

## Federalism & Conflict Resolution – with Dr. Dawn Walsh on 24 November 2020

Federalism has increasingly been used as a tool of conflict resolution in different parts of world. Newer federations in Bosnia and Herzegovina, Iraq and Nepal, amongst others, all demonstrate the usefulness of federalism to bring together formerly opposing groups, ensure territorial autonomy and provide a democratic framework in a post-conflict setting.

Yet, the use of federalism as a tool of conflict resolution is not without its challenges. For example, complex federal and consociational arrangements have resulted in institutional paralysis in Bosnia, while several countries, such as Yemen and Somalia have seen a return to violence after the introduction of a federal system. What is federalism and decentralization more generally, have been unable to tame demands for autonomy and independence in areas such as Iraqi Kurdistan or the Serb Republic in Bosnia and Herzegovina. Moreover, ongoing political tensions and stalemates between different visions of the territory and the different peoples within it can be observed in cases such as North Macedonia and Northern Ireland. In short, settling deep-rooted, violent conflict through federalism and decentralization is neither easy, nor always successful.

It is therefore very important to think about how federalism can contribute successfully to the pacification of violent conflict, and lay the foundation for democratic governance and inter-group reconciliation. Some important lessons learnt from a variety of cases include the need for institutions which combine power-sharing amongst different groups with

additional institutions that bring in flexibility and allow groups to engage in non-conflictual interaction. In this regard, Constitutional Courts play a key role, as they often have to deal with complex questions related to federal autonomy and group rights. Further, independent Commissions, for example those focusing on human rights and reconciliation, can move the attention away from day-to-day conflictual politics to the development of a more long-term common vision for the state. Moreover, party politics and civil society also play an important role in making federalism work. Political parties which focus on alternative issues than ethnic division and ongoing conflict can provide a counterbalance to ‘ethnic outbidding’ and allow citizens to choose non-nationalist alternatives in elections. Civil society organisations also contribute to overcoming the divide between groups, and have played a key role in cases such as Northern Ireland and Bosnia to bring young people of different backgrounds together, and to problematise issues beyond the ethno-religious divide in these countries, such as topics related to gender equality and environmental protection.

Designing institutions for post-conflict societies it is not easy, but it is important to learn from the experience of other cases, avoid previous mistakes, and design institutional provisions which have the highest chance of ensuring a transition to peace and democratic governance.

*Soeren Keil, 50 Shades of Federalism*