











# **Federalism Discourse in Nepal: A Learning from International Practice**

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# List of Federal Countries in the World

SN	Countries	Colony status/Country's Foundation	Population	Flags	State flags	Federating Units
1.	Argentina	From Spain (9 July 1816)	40,134,425 31 <sup>st</sup> in the world 86.4 European (mostly Italian and Spanish), 8 Mestizo, 4.0 Arab and East Asian, 1.6 Amerindian		Yes	Provinces (23)
2.	Australia	From the United Kingdom (after 1 January 1901 constitution)	22,396,562 (53 <sup>rd</sup> in the world) Australian (37.1), English (31.7), Irish (9.1), Scottish (7.6), Italian (4.3), German (4.1), Chinese (3.4), and Greek (1.8)		No	States (6) & territories (2)
3.	Austria	July 27, 1955 (Duchy: 1156, Austrian Empire: 1804, First Austrian Republic: 1918–1938, Second Republic since 1945)	8,356,707 (92 <sup>nd</sup> in the world) 82.5 <u>Austrians</u>		No	States (6)
4.	Belgium	From Netherlands (4 October 1830)	10,827,519 (76 <sup>th</sup> in the world) Official languages: Dutch (59.0), French (40.0), German (1.0)		Yes	Divisions (3)
5.	Bosnia and Herzegovina	From Yugoslavia (1 March 1992)	4,613,414 (120 <sup>th</sup> in the world) Bosniak (48.0) Serb (37.0) Croat (14.0)		No	Divisions (2)






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6	Brazil	From Portugal (7 September 1822 )	192,272,890 (5 <sup>th</sup> in the world) Roman Catholicism: country's predominant faith. (73.6); Protestantism (15.4); Kardecist spiritism (1.3); other Christian denominations (1.2);		Yes	States (26)
7	Canada	From Britain (1 July 1867) but remained under control till 1919.	34,183,000 (36 <sup>th</sup> in the world) English (21), French (15.8), Scottish (15.2), Irish (13.9), German (10.2), Italian (5), Chinese (3.9), Ukrainian (3.6), First Nations (3.5)		Yes	Provinces (10) & territories (3)
8	Comoros	From France (6 July 1975)	798,000 (159 <sup>th</sup> in the world) Sunni Islam ( 98.0) Other minor groups: Mayotte (immigrants from France), Indian (mostly Ismaili)		No	Islands (3)
9	Ethiopia	Established from 980 BC Current Constitution of 1991	79,221,000 (15 <sup>th</sup> in the world) Oromo (34.5), Amhara (26.9), Somali (6.2), Tigray (6.1); Sidama (4. 1), Gurage (2.5), Welayta (2.3) and around eighty other small ethnic groups.		No	Regions (9) & 2 chartered cities
10	Federated States of Micronesia	From US-administered UN Trusteeship (3 November 1986)	111,000 (181 <sup>st</sup> in the world) Chuukese (48.8), Pohnpeian (24.2), Kosraean (6.2), Yapese (5.2), Yap outer islands (4.5), Asian (1.8), Polynesian (1.5), other (6.4), unknown (1.4) & some Japanese ancestry		Yes	States (4)





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11	Germany	Established as Holy Roman Empire (2 February 962) Unification (18 January 1871) Federal Republic (23 May 1949) Reunification (3 October 1990):East & West Germany	81,757,600 (16 <sup>th</sup> in the world) Christian (63.0), Islam (5.0), Buddhism and Judaism, both ( 0.3), Hinduism (0.1), Sikhism (0.09) Others (0.05), No religious faith (29.6)		Yes	States (16)
12	India	From Britain (15 August 1949)	1,183,753,000 (2 <sup>nd</sup> in the world) <a href="#">Hindu</a> (80.5) %, <a href="#">Muslims</a> (13.4), <a href="#">Christians</a> (2.3), <a href="#">Sikhs</a> (1.9), <a href="#">Buddhists</a> (0.8), <a href="#">Jains</a> (0.4), <a href="#">Jews</a> , <a href="#">Zoroastrians</a> and <a href="#">Bahá'ís Tribals</a> ( 8.1)		No	States (28) & territories (7)
13	Iraq	From the <a href="#">Ottoman Empire</a> (1 October 1919) From Britain (3 October 1932)	31,234,000 (39 <sup>th</sup> in the world) Shia Islam (65.0), Sunni Islam (32.0) Others (3.0) Ethnic minority groups: <a href="#">Kurds</a> , <a href="#">Assyrians</a> , <a href="#">Mandeans</a> , <a href="#">Iraqi Turkmen</a> , <a href="#">Shabaks</a> and <a href="#">Roma</a> .		No	Governorates (18)
14	Malaysia	From Britain (31 August 1957) Federation (with <a href="#">Sabah</a> , <a href="#">Sarawak</a> and <a href="#">Singapore</a> (1963)	28,310,000 (43 <sup>rd</sup> in the world) <a href="#">Malay</a> (54.0) <a href="#">Chinese</a> (25.0) <a href="#">Indian</a> (7.5) <a href="#">Bumiputera</a> (11.8) other (1.7)		Yes	States (13) & territories (3)
15	Mexico	From <a href="#">Spain</a> (16 September 1810)	111,211,789 (11 <sup>th</sup> in the world)		Yes	States (31)





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16	Nepal	Kingdom Declared: 21 December 1768 State Declared: 15 January 2007 Republic declared: 28 May 2008	29,331,000 (40 <sup>th</sup> in the world) 10 Major caste/ethnic groups: Chhetri (15.8), Brahman – Hill (12.7), Magar (7.1), Tharu: 6.8, Tamang (5.6), Newar (5.6), Muslim (4.3), Kami (3.9), Yadav (3.9), Rai (2.8)		To be decided by new constitution	States (14) to be approved
17	Nigeria	From Britain (1 October 1960)	154,729,000 (8 <sup>th</sup> in the world) more than 250 ethnic groups, with varying languages (521) and customs, <a href="#">Fulani/Hausa</a> , <a href="#">Yoruba</a> , <a href="#">Igbo</a> ( 68.0), <a href="#">Edo</a> , <a href="#">Ijaw</a> , <a href="#">Kanuri</a> , <a href="#">Ibibio</a> , Ebira <a href="#">Nupe</a> and <a href="#">Tiv</a> comprise (27.0) other minorities (7.0)		No	States (36)
18	Pakistan	From Britain (14 August 1947)	170,081,500 (6 <sup>th</sup> in the world) Islam (96.0) (Sunni: 70-80%, Shi'a: 10 to 30% 2.3, Ahmadis: 2.3) Hinduism (1.9) Christianity (1.6) Sikhs (0.001) Other minority religious groups		No	Provinces (4) & territories (4)
19	Papua New Guinea	From <a href="#">Australia</a> (16 September 1975)	6,732,000 (100 <sup>th</sup> in the world) over 850 indigenous languages and at least as many traditional societies, out of a population of just under 7 million Majority are Papuans		Yes	Provinces (20) & autonomous regions (2)
20	Russian Federation	Rurik Dynasty (862) Union of Soviet Socialist Republics (10 December 1922) Russian Federation (26 December 1991)	141,927,297 (9 <sup>th</sup> in the world) Russians (9.8), Tatars (3.8), Ukrainians (2), Bashkirs (1.2), Chuvash (1.1), Chechen (0.9), Armenians (0.8), other (10.4)		Yes	Subjects (21 republics, 46 <i>oblasts</i> , 9 <i>krais</i> , 1 autonomous <i>oblast</i> , 4 autonomous <i>okrugs</i> , 2 federal-level cities)

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21	Saint Kitts and Nevis	From Britain (19 September 1983)	42,696 ( <a href="#">209<sup>th</sup></a> in the world) African descent 90.4%, mulatto 5%, Indo-Pakistani 3%, British, Portuguese, Lebanese 1%, Other 0.6%		No	Islands (2), parishes (14)
22	South Africa	From Britain (31 May 1910)	49,109,107 ( <a href="#">25<sup>th</sup></a> in world) Black African (79.4), White (9.2), Coloured (8.8), Indian or Asian (2.6)			Provinces (9)
23	Spain	Formation: 15 <sup>th</sup> century Constitutional democracy: 1978	46,030,109 ( <a href="#">27<sup>th</sup></a> in the world) <a href="#">Spanish</a> (87.8), Others ( <a href="#">Romanian</a> , <a href="#">Moroccan</a> , <a href="#">Ecuadorian</a> , <a href="#">British</a> ) other (12.2)		Yes	Provinces (52)
24	Serbia and Montenegro	Established on 28 April 1992	Total Serbia-Montenegro - 10,019,657 Serbia (total): 9,396,411; Montenegro: 623,246 Serb (62.6), Albanian (16.5), Montenegrin (5.0), Yugoslav (3.4), Hungarian (3.3), other (9.2)			Regions (2)
25	Sudan	from <a href="#">Egypt, and Britain</a> (1 January 1956 )	42,272,000 ( <a href="#">33<sup>rd</sup></a> in the world) 597 tribes that speak over 400 different languages and dialects <sup>[114]</sup> split into two major Ethnic groups: <a href="#">Arabs</a> of the largely <a href="#">Muslim</a> Northern Sudan versus the largely <a href="#">Christian</a> and <a href="#">animist Nilote Southern Sudan</a> of the south		No	States (25)

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SN	Countries	Colony status/Country's Foundation	Population	Flags	State flags	Federating Units
26	Switzerland	<a href="#">Foundation date</a> (1 August 1291) <a href="#">Federal state</a> (12 September 1848)	7,782,900 ( <a href="#">94<sup>th</sup> in the world</a> ) German (63.7); French (20.4) Italian (6.5) Romansh (0.5)		Yes	Cantons (26)
27	United Arab Emirates	From Britain (2 December 1971)	6,000,000 ( <a href="#">120<sup>th</sup> in the world</a> ) South Asian (Indian, Pakistani, Bangladeshi ) (50.0) Emirati (19.0) Other Arabs & Persians (23.0) Others (including Europeans & East Asians: Chinese, Filipino, Thai, Iranian,)(8.0)		Yes	Emirates (7)
28	United States of America	From Britain (4 July 1776)	309,802,000 ( <a href="#">3<sup>rd</sup> in the world</a> ) White (79.8) African American (12.8) Asian American (4.5) Native American and Alaska Native (1.0) Native Hawaiian and Pacific Islander (0.2) Multiracial (1.7) Hispanic (of any race) 15.4		Yes	States (50) & territories (13)
29	Venezuela	From Spain (5 July 1811)	26,814,843 ( <a href="#">40<sup>th</sup> in the world</a> ) Mestizo: defined as a mixture of European and Amerindian (60.0), European: descents of Spanish, Italian, Portuguese, Lebanese, and German (30.0). Amerindian tribes and Afro-Venezuelans (10.0)		Yes	States (23)

# Understanding from the Data

- Total population of the world: 6,863,900,000
- Total population of the federal countries: 1,618,446,476.
- One quarter (24%) of the world population is in federal countries.
- Total No. of countries: 193.
- Unitary countries: 164 (85%)
- Federal countries: 29 (15%)



# Understanding from the Data ...

- 21 (72%) of these federal states have been the colonies of the world state powers.
- The colonizing state powers are Great Britain, Germany, Russia, Spain and others.
- Some countries like Nepal and Ethiopia have never been recognized as the powerful countries but remained independent.

# Are there any qualifying indicators to be a federal state?

- **No.**
- No any defined rules and regulations for a country to be federal or unitary.
- It is the political system followed by the country's rulers either in a democratic way or also in the authoritarian regime.
- Both kinds of federal countries having the world's second largest and third largest population (India and United States of America) and the population size having less than 50, 000 (Saint Kitts and Nevis) do exist in the world.

# Can structure of federalism be changed from time to time?

- Yes.
- In many countries, the number of federal units have been changed from time to time.
- The recently promulgated constitution of South Africa in 1996 got first amendment within two years of its promulgation (1998) and so far 16 amendments in it have been made till 2009.
- In some countries like Nigeria, Ethiopia, and even in prosperous countries like the USA, Switzerland and India, the system of governance has also been changed from time to time.

# Is it true that Federal countries' constitutions are voluminous such as in India?

- Partly true.
- But both the longest constitution (of India) and shortest constitution (of USA) are the federal.
- Federalism means to promote all kinds of diversities so that peoples themselves can exercise power of governance.
- The USA constitution has also got a lot of amendments by putting additions for 27 times so far and this constitution can also be voluminous if added all the pages of the 27 new additions.

# Is federation possible only in republican state?

- **No.**
- Malaysia where since 1963 federal system has been introduced which is named as Federal Constitutional Elective Monarchy.
- The Yang di-Pertuan Agong (King) is elected to a five-year term among the nine hereditary Sultans of the Malay states.
- The UAE is federation of seven absolute monarchies: the emirates of Abu Dhabi, Ajman, Fujairah, Sharjah, Dubai, Ras al-Khaimah and Umm al-Qaiwain.

# Is federation possible only in republican state?...

- Papua New Guinea is the world's one of the most heterogeneous countries with over 850 indigenous languages and at least as many traditional societies, out of a population of just under 7 million. Queen Elizabeth II, is still the head of state and the government is named as Federal Constitutional Monarchy and Parliamentary Democracy.

# Can a federal country go for secession?

- Depends on the history of country.
- For countries having colonial occupation, right to self determination means secession.
- But for some countries (such as India, USA, Canada), federal system with right to self determination is applied in order to protect the country from a disaster of secession.
- Nepal can be a model country in the world which has not experienced any colonial domination by the world's empires and so that it can define the right to self determination based on its own historical relations and evidences.

# Can a federal country go for secession?

- History has proven that the divided principalities have come to be unified.
- Unless and until this sentiment prevails inside Nepali people's heart, the question of secession does not get priority within the federal system too.
- The international exercises like in the USA, Switzerland and even in India have proved this.



## Do all the federal governments in the world follow democratic norms and values?

- No.
- The Mexican President is himself the head of state and government, as well as the commander-in-chief of military forces, though some democratic reformations are taking place.
- Sudan is widely recognized as another authoritarian state where all the effective political power is obtained by President Omar al-Bashir and the ruling National Congress Party (NCP).
- Nigeria, no matter the federal units have been getting increased (from 21 to 36), the authoritarian system has not been fully abandoned by the rulers.

# Which countries' peoples are mostly talking about secession?

- Those not having democratic system of governance such as in Nigeria and Sudan.
- The Quebec area people of Canada also challenged though the established democratic exercise did not permit them for.

# Why is Nigeria's federal system known as a 'failure'?

- It is true that Nigeria where more than 250 ethnic groups and 521 linguistic groups exist (World Bank, 2001) and has done many times the divisions of the states with amendments of the federal constitution.
- The failure or almost failure situation of Nigeria is not only the federal structure but the poor human rights situation, bad governance, miss-use and monopoly of natural resources by limited powerful hands.
- These aberrations can also be the characteristics in Nepal where ethnicity based federal structure has nothing to do with the political system.
- In Nigeria, many problems relating to economic, social, cultural and political are like Nepal. Nigeria's these problems are the legacies of the colonial period before 1960.
- What about Nepal which has already strong practice of democracy with respect of Human Rights?

# Is Federalism panacea for a country like Nepal with heavy natural resources?

- 'No'.
- Federalism is mainly the medium to facilitate people's power to the local level: a horizontal concept of power balance.
- It can be a best model for the distribution of natural resources among federal units and their people.
- But it cannot itself be a panacea for people's prosperity. Need of modified laws, acts and regulations are equally important even after the promulgation of federal system.

## Does every federal country have separate federal states' flags and coats of arms?

- **Yes and No.**
- In some federal countries having homogenous population like in Austria do not have separate state flags.
- Some countries like Bosnia and Herzegovina where the composition of population is diverse (Bosniak: 48%, Serb: 37% and Croat: 14%) also do not have separate state flags.
- In some countries like in Canada both state flags and coats of arms are established in the provincial levels.

## **Does every federal country have separate federal states' flags and coats of arms?**

- In countries like Argentina, Malaysia and Switzerland, there are separate state flags but the same coat of arms. The Switzerland's coat of arms and the national flag are widely popular as similar to Red Cross sign.

# Can we also learn from Ethiopia?

- Interestingly, Ethiopia, the ethnicity based divided federal country in 1996, does not have separate states' flags. Instead they changed the national flag (in 1996) which is said to be representing all the ethnic groups of Ethiopia.



# Why Is Federalism A Subject of Doubt for Us?

- **Unitary Mind: Federal Concept.**
- Hangover: one nation, one identity, one language, one religion, one society, one government, one head of state, and the existence of caste group only - Legacy of Prithvi Narayan Shah's unitary mind .
- Therefore, there is a need of common understanding among each other regarding the structure of federalism based on its principles and international practices.



# Finally

- Promote:
  - Diversity, not unity.
  - Multilingual society, not Monolingual.
  - Multinational not one nation (there is difference between nation and country).
  - Nepali not Limbu, Newar, Tamang, Gurung, Magar, etc.
  - Can be Limbuwan, Kirat, Newa, Tamasaling, Tamu, but how to make people understand these terms: A great challenge for Nepali.

Thanks