

Edited by **Karlo Basta,**  
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# **Territorial Pluralism**

Managing Difference in  
Multinational States



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## **Ethnicity and Democratic Governance Series**

How can societies respond to the opportunities and challenges raised by ethnic, linguistic, religious, and cultural differences and do so in ways that promote democracy, social justice, peace, and stability? The volumes in this series seek answers to this fundamental question through innovative academic analysis that illuminates the policy choices facing citizens and governments as they address ethnocultural diversity. The volumes are the result of a collaborative research project on ethnicity and democratic governance under the general editorship of Bruce J. Berman.

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## **Preface**

### The EDG Series: Governing Diversity

The volumes in the Ethnicity and Democratic Governance series are the products of an international Canadian-based Major Collaborative Research Initiative (MCRI) begun in 2006 under Bruce Berman of Queen's University as principal investigator. Over the course of six years, thirty-nine international researchers and other associated organizations pooled their research and knowledge of one of the most complex and challenging issues in the world today – governing ethnic diversity. The EDG project began with one foundational question: how can societies respond to the opportunities and challenges raised by ethnic, linguistic, religious, and cultural differences and do so in ways that promote democracy, social justice, peace, and stability?

To approach the complex issue of governing ethnic diversity, our academic investigations were broken into four interrelated research streams represented by four main research questions:

- What are the causes of ethnic community formation, political mobilization, and conflict?
- What are the institutional strategies and policies available to states for developing democracy in multiethnic societies?
- To what extent can the international community facilitate the peaceful resolution of ethnic conflicts?

- What normative principles of justice and democracy should be used in formulating or evaluating the governance of diversity?

The themes around which our work has coalesced include nationalism, multiculturalism, federalism, ethnicity and moral economy, recognition and identity, accommodation and integration, conflict resolution, democratic governance, secularism and religious pluralism, citizenship, international intervention, immigration, social integration, self-determination, and territory. Core funding for the Ethnicity and Democratic Governance MCRI comes from the Social Sciences and Humanities Research Council of Canada. Although the project is headquartered at Queen's University, the Université du Québec à Montréal, the University of Toronto, and the University of Victoria are also partner institutions in the initiative.

It is our hope that readers will discover within all of our volumes – and in other project outputs – new understandings of previously neglected or understudied aspects of the nature of ethnic identity formation, the causes of ethnic conflict, and the relationship between ethnic conflict and democratic governance in the contemporary globalized world. For more information on the EDG project, and for a list of other EDG publications, see [www.queensu.ca/edg/](http://www.queensu.ca/edg/).

# Introduction

Richard Simeon

This book is about territorial pluralism in diverse societies. Territorial pluralism involves a form of autonomy aimed specifically at the accommodation of distinct ethnic, linguistic, religious, cultural, and national communities. It provides for self-government but also, frequently, for equitable forms of recognition and power-sharing arrangements within central or federal governments. Territorial pluralism can be contrasted with territorial monism, the territorial organization of the state in ways that do not accommodate different communities – either through centralized unitarism or forms of regional autonomy that do not give self-government to minorities. Our concern is with countries in which groups based on different ascriptive identities are regionally concentrated and with the institutions and practices that governments in such countries employ to recognize and manage territorially based interests and identities.

These are critical issues both in contemporary social and political science and in the real world of politics. We see autonomy, devolution, and potential secession debated in the United Kingdom, where Scotland, Wales, and Northern Ireland all pose differing territorial challenges. In Spain, autonomist movements in Catalonia and the Basque country are gaining strength. Tensions among territorially concentrated linguistic groups in Belgium threaten that country's unity. Territorial controversies remain an important driver of conflict throughout the former Soviet Union and Eastern Europe, including in Ukraine, Georgia, Moldova, and Azerbaijan. The case of Cyprus reminds us that many of these conflicts are highly intractable and can continue over long periods of time. In formally unitary states such as France and Italy, regional movements have placed decentralization on the political agenda. In Canada, language and region continue to shape the country's politics. In Africa, we have seen the continent's largest

country, Sudan, split into two; Kenya riven by territorially based ethnic conflict after the presidential election of 2007; Nigeria continue to experience unrest related to its territorially rooted ethnic and religious divisions; and Ethiopia, whose Constitution includes the right to secession, hold its diverse groups together through an authoritarian multiethnic central government. In Asia, China, India, Pakistan, Philippines, and Indonesia all experience regional movements of widely different forms and influences. The territorial dimension of identity politics continues to be as relevant today as it has been at any time since the end of the First World War.

These diverse cases raise many questions. The chapters in this book focus on the following.

- Description and conceptualization. What forms does territorial pluralism take? Through which institutions and practices is it instantiated?
- Explanation. When are institutions of territorial pluralism created, and what kind of impact do they have on peace and stability in complex societies? What accounts for variations over time and across settings in demands for institutions based on territorial pluralism?
- Fundamental normative questions. Do practices of recognition and accommodation of territorially based diversity further the goals of democracy and social justice?

As we have explored in previous work (McGarry, O'Leary, and Simeon 2008), and as John McGarry and Brendan O'Leary elaborate in the introductory chapter to this volume, there are two broad alternative strategies for accommodating territorially concentrated communities. The first strategy is *integrationist*. This emphasizes unity over diversity in plural states and is inimical to the institutionalization of difference, including in its territorial form. The second strategy is *accommodationist*. It advocates the autonomy and integrity of substate political communities through a wide variety of institutional approaches, perhaps the most important of which is federalism. The debates between these two perspectives are highly contested and run through a number of the chapters in this book. The introductory chapter by McGarry and O'Leary frames these perspectives in broad theoretical terms.

The following chapters address more specific issues that fall under the umbrella of territorial pluralism. They employ different combinations of detailed case analysis that place heavy emphasis on the specific contexts,

cultures, and historical legacies that shape the political world, and comparisons that look for broader, though cautious, generalizations across cases. More importantly, many of the chapters combine explanatory and prescriptive approaches and theory and practice. Subsequent sections of this introduction outline some of the main dimensions of inquiry covered by the chapters that follow.

### **The Societal Dimension**

The politics of territorial pluralism reflect a number of fundamental sociological realities. The key factor for our inquiry is the extent to which politically salient differences have a territorial basis. Are groups with discrete politicized identities dispersed widely across the whole country or concentrated in particular territories? How is the regional differentiation manifested – in terms of ethnicity, religion, language, or culture or some combination of them? Do these differences cross-cut or reinforce each other? To what extent is the existence of differentiated territorial communities the result of broad historical, economic, and demographic factors or more recent conflicts and political decisions?

The spatial distribution of populations has critical consequences for the politics of territory. If the discrete communities are distributed evenly across space, then matters of identity might well dominate a country's politics but are unlikely to take the form of regional party politics, calls for regional autonomy, or development of strong regional identities and loyalties. Rather, the group claims are likely to be made in terms of representation and inclusion in central governments, commonly on the consociational model. This pattern fits Lebanon and Malaysia, for example. Where the distinct/differentiated populations are territorially concentrated, they are likely to develop strong regional identities and loyalties and call for territorially rooted rights for self-government in one of its many guises – decentralization, federalism, independence, and so on but also, at times, influence at the centre. The degree of territorial concentration is, of course, not a binary value. Rather, it is a continuum. Even when a single group constitutes the large majority in a regional unit, there will almost always be “minorities within minorities,” thus complicating debates about whether and how to recognize or accommodate them. Indeed, a somewhat neglected aspect of the study of territorial politics is the dynamic relationship between minorities (How many? How large? How different from each other? How distributed?) and majorities (How large relative to minorities? How

territorially concentrated? How dominant politically, economically, and culturally?). The chapters in this book are sensitive to these variations in the societal dimension of territorial difference.

The spatial distribution of communities has international implications as well. Spatial demography of distinct groups is often not confined to a single state. Because of the vagaries of international power politics, populations can find themselves divided among several countries, as with the Kurdish or Basque people, or with culturally similar “kin communities” in neighbouring countries, as with Greek and Turkish Cypriots, the Northern Irish, Hungarians (in Romania and Slovakia), and Serbs (in Bosnia and Kosovo) (Mabry et al. 2013). These situations can give rise to calls for irredentism: that is, secession combined with union of the seceding territory with a neighbouring state or, in some cases, multiple secessions followed by union of the secessionist territories. Less dramatically, they can also give rise to calls for institutions that establish linkages among the territories in question but fall short of irredentism. All of these situations have important consequences for the dynamics of territorial conflicts.

Several other societal characteristics can shape the politics of territorial demands. Among them, for example, are regional economic disparities, notable recently especially in the distribution of natural resources such as oil, gas, and diamonds but also in historically rooted differences in economic development. These are often important sources of conflict as the wealthy regions seek to hold on to the benefits and other regions seek to share them. The former are likely to call for increased autonomy or secession, the latter for a more complex combination of autonomy and redistribution, which might imply simultaneous centralization and decentralization. Another factor is the extent to which societal differences overlap with and reinforce each other or cross-cut each other. It is the former case that is most likely to create a sense of nationhood and strong aspirations for independence and secession. This is precisely why, in the case of overlapping cleavages, integrationist scholars do not wish to further reinforce such divisions with regional autonomy. Instead, they prefer either the unitary organization of the state or a federalism that disaggregates, rather than accommodates, territorially concentrated groups.

### **The Institutional Dimension**

Thus, many societal characteristics can influence the particular shape of the institutions of territorial pluralism or conflicts over them. But what are these institutions in the first place? McGarry and O’Leary demonstrate

that they do not constitute a single phenomenon but a rich and diverse array of frameworks and practices. There is no single model of territorial pluralism. What they have in common is that power, influence, and legitimacy are at least to some extent dispersed across territorially defined political units. Substate governments have at least some autonomy to make their own collective decisions without central control and without seeking the consent of the state-wide majority.

But the character and extent of substate autonomy vary hugely. Even if they give some self-government to minorities, many forms of deconcentration and decentralization are primarily for the administrative convenience of the centre and can easily be modified or revoked. Federalism provides a stronger guarantee of regional autonomy by giving constitutional status to regional governments, with assigned powers and resources and a distinct electoral base. But even here there are large variations, ranging from the almost fictional status of federalism in the former Soviet Union to the much more robust autonomy in federations such as Canada and Switzerland – with many variations in between. In federations, both orders of government have constitutional standing; in confederations, or associations, central authorities are creatures of and subordinate to the constituent units, but even here the gap between constitutional terminology and political practice can be large.

To complicate things further, territorial pluralism can be associated with different forms of group participation at the central state level. Territorial self-government can be implemented in tandem with the liberal majoritarian model of political participation that offers no formal recognition of cultural difference. Under conditions of deep and polarized diversity, this one-person, one-vote model can be ethnocentric and illiberal, especially where it results in the permanent exclusion of the minority from central power. Elsewhere, territorial self-government can be combined with consociational features, recognizing cultural or other differences and institutionalizing them within central governments through devices such as proportionality and mutual vetoes. Of course, all of the above listed elements can be combined in a number of different permutations. Taken together, the empirical chapters in this volume demonstrate the breadth of this diversity in the context of actual politics. These diverse institutions and practices have widely varying origins based on historical legacies and contemporary divisions. There exists no clear catalogue or recipe book that matches individual circumstances with ideal political arrangements. Hence also the difficulty of making broad generalizations, such as suggesting that

a particular institutional form will have predictable consequences across all cases. Nevertheless, it is possible to theorize about both the sources of territorial pluralism and its impacts.

To understand the genesis and development of territorial pluralism, any discussion must proceed from the interaction between state and society. The debate is about the direction of the causal arrows. To what extent is territorial pluralism the result of, and a response to, territorially grounded differences – how much is the phenomenon “bottom-up”? On the other hand, to what extent are territorial identities and interests shaped by the institutional structure and by the actions of elites – a “top-down” perspective? Although several of the contributors to this volume tackle some of these questions head-on, these issues crop up in different forms in most of the chapters.

The other key explanatory question in the study of territorial pluralism relates to its efficacy in managing conflicts in a sustainable and peaceful manner. Is it possible to balance unity and diversity – the recognition and empowerment of distinct substate national communities, together with the common interests and identities of the whole? Again, this might be viewed differently between minorities (“no level of devolution is sufficient”) and majorities (“too much devolution erodes a common sense of community”). And there are differing empirical assessments. Integrationist skeptics argue that substate autonomy sets up a dynamic leading toward ever greater decentralization, the end result of which is likely to be secession and breakup of the state (Roeder 2007). On the other hand, accommodationists argue that, if self-conscious minorities are to be reconciled to their participation in the larger state, they must have the guarantee and assurance of substantial autonomy that will permit them to preserve and promote their distinctive culture and society (McGarry and O’Leary 2005). These are difficult issues to resolve both in theory and in concrete cases.

### **The Normative Dimension**

Territorial pluralism also gives rise to a broad set of normative problems. To what extent does territorial pluralism promote democracy? Social justice and equality? Effective governance and public policy? The successful recognition and empowerment of self-identified cultural and social groups? Again, the variety of societal relationships and the variation in institutional arrangements associated with territorial pluralism mean that no simple generalizations are possible. Nevertheless, the contributors to this volume

have much to say on these issues as they play out and are negotiated, both in theory and in practice. With respect to democracy, much depends on the particular conception of the political community. If state-wide citizenship and identity are considered primary, then territorial pluralism might be seen as undermining majority rule. But if the primary community is the linguistic or ethnic group, then territorial pluralism enhances democracy, and majoritarian systems have the potential to undermine it. Indeed, territorial pluralism might allow for a much closer fit between citizen preferences and government policies; for fuller expression of self-government for otherwise underprivileged groups, including freedom from arbitrary involvement from dominant groups and the central government; and for the protection of the cultural, political, and economic interests of vulnerable communities. At the same time, territorial autonomy alone might contain elements of domination by majorities over minorities, particularly if minority communities have few avenues through which to influence central government policy.

### **The Chapters**

The chapters that follow explore all these questions, deploying a wide variety of approaches, concerns, and cases. The first group of chapters is primarily conceptual and theoretical. McGarry and O'Leary provide a detailed taxonomy of territorial pluralist institutions and practices. They illustrate the rich palette of options that has been adopted in the past and that might be chosen by contemporary constitution makers. Margaret Moore and Mira Bachvarova explore the multiple ways in which territorial communities can find political expression while respecting more general conceptions of democracy and human rights. Peter Kraus provides a rather more skeptical analysis of the normative limits of institutionalizing difference territorially, all the while acknowledging the positive aspects of territorial pluralism.

More empirical comparative perspectives are provided by the next group of chapters. Richard Simeon explores the potentials and pitfalls of federalist options. Michael Keating blends theory and empirical analysis in comparing the differing cases of the United Kingdom, Spain, and Bosnia and Herzegovina. Karlo Basta employs a neostructuralist approach, with emphasis on political economy, in his analysis of the ways in which multinational states can accommodate difference.

The remaining chapters comprise detailed case studies in several geographic contexts. César Colino and Angustias Hombrado examine the

Spanish case; Wilfried Swenden takes on Belgium. In both cases, the outcomes of ongoing debates about territorial pluralism remain unclear. John Boye Ejobowah explores an important African case – Nigeria. In this, the most populous country on the continent, territorial pluralism has taken the form of a progressive decentralization into smaller and smaller units, with each new subdivision increasing the degree of cultural and linguistic homogeneity of the units. Bruce Berman's chapter examines the complexities and paradoxes at the nexus of ethnic identity, political economy, and territorial organization in Kenya and Ghana, demonstrating that in some cases the politicization of territory takes a very different form from those to which Western scholars are accustomed. John McGarry provides a timely analysis of the history and current struggles over the possible reunification of Cyprus. Finally, André Laliberté examines how China, a diverse but highly authoritarian system, responds to territorially defined diversity.

Karlo Basta and Richard Simeon pull these many threads together in the conclusion. They do not suggest an ideal model of territorial pluralism. Rather, they explore the utility of a variety of approaches and their strengths and weaknesses, depending on the specific contexts.

### Works Cited

- Mabry, Tristan James, John McGarry, Margaret Moore, and Brendan O'Leary, eds. 2013. *Divided Nations and European Integration*. Philadelphia: University of Pennsylvania Press.
- McGarry, John, and Brendan O'Leary. 2005. "Federation as a Method of Ethnic Conflict Regulation." In *From Power Sharing to Democracy: Post-Conflict Institutions in Ethnically Divided Societies*, edited by Sid Noel, 263-96. Montreal: McGill-Queen's University Press.
- McGarry, John, Brendan O'Leary, and Richard Simeon. 2008. "Integration or Accommodation? The Enduring Debate in Conflict Regulation." In *Constitutional Design for Divided Societies: Integration or Accommodation?*, edited by Sujit Choudhry, 41-88. Oxford: Oxford University Press.
- Roeder, Philip G. 2007. *Where Nation-States Come From: Institutional Change in the Age of Nationalism*. Princeton, NJ: Princeton University Press.