, 36 (1), 1-24.
- Ostrom (1994), *The meaning of American federalism: constituting a self-governing society*. Institute for Contemporary Studies.
- Ottaway, M. (1995). *The Ethiopian Transition: Democratization or New Authoritarianism?* In *Northeast African Studies*.
- Paul Henze (1994), *The Economic Dimensions of Federalism in the Horn of Africa*; in Woodward and Forsyth, eds., *Conflict and Peace in the Horn of Africa: Federalism and its Alternatives* (Aldershot: Dartmouth.
- Paulose, C. (2007). *Clientelism and Ethiopia’s post-1991 Decentralisation*, *Journal of Modern African Studies*, 45(3).
- Regassa, Tsegaye (2001) “*Ethnic Federalism and the Right to Self-determination as a Constitutional Legal Solution to the Problems of Multi-ethnic Societies—The Case of Ethiopia*” (Unpublished, LL.M Thesis submitted to the Law Faculty of the University of Amsterdam).
- Regassa, Tsegaye (2002) “*Federalism, Democracy and Governance*,” *The Ethiopian Legal Directory*. Addis Ababa: Professional Information System.
- Riker, William. 1964. *Federalism: Origin, Operation, Significance*. Boston: Little, Brown and Company.
- Ronald Watts, (2008), *Comparing Federal Systems*, 3rd edn, McGill-Queen’s University Press.
- Rufus Davis (1978), “The “Federal Principle” Reconsidered, Part 1,” *Australian Journal of Politics and History* no 1.
- Sagay, I. (2008). “*How a True Federal System Should Run*”. The Nation, Lagos, Vintage Press Limited.

- Schmitt, N. (1997): *History of Constitutional Making: European and Australian Experience*. In: Friedrich Ebert Foundation: *Constitution and Federalism*. Friedrich Ebert Foundation, Lagos. Chapt. 2, Pp. 19-72.
- Schmitt, N. (1997): *History of Constitutional Making: European and Australian Experience*. In: Friedrich Ebert Foundation: *Constitution and Federalism*. Friedrich Ebert Foundation, Lagos. Chapt. 2, Pp24).
- Scot Burris (2001), *Federalism and the New Rights*. Yale Law and Policy Review 14: 325-54.
- Serra-Horguelin, Arnault (1999): "The Federal Experiment in Ethiopia: A Socio-political Analysis". Centre D'etudeD'Afrique Noire.No. 64.
- Smith, G. (ed.) (1995), *Federalism: the Multiethnic Challenge*, Essex: Longman. 5p.
- Solomon Gashaw, "Nationalism and Ethnic Conflict in Ethiopia," *The Rising Tide of Cultural Pluralism*, ed. Crawford Young (Madison: University of Wisconsin Press, 1993), 138–157.
- Solomon, G. (1993). Nationalism and Ethnic conflict in Ethiopia, in C. Young (ed.), *The Rising Tide of Cultural Pluralism: The Nation-state at Bay*, Madison: University of Wisconsin Press.
- Stepan, A. (1999) 'Federalism and Democracy: Beyond the U.S. Model', *Journal of Democracy*, Vol.10, No 4, October 19-34.
- Stephan, Alfred (2001): *Arguing Comparative Politics*. New York: Oxford University Press.
- Suberu, Rotimi. 2009. "Federalism in Africa: The Nigerian Experience in Comparative Perspective." *Ethnopolitics* 8.1: 67-86.
- Taylor (2010), *Economic Origins of Jeffersonian Democracy* (1915) 323-25).
- Tesfatsion Medhanie, (1994).*Remarks on Eritrea and a Possible Framework for Peace*, in Peter Wood ward and Murray F. eds., *Conflict and Peace in the Horn of Africa* (Aldershot: Dartmouth, 21-23).
- Tesfaye, H. (2010). *The challenge of Building of Democratic Developmental state*. Addis Ababa.
- The Architecture of Democracy: Constitutional Design, conflict management, and Democracy. Oxford: Oxford University press.

The nation newspaper, (October 18, 2011), *the front page*: State Governments rejects the revenue allocation.

Toyin D. (2007), *Nigeria's socio-political issues*

Transitional Government of Ethiopia (TGE) (1992). Proclamation No. 7/1992, A Proclamation to provide for the establishment of National/Regional self-governments, Negarit Gazeta 51 year No.2.

Turton, D. (2005): "Four Questions about Ethiopia's Federalism," STAIR1, No. 2, pp.88-101.

Watt, R.L (1994): *New Federations; Experiments in the Commonwealth*. Oxford at the Clarendon. Press.

Watts, R. (1999). *Comparing Federal System*. London: Mc Gill-Queen's University Press.

Watts, R.L. (1998), Federalism, federal political systems and federations, Annual Review of Political Science 1 19-22.

Watts, Ronald (1998). '*Federalism, federal systems and federations*'. Annual Review of Political Science: 117-137.

Wender, G. (1997): *Constitutions and Federalism*: Friedrich Ebert Foundations Lagos.

Wheare Kenneth (1963), *Federalism in Africa: The imperative of democratic development*.

Wheare, K. C. (1967). *Federal Government*. Oxford University Press.

William Riker (1964), *Rationalist Federalism*; the Ashgte Research Companion, 11-12).

William Riker (2001), "*Federalism and Environmental Regulation: A Public Choice Analysis*," Harvard Law Review 115:553.

William S. Livingston (1952), '*A Note on the Nature of Federalism*', Political Science Quarterly, 67, 81-95.

Young, J. (1999). Along Ethiopia's western frontier: Gambella and Benishangul in transition. The journal of Modern African studies. Pp.321-346