Opening Pandora's Box: Process and Paradox in the Federalism of Political Identity

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Introduction: The Twentieth Century as the Short Century

The Berlin Wall fell in November 1989 signalling the end of the Cold War and ushering in—or so it seemed—a new dawn in both European and world politics. The implications of its impact were as colossal as they were many-sided and two decades later, we are still trying to come to terms with what happened. However, if the consequences of rediscovering Europe were undoubtedly extensive, the subsequent impact of the implosion of the Soviet Union in December 1991 to reveal 'Mother Russia' guaranteed that we were also witnessing a seismic shift in the tectonic plates of world politics. The former was very much a European affair, while the latter—marking the end of bipolarity—was of global significance. In a short book titled *Age of Extremes*: *The Short Twentieth Century* (1914–1991), which appeared in 1994, Eric Hobsbawm chose to reconfigure this century largely in terms of a Marxist ideological unity stretching from the Russian Revolution in 1917 to the collapse of the Soviet Union in 1991 and to see in it a distinct historical epoch, and an experiment that had run its course (Hobsbawm 1994).

The post-1991 interaction between European and world politics has been complex and complicated, and we are still too close to these events to appreciate and understand fully the precise nature of their contemporary significance. What we know remains fragmentary and still lacks a sense of ordered interpretation. The so-called 'stable disorder' of world politics can have little real meaning until or unless we can have some further distance from these events and circumstances. However, it is precisely this sense of the unknown that forms the inescapable background context for our subject here. Scholars in history, political science, economics, sociology, and constitutional law are confronted with a series of dilemmas when

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it comes to addressing many of the implications of the events identified above. Practice has in so many respects outstripped theory. We are left with very few familiar signposts to guide us or footsteps for us to follow. There are no doubt historical continuities but they have nonetheless to jostle for position in our evolving explanations of the implications of what happened two decades ago. Continuity and change remain in perpetual relations of both complexity and simplicity spawning both highly sophisticated alongside elementary understandings and interpretations of what is now so often referred to as the 'post-Cold War era', a phrase whose accuracy tells us very little at all about where we are now. However, it is precisely at this difficult intellectual destination that we must situate the subject of process and paradox in the federalism of political identity. This refers to the resurgence of the federal idea as one important outcome of this convulsive period of contemporary history. For the moment, we will leave aside the reasons for the remarkable rekindling of this particular form of human association and look briefly at the empirical evidence for this claim.

The Resurgence of the Federal Idea

In retrospect, the immediate aftermath of the end of the Cold War witnessed an astonishing revival of not just a novel federal discourse in domestic and international politics but also an unprecedented appearance of what I have called the 'new federal models'. The evidence for this is incontestable. Belgium crossed its Rubicon in 1993 followed by the Russian Federation in the same year, while European integration entered a dramatic new phase with the ratification of the Treaty of European Union (TEU), widely known as the Maastricht Treaty, which arguably set the European project on a federal trajectory. The European idea was always a federal idea.

In 1994, Argentina adopted its new constitution that looked to federal values and principles, while in the same year, South Africa produced its first provisional constitution that also incorporated these notions in an attempt to reach a political consensus on how to recognise difference and diversity in its post-Apartheid age. In 1995, Ethiopia and Bosnia and Herzegovina (BiH) were reconfigured as new federal models, the former in order to hold together a multiethnic—some might say a multinational—society and the latter in order to create an oasis of post-conflict political stability based upon a veritable kaleidoscope of territorial, religious, multi-lingual, and multinational properties in a new state diarchy. In 1996, the new Constitution of South Africa was formally ratified and introduced its novel 'spheres of governance' displaying evident federal elements, while in 1999, Nigeria formally adopted its sixth constitution since it gained independence in 1960 and correspondingly reintroduced civilian government in another federal model that has so far stood the test of time. Thus, collectively, Belgium, the Russian Federation,

European Union, Argentina, Ethiopia, Bosnia and Herzegovina, South Africa, and Nigeria strongly suggest evidence of a resurgence of the federal idea in the decade of the 1990s in world politics.

However, the narrative does not end here. In Spain, Italy, and the United Kingdom (UK), as formally non-federal states, there have been significant movements in the same direction. Clearly, the point of departure is crucial. From the perspective of two parliamentary monarchies in Spain and the UK, and what we might describe as a 'regional' state in Italy, there has been a gradual but an indisputable devolution of powers and competences to legitimate sub-state political authorities that could be construed as movement in a federal direction—even if the ultimate goal is not a new federation. Some scholars prefer to see in these three cases a process of *federalising* or *federalisation* that suggests a slow, piecemeal, incremental but ultimately inexorable movement toward some sort of federal or quasi-federal destination. For those who remain anxious about the federal prescription, this approach to understanding what is happening might be seen in terms—to paraphrase a description once used to simplify neo-functionalism in European integration theory—of 'federalism without tears!' For once again, the practice—federal practices—seems to have outstripped the constitutional theory. In such circumstances, we seem to be able to see federalism everywhere.

The notion of federalisation as *process* was first introduced into federal theory—or what passes for it—by Carl Joachim Friedrich whose devotion to it derived from his obsession with Johannes Althusius, the late sixteenth and early seventeenth century German Calvinist Magistrate—and now widely regarded as the father of the Continental European federal tradition—whose principal concern was the construction of political communities, characteristically from the bottom upwards rather than the typical top-down centralist hierarchical perspective. Unfortunately, Friedrich's consistent attempt throughout his academic career to utilise the concept of process as a way to capture the dynamics of *becoming federal* contained too many ambiguities and vague generalisations to constitute, on its own, a convincing theory of federalism, although its conceptual utility might need to be reassessed and reappraised in the light of our new federal models (see Burgess 2012).

Before we conclude this section on the empirical evidence for the resurgence of the federal idea in the late-twentieth century, it is important for us to mention the fifth Annan Plan of the United Nations (UN) as a federal plan for Cyprus (2004) and to add both Iraq (2005) and Nepal (2007) to our growing list of new federal models, while also keeping an eye on both Pakistan and Somalia, and perhaps even Afghanistan in the future however unlikely it seems at the moment. If we now take stock of this list, we can see that there is an extremely impressive body of evidence suggesting that *something is happening* to the federal idea in the new twenty-first century that began in 1991. Let us probe a little further into this body of evidence. Let us venture into the new world of difference and diversity.

The New World of Difference and Diversity

It is clear that in the post-Cold War and post-9/11 era, the twenty-first century has just woken up to a new age of danger and uncertainty unprecedented in its ubiquity. It is an unstable cocktail of possibilities and probabilities. However, these dangers and uncertainties are not confined solely to military and security definitions of reality, nor are they necessarily to do with threats of terrorism, drug- and human-trafficking, AIDS, and illegal immigration. Instead, they are rooted in social realities that have always been immanent in the modern state but have often lain dormant or passive for many years. The new millennium has coincided with the unleashing of powerful forces of cultural-ideological differentiation that have acquired a dramatic political salience across the world and can no longer be complacently ignored, suppressed or violently eradicated. From Indonesia and Sri Lanka to Nigeria and the Sudan, from Cyprus and Russia to Iraq and Somalia, we are witness to the politics of identity: the struggle for new forms of self-determination, tolerance, and civil and human rights and freedoms. We have entered a new era of constitutional and political minoritarianism. Turkish Cypriots in Cyprus, Tamils in Sri Lanka, Chechens in Russia, Kurds in Iraq, and until 2011 Darfur in the Sudan, and many other minority identities have formally joined the chorus of voices clamouring for official recognition and formal accommodation in the polity.

Today, we are confronted by an increasing number of states whose societies display all the indelible features of multiculturalism, multilingualism, and multi-nationalism. It is true that many of these contemporary trends and developments are not novel; they have been evident for decades and some for much longer. However, this imperative of social differentiation has recently been accelerated and accentuated in certain parts of the world. Its contemporary political significance has been underlined by the widespread media coverage that has successfully linked it to Western values, interests, and preconceptions of conflict management. Arising out of this new world of difference and diversity has been both the intellectual and practical political impetus to address this remarkable concatenation of events, trends, and developments so that new questions are posed and old ones reformulated in new circumstances.

One question that has emerged and is quite striking in this context is the following: ‘What has changed about the world of states that has served to increase the contemporary significance of the federal idea?’ The following four reasons, which are interrelated in a complex fashion, offer us some clues toward an explanation:

- A reassertion of the politics of difference and self-determination, especially but not solely in central and Eastern Europe and increasingly in the states of the Middle East, for example, the cyclical efforts to address the Israeli–Palestinian conflict.
- A new international emphasis upon the legitimacy and recognition of social differentiation and heterogeneity, even within Islam, that strongly suggests a

need for constitutional and political accommodation, for example, the Sunni and Shiite Muslims in Iraq.
- The recognition of human rights and freedoms and the morality of United Nations (UN) humanitarian intervention in the internal affairs of independent sovereign states, especially those deemed to be 'failed' states. This includes the collective rights of whole communities, for example, Dafur in the Sudan and the self-determination of Kosovo.
- The spread of new democratisation processes, partly triggered by the US invasion of Iraq, in the Middle East, e.g. Lebanon, Tunisia, Egypt, Bahrain, Yemen, Libya, Syria, and even in Saudi Arabia. However, the likelihood of these cases ushering in a new age of liberal democracy must be considered with a great deal of caution in countries with little or no culture and experience of democratic values.

These discernible contemporary trends and developments prompt those of us interested in the practical relevance of federalism in the world today to reflect upon this new political recognition of difference, diversity, and democratisation. It also impels us once again to think carefully about the nature of conflict, the meaning of diversity, and the sort of unity that can be forged from what are usually unpromising circumstances. Context, it is often said, is everything but the links of similarity between the events and circumstances identified here in Europe, Africa, and the Middle East suggest that something is happening which, at the very least, has revived an international federal discourse. Consequently, there is now a real need to rethink and reassess some of our basic conceptual categories in the light of comparative perspectives.

The Federal Character of Political Identity

In each of the new federal models identified above—whether formally federal or formally non-federal—we can see with remarkable clarity that all of them exhibit a distinct tendency to utilise some aspects of *federal practice*. Whether or not the creation of a new federal model has emerged as the result of a 'constitutional moment' (albeit an 'imposed' moment) with little or no democratic political culture, as was the case with Bosnia and Herzegovina, or has for a long time been in the making as symptomatic of an incremental federalising process in an established liberal democracy, as in Belgium, the reconstruction and reconfiguration of an existing state into a more 'federal-type' arrangement (including consociational mechanisms, procedures, and practices) there is something in the nature of the federal idea that makes it in many important respects ubiquitous.

If it is true, as Murray Forsyth once wrote, that 'with sufficient effort we can find federalism everywhere', this tells us something about the innate flexibility and malleability of the federal idea in its seemingly infinite capacity to adapt and adjust to different circumstances (Forsyth 1981). Its chameleon-like ability to blend into a

variety of different social contexts and political cultures in different parts of the world strongly suggests that it somehow reaches down into the very core of human existence. In short, it endures precisely because it is deeply rooted in fundamental human values and principles of political organisation—with the way that we organise human relations. Althusius, as we have already observed, construed this idea as 'political' in terms of community-building, ever upwards and onwards in ascending fashion from the bottom to the top of the polity.

However, I think that it is important for us to pause for a moment to reflect upon what, at least on the surface, is an existential question. If the federal idea is essentially an organising principle, it is used in unending fashion to organise and reorganise human beings in both their individual and collective capacities so that we are able to live together in political communities that furnish the dual basis of cooperation and self-determination: of the sort of unity and autonomy that led Daniel Elazar to refer to 'self-rule and shared rule' (Elazar 1987). In other words, the federal idea becomes an idea that is indissolubly connected to who and what we are (or who we think we are or even who we would like to be). This conveys the sense of dynamic change, that is, we evolve as human beings always in the process of becoming. In a nutshell, it is part and parcel of our political identity. It provides the answer to the question 'Who am I' and 'What is my political identity in terms of both my individual and collective capacities?' However, it also underlines the fluidity, plurality, and complexity of political identity.

If this reasoning is right, the notion of political identity—of who I am in the polity or political community—is in a state of constant flux. Without wanting to address the complex issue of identity-formation here, it is important for us, at this juncture, to emphasise the essentially *moral* character of the federal idea. It is moral in the sense of its conception of the polity as being grounded in a distinctive set of values and principles that collectively provide the basis for human beings to live together peacefully in their difference and diversity. Difference, we are reminded, produces federalism. There is no time or space to include a detailed survey of these values and principles here but let us nonetheless identify the basic values, as we can see them: human dignity, liberty, equality (of citizens, including 'the Other'), diversity, tolerance, and political empathy. From the presence and interaction of these *federal values*, we can derive a set of *federal principles* that could include, *inter alia,* terms such as partnership, bargain, agreement, contract, and compact in what the leading Canadian political theorist, Charles Taylor, has called 'the politics of recognition' and has spawned an assortment of words, phrases, and shorthand definitions of federalism, such as self-rule and shared rule, *Bundestreue* (including comity and loyalty), reciprocity, and internal self-determination (Taylor 1992). These federal values and principles are intimately and intricately bound up with each other. Often invisible, they work together toward the creation of a federal polity that functions in a particular way to forge a compound identity comprising a variety of constituent identities that some Spanish scholars, such as Ferran Requejo, have called *plurinational* or multinational value pluralism (Requejo 2005). This seeks to capture and convey the complexity of political identity that—like federalism itself—has many subtle meanings and emphases.

At its core, then, political identity has a federal character. Whether or not it has dual, triple or multiple dimensions matters less here than the fact that it has a moral basis to it in terms of how we live together, associate, and engage in political community-building.

Federalism and Liberal Democracy

None of these things, it has to be said, can flourish and develop in anything other than a liberal democratic state. Federal values and principles in any case correspond to and inhere in liberal democracy and are—at least theoretically—mutually reinforcing. To speak of a military federation, as William Riker did in 1987, or to seek to fuse together the authoritarian character of a dictatorship with the federal idea, as the military strove to do for long periods in Nigeria, is frankly absurd (see Burgess 2008). It vitiates the federal idea at its very source. Consequently, it stretches credulity to claim that the Soviet Union, Czechoslovakia, and Yugoslavia were examples of 'failed' federations for the simple reason that they were never federal states in the first place. The argument for this lies in the fact that the values and principles we have just identified cannot produce genuine freedom, autonomy, and internal self-determination other than what is at the behest of the central political authority. And if they contained federal elements to any extent, in embracing the outward constitutional and institutional features common to federations, they were in reality led by single party dictatorships that controlled, or sought to control, all the lines of political communication in the state. They were, in short, impostors.

This is not to say that all past and present federations will necessarily meet the conceptual and theoretical requirements of *federal democracy*; we would have a hard time in attempting to justify the claim that all of the new federal models, especially those in Russia, Ethiopia, Bosnia and Herzegovina, and Iraq are fully functioning federal democracies, but in this they are certainly not alone if we reflect upon the flawed democratic practices in the established federal systems in Malaysia (1963) and India (1950), and this is in any case hardly surprising if we also consider their recent historical legacies, which are living legacies that retain a contemporary significance. Indeed, it might be that the introduction of liberal democracy—with all of its conventional features including the rule of law, constitutional principles, human rights and freedoms, and capitalist market economics—and the process of democratisation are more important in such cases than the focus upon federalism.

And here lies the main problem that is likely to determine success and failure in these new models. Is it possible to construct and sustain new federations that at the outset lack a democratic political culture? What are the theoretical and empirical implications of this recent phenomenon whereby the federal idea is introduced in a set of circumstances that are not or do not appear to be conducive to its practical success? Historical experience suggests that among the so-called pre-conditions of classic federal state formation and the subsequent processes of (multi)nation and

state building there have been present in the social reality of difference a series of factors—such as territorial contiguity, congruent social and political values and institutions, and shared goals—that are nonetheless common to each federal experiment. However, our new federal models do not in general possess these preconditions. Indeed, they each have an authoritarian military heritage that does not seem to furnish the basis for creating and sustaining a viable federal political community. There is little or no democratic experience. Democratic values are therefore extremely shallow. In short, there is no democratic political culture wherein the federal idea can flourish.

If this historical logic is broadly correct, it will be necessary to reverse history and—having created a federal constitution—seek first to *create* a democratic political culture where the construction of a federation can be firmly cemented. The practical implication for the new federal models in Bosnia and Herzegovina and Iraq, then, is that democratic values and practices via the *process of political socialisation* will have to be introduced over a long period of time if they are ultimately to become self-sustaining. The public policy consequences are therefore self-evident. The agents of this socialisation will be education policy, media competition and institutionalised democratic practices designed to channel and canalise conflict in peaceful, non-violent pathways. In turn, one conceptual implication of this novel phenomenon is the revival of both *political socialisation* and *political culture* as useful instruments of empirical and normative descriptive analysis. We have already begun to witness an increase in references to these terms in the emerging literature on contemporary federal models. Their resurgent conceptual utility derives directly from the practical realities of our new federal models.

To summarise this section, it is important to consider that the peculiar context wherein the new federal models are located can produce an interesting paradox: federation is both the means and the end of democratisation just as democratisation is a necessary instrument of a self-sustaining federalism. They are, in short, mutually reinforcing influences.

Process and Paradox in the Federalism of Political Identity

If we return to look at the federal character of political identity in terms of our new federal models, what does it tell us about both the practical possibilities and limitations of contemporary federalism? As we will see, the post-Cold War context of these models ensured that they would emerge out of and alongside the larger process of democratisation or, to be more specific, that the federal idea would facilitate this process. Therefore, it is appropriate to revisit the approach to federalism that we have called *federalisation*.

The notion of *process* in political science denotes a continuous, indeed an endless, dynamic of change. In federal studies, as we have already seen, it is associated with the theoretical approach of Carl Friedrich. His desire to escape

from what he saw as the constitutional and legalistic character of federalism that lent the impression of a static conception of this subject prompted him to seek a different way of understanding it. Instead of the conventional idea of the word 'federal' being handcuffed to the notion of the state—the federation or federal state—he wanted to expand its meaning in order to detect other forms and manifestations of the federal idea. Clearly, he believed that there was more to the federal idea than just the federal state and in this particular respect he has been followed by both Daniel Elazar and Ronald Watts (see Elazar 1987; Watts 2008). In consequence, he sought to identify different states and political systems on a spectrum or continuum of federalism that he could locate appropriately in terms of their level and scope of *federalisation*. This enabled him to bridge the gap between the domestic state level and the international level of political authority, thus equating the *constitution* as the language of the state with the *treaty* as the language of international relations. Both in his view constituted federalisation.

Leaving aside the conceptual flaws and ambiguities inherent in this approach to understanding federalism as a continuous process of federalisation, Friedrich's conception did nonetheless have the merit of conveying the essentially dynamic nature of federalism. Moreover, in introducing the idea that the subject extended beyond the state to include what he called *international federalism,* he clearly foreshadowed the later contributions of both Elazar and Watts to federal theory in the extent to which he included federal *arrangements* and *relationships* that existed independently of the formal state structure. In the 1960s, it was and remained a highly idiosyncratic, not to say eccentric, way of looking at the world of states and non-state actors although Friedrich had been developing this concept of federalisation since at least 1950.

How and why would Friedrich's process approach to federalism—his notion of federalisation—be reassessed and restored as a conceptually useful way of explaining the emergence of the new federal models? On what grounds can we utilise it in order to come to terms with contemporary change?

In a sense, we have already underlined the basis for this application of old wine in new bottles. The post-Cold War world has changed to such an extent that we find most of the classic theories of federal state formation and their subsequent maintenance simply redundant. They do not help us to understand and explain the appearance of the new federal models so that this would seem to be another example—such as that of the EU—of the practice having outstripped the theory. Just as the EU works in practice but not in theory, so the new federal models exist collectively as a contemporary reality that has no apparent theoretical basis.

However, there is another aspect to this notion of federalisation that is worth more than a moment's reflection. There are good reasons to construe what has been happening in three of our new federal models as the process of federalisation: Belgium, Bosnia and Herzegovina, and the EU. In the first case, it took Belgium approximately a quarter of a century before it crossed the constitutional Rubicon from a decentralised parliamentary monarchy to a formally full-fledged federation. Meanwhile, the period 1995–2012 in the evolution of Bosnia and Herzegovina has clearly been a process of incremental federalisation in terms of its post-civil war

reconciliation and reconstruction. It is now a unique federal diarchy comprising one unitary constituent unit—the Republic of Serbia—and the federation of Bosnia and Herzegovina with ten constituent cantons. The latter is, in other words, a federation within a larger overarching dual or binary federation. Finally, the EU has always been the current institutional expression of a long process of European integration that can be accurately construed as a piecemeal, incremental process of federalisation. In these three cases, Friedrich's notion of federalisation would seem to be the most helpful conceptual approach to understanding what is or has been happening both within and without the state in Europe.

There is further empirical evidence that might justify our resort to the concept of federalisation and support Elazar's claim that it is the federal relationships that are important rather than their formal incorporation in a written constitution. It is clear from our introductory section that there has also been a significant contemporary trend toward federalisation in three formally non-federal states in Europe. Vernon Bogdanor identified the process during the late 1990s of what he called 'federal devolution' in the United Kingdom (Bogdanor 2009). This is sometimes described as territorial decentralisation or constitutional sub-national autonomy, within formally non-federal states in Europe and its relevance to both Italy and Spain is incontestable. What the use of these terms and phrases indicates is an effort to avoid the (understandable) assumption that there is a federal teleology in these states and that their evolution is necessarily toward a federal destination as a terminal end-point.

However, how can we really know if this is what is happening in Spain? While the application of the federalisation concept to Spain still leaves the door to formal federation open, it does not necessarily imply that it is in any sense inevitable. The pace and scope of territorial decentralisation during the last 30 years is certainly movement in a federal direction, especially if both senate and fiscal reform are introduced in the future to accompany the existing evolution of bilateral intergovernmental relations and the further enhancement of the Autonomous Communities (ACs) in terms of their informal horizontal cooperation and powers. Small wonder that many scholars of constitutional law and politics refer to contemporary Spain as a 'federation in disguise' or 'a federation in the making'. It is hard to resist the temptation to classify it in conventional terms, even if the prefix *quasi-federal* is preferred.

However, this temptation must be resisted for the simple reason that Spain is not and may never be formally a federation consecrated by a written constitution. What matters is how its political system works in practice. Not for the first time do we witness the chasm between constitutional theory and practice. Friedrich, Elazar, and Watts would find a happy consensus in the conclusion that the current Spanish federal model is just that: a peculiarly Spanish invention. And if, like Italy and the UK, it remains difficult to classify Spain according to our conventional understanding of federal states, this suggests that we must rethink and reconceptualise our classificatory categories rather than try to squeeze this new federal model into some kind of outdated conceptual framework. From the perspective of federal theory,

then, Spain is another of these new evolving federal models that is compelling us to seek a new classification.

Turning to the related question of paradox in the federalism of political identity, the similarities in the social cleavage structure in these new federal models is quite striking but for different reasons. One of the major features common to them all is the visceral nature of their cultural–ideological diversities. All of them are characterised to some degree and in different ways as combinations of multi-ethnicity, multi-nationalism, multiculturalism, multi-religiosity, and multilingualism. So the hallmark of federalism as the institutionalisation of political identity in these federal models is primarily to do with ethnic, national, religious, and language issues that are notoriously difficult for all political systems (not just those that are federal) to process. This is because they are in many ways non-bargainable public policy questions that often involve zero-sum conflicts and this is precisely where we can locate one of the several paradoxes in federal studies.

The paradox in relation to the federalism of political identity is the following: why do state builders consciously construct federal communities on the foundations of difference and diversity that will be predictably difficult to manage and inherently unstable at the outset? Indeed, why would anybody seek deliberately to build a new state on social cleavages with political salience that will constitute major fault-lines in the polity and be a constant source of conflict and division that is likely to constitute an obstacle to the unity and integration of the state? Put in plain language, it seems like this is literally asking for trouble. Wrapped inside this paradox is of course a real conundrum for political scientists, namely, do these new federal models sustain and aggravate conflicts that already existed or are they actually responsible for creating them? In turn, do they create the conditions for secession in the future? However, this question is a subject for a different paper.

Conclusion: Opening Pandora's Box?

If we look back at this short survey that has as its main focus the emergence of new federal models after the end of the Cold War, it does seem to call not only for new empirical and theoretical perspectives having significant implications for comparative federalism, but also for a root and branch revision of classic federal theory to accommodate theoretical pluralism. This can be formulated from a synthesis of the old theories—taking from them what is relevant to the new age of federalism—to produce a revisionist theory with much greater explanatory capacity than existing approaches.

The role and scope of federalism in the world of the new millennium must be synchronised with its novel hopes, fears, and expectations. This presents fresh challenges to the federal idea and means that its innate flexibility, built upon core values and principles, is likely to be tested in new ways that will serve further to provoke our imagination in constitutional and institutional design, decision-making processes, and conflict management procedures. New federal experiments will

emerge as structural responses to new problems and they are just as likely to furnish the basis of innovation and exploration as the current federal models surveyed here today.

Consequently, if these new federal models tell us anything, it is surely that the danger of opening Pandora's Box to risk letting out all of the ills of mankind to flourish and produce chaos, can only be judged according to the viability of the alternatives to the federal idea.

Notes and References

E. Hobsbawm, Age of Extremes: The Short Twentieth Century, 1914-1991, (London: Michael Joseph, 1994)

See M. Burgess, In Search of the Federal Spirit: New Empirical and Theoretical Perspectives in Comparative Federalism, (Oxford: OUP, 2012)

M. Forsyth, Unions of States: The Theory and Practice of Confederation, (Leicester: Leicester University Press, 1981)

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

C. Taylor, Multiculturalism and "The Politics of Recognition": An Essay, (Princeton: Princeton University Press, 1992)

F. Requejo, Multinational Federalism and Value Pluralism, (London: Routledge, 2005)

Burgess, In Search of the Federal Spirit, (Oxford: OUP, 2012)

Elazar, Exploring Federalism, (Tuscaloosa, AL: University of Alabama Press, 1987)

R.L. Watts, Comparing Federal Systems, (London: McGill-Queen's University Press, 2008) 3rd edition

V. Bogdanor, The New British Constitution, (Oxford: Hart Publishing, 2009)