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Federalism and State Restructuring in Africa: A Comparative Analysis of Origins, Rationales, and Challenges

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This article assesses federalism in the five African federations: Ethiopia, Nigeria, Somalia, South Africa, and South Sudan. By using Varieties of Democracy (V-Dem) and Afrobarometer data, it systematically investigates in what respect federalism succeeded and failed and whether the success rate varies across the states. It shows that federalism is successful in maintaining the states' territorial integrity, but its success in conflict reduction is limited. Federalism helped reduce conflict in South Africa but not Nigeria and Ethiopia due to a lack of essential ingredients enabling federalism to flourish in multinational states. Federalism enabled South Africa and Nigeria to accommodate diversity by reducing identity-based exclusion and improving diverse groups' access to power. In Ethiopia, it facilitated cultural and linguistic plurality but was unsuccessful in reducing exclusion and improving groups' equal access to power. Africa illustrates that federalism fails to manage conflict unless incumbents embrace democracy, curtail centralism, and are loyal to federalism.

African states face problems of territorial governance, such as territories contested among ethnonationalities, self-rule demands, and disagreement on state structure and territorial distribution of powers. Under such challenges, the countries conducted state restructuring to address competing territorial, political, identity, and governance demands. In some countries, state restructuring was aimed at strengthening the territorial integrity of the states and boosting unity. In others, for instance, in Kenya and Ghana, the aim was to devolve powers to subnational units (Erk 2014, 537). Though governing under territorial-based diversity has been challenging for most African states, only Nigeria, Ethiopia, and Somalia proclaimed themselves federal states by adopting federal constitutions (Steytler 2019, 175). South Africa handled the challenges of post-apartheid peace-building and territorial politics by adopting a political order with strong federal characteristics but did not declare itself as such (Elazar 1998, 9). This is a prudent way of balancing between competing interests of pro and anti-federal groups during South Africa's transition to democracy (Steytler and Mettler 2001). The youngest African

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state, South Sudan, also restructured its state following federal ideas in 2011 after decades of war that culminated in a referendum that produced South Sudan.

While Nigeria, Ethiopia, and South Africa are matured federations, Somalia and South Sudan are evolving federations essential to illuminating the politics of federalism in post-conflict settings. These five states adopted a federal order considering identity (ethnicity/race/clan/religion), to a varying extent, in redrawing internal boundaries. They attempted to manage ethnic conflict by allowing territorial groups to exercise some degree of self-rule. Nevertheless, the states adopted a divergent approach to handling territorial politics under conditions of ethnic diversity. For instance, while Ethiopia bid to allocate a region to an ethnonational group forming a majority in an area, other states evaded constitutionally recognizing ethnic diversity yet attempted to draw internal boundaries considering identity. Nigeria started as a federation of three ethnic regions but subsequently conducted a dramatic repartition of the regions to diffuse ethnic mobilization. Such distinct approaches should have produced notably different outcomes in accommodation and conflict reduction in the states.

A growing literature examines decentralization in Africa. For instance, [Fessha and Kirkby \(2008\)](#), [Erk \(2014\)](#), and [Fessha and Dessalegn \(2022\)](#) assessed decentralization in federal and non-federal African states. Most literature specifically focusing on federalism, for example, [Steytler and Mettler \(2001\)](#), [Simeon and Murray \(2001\)](#), [Suberu \(2010; 2013\)](#), [Ayele \(2019\)](#) and [Ishiyama \(2022\)](#) are case studies. However, recently a shift has been made to comparing African federations, e.g., [Osaghae \(2004\)](#), [Dickovick \(2014\)](#), [Kefale \(2019\)](#), and [Gebeye \(2020\)](#). Yet, the emphasis is on Nigeria, Ethiopia, and South Africa. Existing studies note that African federalism is not encouraging. Beyond that, we need to systematically investigate in what respect federalism succeeded and failed and whether the success rate varies across the states and time. This article assesses not only the standard African federations that have been frequently compared (Nigeria and Ethiopia) but also the two emerging federations (Somalia and South Sudan) rarely brought into dialogue with these countries.

The article contributes in three ways. (i) Analyze African federalism in light of existing theories. (ii) Explain the rationales and approaches of federalism in African states and assesses to what extent the approaches taken in these countries have been successful. (iii) Comparatively assess to what extent the states achieved their federalism's primary purposes of ensuring states' territorial integrity, accommodation, and conflict management. Going beyond qualitative data, I use Varieties of Democracy (V-Dem) and Afrobarometer survey data to compare the federations and appraise the extent to which federalism achieved its primary purposes.

The article shows that although federalism is embraced for accommodation, managing conflicts, and forging unity, the African cases display mixed results caused by a lack of essential ingredients for federalism to flourish in multiethnic

states. Systematic appraisal of African federations enables me to claim that while South Africa is relatively successful, neither Ethiopia's ethnic celebrating federalism nor Nigeria's ethnic repartitioning' approach to region-making has succeeded in reducing conflicts. Beyond diversifying the geographies of the existing theories, African insights have broader implications for states embracing federalism. The article proceeds as follows. The next section discusses theoretical and conceptual issues. Then it explores the origins and rationales of federalism in Africa. After that, it examines the bases of state restructuring, the constitutional and institutional design, and the appraisal of African federalism before concluding.

Theoretical and Conceptual Issues

Territorial politics refers to the relationship between geographical centers and peripheries and the horizontal and vertical interface of spatially circumscribed sites of political authority. It involves (re)organizing political and administrative boundaries, integrating different territories into a political system, and subnational autonomy in conveying their interests at the center (Broschek et al. 2017, 2–3). In states with ethnonational cleavages and territorially-rooted politics, federalism became a preferred system because it offers autonomy to distinct groups without changing the territorial integrity of the existing state and hence helps manage conflict. Nevertheless, the effectiveness of autonomy arrangement depends on many factors. For instance, territorial self-government's success as a territory-aligned conflict management mechanism increases when blended with a proportional representation (Neudorfer et al. 2020).

Federalism is based on the constitutional distribution of powers between the central government, which has authority over the entire territory, and regions that rule their jurisdiction with some autonomy (e.g. Watts 2005, 12). This resonates with Elazar's (1987, 5–12) self-rule and shared rule principles of federalism. Federalism is based on the representation of constituent units (CU) in the upper House, which can be symmetrical in states like Argentina, Australia, Brazil, and the United States and asymmetrical representation in Austria, Germany, India, Malaysia, and Switzerland (Watts 2005). Legislative powers assigned to second chambers vary across federations. Nonetheless, all federal second chambers participate in lawmaking to a certain extent (Watts 2008, 153–154). The composition and competence of second chambers have potential implications. It may make some units more influential than others and determines the CU participation in legislation, which may adversely affect a federal system's functioning by making a few regions dominate the federation. Duchacek (1987, 280–286) warns that if ethnic, linguistic, and religious cleavages coincide with territorial power asymmetry, the union becomes more volatile. Hence, this article

will explore how African federations tackled this riddle and analyze the impact of their approach on federalism operations.

It is essential to identify the purposes of federalism for dual reasons: (i) this article will use the framework to explain the rationales of federalism in Africa; (ii) the purposes of federalism will serve as a yardstick to evaluate the extent of the system's success. Three major theoretical threads explain the purposes of federalism. The first is based on federalist papers, which argue that states adopt federalism to boost individual liberty, equality, freedom, and democratic self-rule (Elazar 1987, 12). Second, federalism is formed for expansion, external threats, and opportunity (Riker 1964, 12–14). The third purpose is to resolve conflicts arising due to the disconnection between a territorial-based sense of political identity and the geographic organization of the polity. This line of argument asserts that federal systems help to manage diversity by providing accommodative mechanisms (Kymlicka 1998; Stepan 1999). In this regard, federalism is considered suitable for transitioning to democracy and peace-building, as in Bosnia and Herzegovina (Keil 2016), Iraq (Shakir 2019), Nepal, Myanmar, and Sri Lanka (Breen 2017).

As federalism's rationales vary, political trajectories producing federalism also differ. Stepan (1999) theorized that federations are born in three ways: “coming together,” “holding together,” or “putting together.” A coming-together federation, e.g., the United States, is formed through bargaining between autonomous units to come together because of fear, perceived threat, or economic purposes (Riker 1964). Conversely, holding-together federations like Belgium and India are created mainly to accommodate diversities or provide autonomy for CU by restructuring unitary states. A putting-together federation, such as the former Soviet Union, is formed by coercively placing together previously independent countries. However, Taylor (2007, 422–424) contends that coercion is also observed in the other two models. The pattern of federation formation determines the CU powers and freedom (Elazar 1987). Accordingly, subnational units in federations formed through coming together tend to have more regional autonomy than units in unions formed through holding together (Dardanelli et al. 2019, 204; Watts 2008, 65).

Making CU is among the riddles of federalism. This puzzle appears relatively easy in coming-together or mono-national federations as the units should have boundaries predating the union, and territorial self-rule demand is not the reason for federalization. However, drawing CU is daunting in holding-together federations that adopted federalism to tackle identity-based demands. McGarry (2005) classifies federations into mono-national, which aim to promote nation-building, and multinational federations designed to accommodate territorially rooted diversity. In mononational federations, e.g., the United States, Germany, Argentina, Brazil, Mexico, and Venezuela, CU boundaries tend to crosscut cultural identity. Conversely, multinational federations, e.g., Switzerland, Canada, India, Russia, and Belgium, try to empower territorial communities to have self-rule institutions.

The literature identifies two ways of organizing CU in an ethnically diverse federation. The first is ethnic-based units, which allow territorial groups to have self-rule institutions (Anderson 2014). The second is geographic-based CU. Critics of the first approach increased after former ethno-federal states such as the Soviet Union, Czechoslovakia, and Yugoslavia failed (Roeder 2009). Detractors contend that creating ethnically defined CU leads to secession by empowering ethnic leaders and constructing separate identities (Cornell 2002, 252; Kymlicka 1998, 138–139). However, Anderson (2014) debates that generalizing based on the failed sham socialist nondemocratic federations is inaccurate. Besides, geographic federalism does not help states with territorially-rooted identity-based demands. Further, Bermeo (2002, 108) noted that “no violent separatist movement has ever succeeded in a federal democracy,” suggesting that regime type determines the effectiveness of federalism in managing diversity. Dictatorship, with its one-party system, does not fit federations’ working because it does not allow free elections (Wheare 1946, 48). Dardanelli (2010, 142) strengthened this by claiming that though democracy can exist without federalism, the latter cannot flourish without the former. Riker (1964) theorized that party congruence between the center and CU and a centralized party system generates a centralized federation. The experience of the communist federations and states, such as Malaysia under a dominant ruling party (Hutchinson 2014, 427–428) and Mexico’s authoritarian federalism during the mid-1990s (Barracca 2007, 174–179) are cases solidifying the importance of regime-type for effective implementation of federalism.

Though the federal order can serve to manage territorial-based ethnic diversity, the outcomes are mixed: success and failure (Elazar 1987, 12; Neudorfer et al. 2020, 3). Burgess (2011, 194–204) asserts that federalism’s success can be judged by appraising to what extent it remains serving its original purposes and the system’s durability. It is easy to assess the durability by examining whether the federal system still exists. However, appraising the achievement of the original purpose is challenging because the rationales vary across states; their achievement depends on multiple factors, and relevant data might not be available. Federalism in Africa is promoted as a post-conflict peace-building mechanism and accommodation of diversity without compromising the states’ territorial integrity. Hence, evaluating the systems’ success should be based on these rationales.

Origins, Rationales, and Patterns of Federalism and State Restructuring in Africa

Origins and Rationales of Federalism and State Restructuring in Africa

During the 1960s and 1970, in the wake of decolonization, several federal orders were made in Africa, but all were shortlived, making the continent home of failed

federal arrangements. The Central African Federation (1953–1963), the Senegambia Confederation (1982–1989), Kenya’s Majimbo constitution (1963–1964), the Mali federation (1959–1960), the Ethiopian-Eritrean Federation (1952–1962), and Federal Cameroon (1961–1972) are prominent failed federations after which [Steytler \(2019, 175\)](#) described the continent as “the graveyard of federations.” The failures can be attributed to the absence of an autonomous and genuine federalist initiative preceding African independence. As most African states are multinational, federalism should be preferred. However, federalism is very unpopular in Africa, which can be due to the burden of an authoritarian past, colonial or noncolonial. Colonial powers pursued divide-and-rule policies, imposed arbitrary boundaries, followed ethnic and racial profiling and classification that reinforced cleavage lines, and, in some cases, created divisions that did not exist previously that hindered federalism from growing ([Osaghae 2004, 166](#)). As most states are multinational, the absence of democratic and accommodative mechanisms also exacerbated internal conflicts. Consequently, the governing elites fear that federalism is a springboard for secession. The continent’s history of federal failure should also have discouraged African states from embracing federalism.

Regardless, Nigeria observed a federal order the departing British authorities arranged. And its federalism helped maintain the state’s territorial integrity ([Suberu 2009, 68](#)). At birth, Nigeria’s territorial organization was based around its major ethnic groups, the Hausa-Fulani in the Northwest, the Yoruba in the Southwest, and the Igbo (Ibo) in the Southeast ([Falola 2001, 5](#)). Post-1990, the politics of territorial restructuring intensified in Africa as more states adopted federalism.

A prominent case is Ethiopia, which restructured its century-old centralized state following a prolonged civil war (1974–1991). The origin of Ethiopian federalism is the suppression of diversity and the violent state-building process under the imperial and the *Derg* eras, which led to the emergence of identity-based forces demanding autonomy. The process was galvanized by the Ethiopian Students Movement that embraced Stalin’s notion of national self-determination, ultimately toppling the communist *Derg* in 1991 ([Rock 1996, 93](#)). Post-1991, Ethiopia became a constitutionally cemented federation of its nations, nationalities, and peoples with the right to self-determination, including secession, a model akin to the former Soviet Union. Post-apartheid South Africa welcomed federalism in 1993 by adopting an interim constitution that set a framework for a complex negotiation, which led to a new constitution that territorially devolved powers in 1996 ([Simeon 1998, 42–43](#)). Federal developments in Ethiopia and South Africa were followed by the revitalization of federalism in Nigeria, the oldest-living African federation, after the military rule in 1999 ([Suberu 2013, 416](#)).

Post-2000, federalism and state restructuring got more attention in two post-conflict African states: Somalia and South Sudan. The first attempt to assemble Somalia as a united polity started during the 1960s anti-colonial struggle. After

independence, efforts were made under the banner of “greater Somalia,” an idea to unite five territories Somali ethnic groups inhabited (Dahir and Sheikh Ali 2021, 3). The internationally pushed Somali reconciliation conference embraced federalism by adopting Federal Charter in 2004 to rebuild the country after decades of civil war (Kefale 2019). This was followed by elections and a new interim federal pact in 2012, setting a good foundation for federalism. Between 2012 and 2016, four Federal Member States (FMS) were created (Dahir and Sheikh Ali 2021, 3–5). South Sudan’s federalism root is the 1994 Sudan constitution that created 26 new states; ten would become South Sudan (Fessha and Dessalegn 2022, 873). In 2005, negotiated settlement with Sudan enabled South Sudan to inaugurate its ever-first parliament and endorse South Sudan to be federally governed (Sudan Tribune 2009). The country adopted a transitional constitution that established a bicameral chamber and crudely distributed powers among three tiers of government.

Though the approaches they followed diverge, accommodation of diversity and conflict management are the primary rationale of federalism in Africa, as is the case in Asian federations such as Iraq, India, Malaysia, and Sri Lanka (Breen 2017; Bhattacharyya 2019; Shakir 2019). Diffusing secessionism by allowing territorial self-rule is additional justification. The movements of the Oromo Liberation Front (OLF) and the Tigray People’s Liberation Front (TPLF) during the late 1980s in Ethiopia (Rock 1996, 93) and the Biafra secession movement during the 1960s in Nigeria (Suberu 2009, 72) are major secessionist movements that federalism faltered. Similarly, addressing groups’ demand for self-rule has also triggered federalism in South Africa (Simeon 1998; Simeon and Murray 2001). In South Sudan and Somalia, federalism and state restructuring are vital pillars of peace-building and restoration of state capacity. Rather than classic objectives such as security and economic prosperity, the primary rationales of African federalism are conflict management through accommodating diversity and thus maintaining territorial integrity. The classic objectives are dividends federalism would give to African states.

Federalization Patterns in Africa

When we see African federations through Stepan’s lens, we note that Nigeria exhibits elements of “putting together” and “coming together” models. The British colonial administration assembled the three areas that finally became Nigeria, showing a “putting together” aspect. As colonial power departed, the three regions came together and crafted a new political settlement that created the Nigerian federation, resembling a “coming together” model (Keller 2002, 24; Suberu 2009, 71). The subsequent creation of additional states to address ethnic demands for self-rule resembles a “holding together” model. Ethiopia, Nigeria, and South Africa

show some features of the coming-together model, particularly if we relax Riker's (1964, 12–13) theory of federal bargaining.

The three matured federations were born from elite compromise and political negotiations among the potential federations' governing elites and prospective CU leaders. For example, ethno-regional parties representing different ethnonationalities that claim a territorial homeland negotiated in creating Ethiopian federation (Berhanu 1995, 130; Rock 1996, 93). However, the process was dominated by the TPLF (Vaughan 1994, 60). Similarly, a multi-party negotiation process in South Africa led to a new quasi-federal constitution in 1996 (Simeon 1998, 42–43), as in creating the Nigerian federations. Though the decision to implement federalism in Ethiopia and Nigeria was a product of elite compromise, the relative strength of regional elites was greater in Nigeria than in Ethiopia (Keller 2002, 25). However, the subsequent creation of Nigerian states resembles the decentralization of a unitary state compared to Ethiopia, which is based on referendums.

Somalia has no historical precedent guiding its federalization. The federation is neither born out of the coming together nor formed through the decentralization of a unitary state. It is a unique and important variant of "putting together" federalism, not in Stepan's strict sense, but as concerted internal and external efforts involving coercion and intervention to renovate the basic coercive capacities of the state that has fallen apart. Somalia's federalism is a variant of the "putting together" model that I describe as "building together," a federation formed with no functioning national and subnational institutions and structures predating federalism. Such federalism lacks a strong center and adequately functioning CU that facilitate federalization. Instead, federalization is multiple domestic and foreign actors' processes in which the potential center and CU are among the players. Ethiopia, Kenya, the UN, the EU, and the Intergovernmental Authority on Development (IGAD) in Eastern Africa are the main actors in restructuring Somalia.

Compared to Somalia, South Sudan's federalization has precedent. The country inherited ten subnational units created by Sudan's 1994 constitution (Idris 2017, 4). The Comprehensive Peace Agreement (CPA) (2005–2011), negotiated to establish a federal system between Sudan in North and Southern Sudan, is an additional federalization instance. Seen with Stepan's lens, the federalization of South Sudan fits in the "holding together" model, similar to post-conflict states like Bosnia and Herzegovina and Iraq. The birth of African federations is common in that the centers or potential centers played dominant roles in designing the federations. Federalism in Africa is a bid to accommodate identity and regional demands and build peace rather than an association of formerly autonomous units. Africa is not unique. India, Belgium, and Spain were once unitary states, but the governing elites adopted federalism to manage multicultural polities (Stepan 1999). Brazil also adopted federalism in reaction to centralized rule, enormous territory,

and distinctive regional demands rather than a union of autonomous units (Rosenn 2005, 577–79).

The existence of a purely “coming together” federation is debatable because units predating federalism would lack a fully developed state structure to be called independent. Besides, some elements of the “putting together” model, such as Hawaii’s annexation in 1898 (US Department of State 2009), can also be observed in “coming together” federations because both models’ features are not mutually exclusive. For instance, there are negotiations and bargaining among elites and parties over power division between the two tiers of government in “holding together” federations. Even in “putting together” federation, some degree of negotiation, at least co-optation, between central elites and the units is inevitable. Indisputably, negotiation is a *sine qua non* of any federal order though its genuineness, the process, and the actors strength vary.

The Basis of State Restructuring in African Federations

Redrawing CU has been cumbersome in Africa for several reasons. First, the design should address groups’ self-rule and autonomy demands. In this regard, the autonomy demands of Biafra in Nigeria, the Oromo in Ethiopia, and KwaZulu-Natal in South Africa are prominent. Second, a need to achieve interethnic harmony and state-building objectives. Third, a concern that granting autonomy to national minorities can create subnational minorities, producing additional autonomy demands. Fourth, the fear that overlapping identity with regional boundaries triggers secessionism. Two approaches to drawing CU can be identified in African federations: identity-based and blended (table 1).

The identity-based approach mainly considers ethnicity, clan, racial, and religious cleavages, expressions of ascriptive identities, in making CU. Ethiopia attempted to create regions based primarily on identity. Eight of its eleven regions are named after one or two dominant ethnonationality who speak one major language in the territory. Six regions are named after the dominant nation in the unit. Overall, the primary approach is empowering particular ethnonationalities in their region. Ethiopia’s Constitution states every Ethiopian Nations, Nationalities, and Peoples (NNP) has an unconditional right to self-determination, including secession, and stipulates the procedure for forming a region and secession (Articles 39 and 47). Ethiopia’s secession and self-determination clauses, major concessions to ethnic and regional autonomy demands, helped hold the country on the verge of disintegration together in the early 1990s. Though there are over eighty NNP, only nine regions were created when the Constitution was adopted in 1995. As implementing federalism continued, more NNP demanded regional status citing the Constitution. Two more regions were made between 2019 and 2022 following referendums that produced the Sidama and South West Ethiopia (SWE) peoples

Table 1 Overview of CU design

Federation	Basis of internal boundaries	No. of CU at birth	Current No. of CU
Ethiopia	Dominantly ethnicity	9	12
Nigeria	Blended	3	36
South Africa	Blended	9	9
Somalia	Clan based	6	6
South Sudan	Dominantly ethnicity	10	10

regions carved from SNNPR. Another region is emerging as a referendum to split the Southern Nations Nationalities and Peoples Region (SNNPR) further is conducted in February 2023. Dozens of ethnic zones demanded regional status but were suppressed, leading to conflict. The ethnic group's population size political relevance, ability to constantly assert its rights, and push its demands to higher political bodies are extraconstitutional factors explaining who is entitled region.

A second approach is a *blended approach* in which identity and geographic or administrative conveniences are considered in creating CU. In Nigeria, the ethnic cleavages and sectarian division are territorially identifiable, contributing to political and religious tension between the South and North (Falola 2001). Such division somewhat corresponds to the ethnicity of the three dominant groups of Hausa-Fulani (North), Yoruba(Southwest), and Igbo (Southeast) (Falola 2001; Suberu 2009). Territorial and ethnic cleavages overlap with sectarian divisions between the Christian-majority South and the Muslim North, but divisions within the South are also vital (Dickovick 2014, 556).

At the outset, the Nigerian federation was a union of three ethnic regions, and the regions increased to twelve after the civil war and military rule (Falola 2001, 4). Between 1960 and 1996, Nigerian states increased from 3 to 36. Osaghae (1998, 11) notes that the creation of more states is positive for minorities, "as it has liberated them from majority domination in the former regions, and provided a pedestal for direct access to and participation in the federation's politics and governance." However, it has a multiplier effect as it creates a new majority and minority, creating demand for new states. Such continuous ethnic-state repartition is to diffuse conflicts as it obscures ethnic mobilization by fragmenting large ethnic groups, besides its ramifications on the distribution of federal grants across subgroups. However, the outcome is not promising.

Likewise, ethnicity and racial politics played key roles in redrawing the South African provinces (Simeon and Murray 2001). Minority white South African and Zulu nationalists sought autonomy following the demise of the apartheid government. Inkatha Freedom Party (IFP), representing the Zulu people,

demanded a highly autonomous KwaZulu-Natal and pressured constitution designers to include a provision for self-determination rights (Dickovick 2014, 553; Simeon 1998, 59). Nonetheless, South Africa avoided deliberately coinciding ethnicity/race with provincial boundaries, as basing the provinces' borders on ethnicity/race would stimulate the existing cleavages. Yet, ethnicity and provincial boundaries overlap in three provinces: KwaZulu-Natal, the Eastern Cape, and the North West; in each, more than two-thirds of the population speak one language (Simeon and Murray 2001, 69–71). As identity tends to be territorialized in Ethiopia, Nigeria, and South Africa, though the degree varies, the states considered identity in demarcating CU to enable territorial groups to exercise some level of self-rule.

Federalism in Somalia is somewhat different as the state has no cultural, linguistic, or religious differences but clan-based tensions and contests. Somalia constitutes six Federal Member States (FMS) (Somaliland, Puntland, Galmudug, Hirshabelle, South West State, and Jubaland) and Banadir Regional Administration (Mogadishu) (MOP 2022). However, Somaliland, a *de facto* state that broke away from Somalia in the early 1990s, is unwilling to join Somalia, and Mogadishu's status is unclear. Somalia should solve this for its federalism to progress. Somalia has been striving to create an FMS for each clan, considering the clan majority in each unit (Dahir and Sheikh Ali 2021, 6–7; Mohamed and Mohamed 2015, 15). Somali clans do not live in absolutely segregated regions; however, there is one dominant clan in each FMS and Mogadishu, with one or more clans claiming in some cases. Somalia's 4.5 power-sharing formula among four major and other minority clans also reveals the importance of clans. Somalia's Constitution does not dictate creating FMS based on clan. However, the approach is unsurprising as the clan system is such a powerful and complex institution that it proved its relevance in the absence of effective state machinery for decades. Somalia attests that federal orders are created for different reasons and purposes, and their creators adopt syncretic approaches fitting the context.

South Sudan is home to over sixty ethnic groups. The Dinka is the largest (36 percent), followed by the Nuer (16 percent) (WorldAtlas 2022). The states' redrawing mostly follows ethnic boundaries to resolve long-standing demands for territorial self-rule and mitigate ethnic conflicts. The president, Salva Kiir, increased the number of states from 10 to 28 in 2015 and 32 in 2017. While some ethnic communities welcomed this, the Sudan People's Liberation Movement in Opposition (SPLM-IO), led by Riek Machar, opposed it as it defied the Constitution (Awolich 2017, 8). Under the ten-state arrangement, the oil-producing states were dominated by the Nuer (Machar's ethnic group), and redrawing states gave the Dinka (Kiir's ethnic group) greater control of oil-producing regions (Ayele 2019, 249). Following the peace agreement signed between Salva Kiir and the SPLM-IO, in 2020, the number of states is back to 10

again (Al Jazeera 2020). This shows that CU creation and redrawing boundaries are driven by identity demands and the desire to control resources.

Approaches African states followed in creating CU had stability imperative, encouraging identity-based federalism. However, they were accepted with suspicion because domestic political actors and anti-colonial movement groups viewed it as a colonial tool for undermining the countries' unity (Dahir and Sheikh Ali 2021, 4; Simeon and Murray 2001, 72). Ethiopia's approach was also speculated to lead to disintegration and highly contested though historically marginalized communities embraced it. In Somalia, federalism is conceived as externally imposed by international powers and regional actors such as Ethiopia and Kenya that fear losing territories inhabited by Somali ethnic groups if Somalia is united (Dahir and Sheikh Ali 2021, 6; Menkhaus 2018, 16).

Territorialization of identity and the demarcation of internal borders considering identity make all cases common. Considering the identity-driven tensions in all cases, the importance of federalism is less debatable. However, the identification of politics and boundaries remains contested. While it allowed dominant groups to enjoy more influence in national politics and exercise self-rule in their region, the approach created subnational minorities subjugated by the subnational majority, creating interethnic conflict and demand for more regions. Further, as the allocation of regional offices is primarily identity-based, the system is vulnerable to power conflict among elites representing different groups in subnational units, affecting social fabric and interethnic harmony.

Constitutional Basis of Territorial Government in Africa

Federalism is based on the constitutional distribution of powers between at least two tiers of government. Nigerian states have wide-ranging residual powers (Nigerian Constitution, Schedule 2 parts 1 and 2). The first Nigerian republic created stronger regions vis-a-vis the center. However, the fourth republic changed the locus of power to the center by empowering it over matters like the police, state creation, political parties and making oil and natural gas federal competencies (Adamolekun 2005, 386). Ethiopian regions have residual powers (except tax) besides competencies regarding regional police, working language, civil service, land administration, regional development policies, and regional constitutions (Ethiopia Constitution, Articles 52 and 98). However, the center's power over countrywide policies and constitutional centralization of lucrative revenue sources limits regional policy autonomy. South African provinces are conferred exclusive powers over less vital matters such as liquor licenses, provincial planning, cultural affairs, and provincial roads and traffic. Key policies such as agriculture, health, housing, transport, education, language, police, and welfare are concurrent. Provinces have weak fiscal powers because they have a narrow tax base and lack

autonomy on provincial taxes as they are subject to national regulation (South African Constitution, Schedule 4–5 and Section 228(2)).

Like Ethiopian regions, South African provinces are constitutionally empowered to adopt their own constitutions. For instance, Kwazulu-Natal and the Western Cape exercised such powers by enacting provincial constitutions. *De jure*, South African provinces have limited legislative competence relative to Nigerian states and Ethiopian regions. However, *de jure* and *de facto* regional competencies rarely correspond in Ethiopia as regions lack the autonomy to exercise constitutional prerogatives, not just residual powers but also exclusive regional competence such as land administration (Yimenu 2022a). In the three federations, the center cannot unilaterally amend the constitutions; it needs a two-thirds majority of the states.

African federations vary regarding CU representation in the second chamber. Nigeria's upper House (Senate) consists of 109 directly elected three representatives from each state and one from the Federal Capital Territory (FCT), Abuja (Nigerian Constitution, Chapter 5 Part V, Articles 48 and 77). Senate leadership posts are allocated informally for ethnic power-sharing (Baba 2013, 113). The Senate joins the House of Representatives in lawmaking (Nigerian Constitution, Chapter 1 Part II, Article 4). Initially, Nigeria's Senate resembled the politically weak British House of Lords (Dent 1989, 183). Later, the American style is followed, a directly elected Senate with important competence (Suberu 2009, 74).

Ethiopia's second chamber, the House of Federation (HoF), is unique because it explicitly represents NNP rather than regions. NNP are the federation's founders, sovereigns, and constitutional adjudicators (Ethiopian Constitution, preamble, Articles 8, 61, and 62). Each NNP is represented by at least one member, denoting equal representation and one additional representative for each million of its population, suggesting proportional representation. Contrary to other second chambers in Africa, the size of the HoF's members is revised regularly to reflect the population and NNP represented (Yimenu 2022b, 7). The HoF has no legislative power but nonlegislative competencies regarding self-determination, federal grant, and constitutional adjudication (Ethiopian Constitution, Article 62). This arrangement leaves Ethiopian regions with no representation in lawmaking. The system is further complicated because the lower House is dominated by two populous regions, Oromia and Amhara, which can form a majority in the House, risking other regions' interest in policymaking.

South Africa's upper House, the National Assembly of Provinces, is composed of a single delegation from each province consisting of ten delegates. Like the Nigerian Senate, it joins the National Assembly (lower House) in legislating laws (South African Constitution, Section 42 and 60(1)). The provisional Constitution of Somalia declare that members of the upper House shall be elected directly, states shall be equally represented in the House, and the House legislates (Articles 71–76). South Sudan's transitional Constitution asserts that members of the upper House,

Table 2 Constitutional and institutional features of African federations

Federation	CU have residual powers	CU representation in the upper House	Composition of the upper House	The upper House has legislative powers
Ethiopia	Yes, except taxation	Asymmetrical	Direct/indirect elections	No, but adjudicative powers
Nigeria	Yes	Symmetrical	Direct elections	Yes
South Africa	No	Symmetrical	Indirect elections	Yes
Somalia	Not clear	Symmetrical	Direct elections	Yes
South Sudan	Not clear	Not clear	Direct/indirect elections	Yes

the Council of State, constitute all State Assemblies members and thirty members appointed by the country's president (Articles 58–59). Africa's second chambers equally represent subnational units to enable them to participate in making laws at the national level, except Ethiopia's HoF, which neither joins the lower House to make laws nor legislate unilaterally (table 2).

The lower House is a crucial institution that can serve conflict management by representing diverse interests if a proportional electoral system is followed. South Africa's parliament members are elected by proportional representation. Conversely, Ethiopia and Nigeria follow a majoritarian FPTP. South Sudan has never had elections. Elections have been postponed three times since independence, and the election is scheduled for 2024. Somalia uses a complex and indirect system where MPs are chosen by delegates appointed by clan elders and members of civil society. The MPs then join the Senate to elect a president (BBC 2022). This arrangement shows the clans' power and the clan system's importance in filling the gap created by the absence of a functioning state. It also reveals that federalism could work in a context where Western-style democracy has not taken root. While Nigeria's presidential system and Senate's legislative competencies could compensate for the drawbacks of its FPTP, Ethiopia's system is not ideal for representing diverse voices in decision-making. Though diversity is the federation's foundation, the parliament has been a one-party house. Further, as populous ethnic groups dominate Ethiopia's second chamber, the system fosters "tyranny of the majority."

Appraising African Federalism

Is Federalism a Success in Africa?

Assessing federalism's success is based on two criteria: *longevity* and *whether it serves its primary purposes*. Regarding longevity, federalism in Ethiopia, Nigeria,

and South Africa is thriving, while it is too early to pass judgment regarding Somalia and South Sudan. Nigerian federalism has been working since independence, survived the civil war and military rule, and has broader public support as the return to a unitary system is a dead end (Suberu 2010, 475–476). Similarly, Ethiopian federalism has endured since 1991, and it will likely be sustainable as there is broader public support for federalism. While 61.1 percent of Ethiopians support federalism, the public is divided on identity-based regional creation; 49 percent support while 48 percent oppose it (Afrobarometer 2020, 81–82). South Africa's federal order has also been durable and received approval. Though ANC was not pro-federalism initially, that position seems to have withered away.

Regarding the second criterion of evaluating federal success and failure, it is vital to recall that the rationales of African federalism are ensuring *territorial integrity*, *accommodation of diversity*, and *conflict management*. Federalism helped the three mature federations remain united despite centrifugal forces. Hence, it is successful. Another critical variable is whether federalism has achieved accommodation. I use the degree of *exclusion by social group* and *power distribution by social group* as proxy measures. *Exclusion by social group*, which assesses the extent to which individuals are denied access to services or participation in governed spaces based on their identity or belonging to a particular group, rates of states (0–1). Lower scores indicate lower exclusion and vice versa. While Nigeria's situation has always been average, exclusion by social groups has remarkably declined in post-apartheid and post-federalism-South Africa. Conversely, exclusion by social group remained high despite federalism in Ethiopia. Ethiopia's situation is even worse than post-federalism-Somalia (figure 1).

Power distribution by social group, assesses to what extent political power is distributed according to social groups. A social group is differentiated by caste, ethnicity, language, race, region, or religion, not sexual orientation or socioeconomic status. States are rated (0–4); 0 = political power is monopolized by one social group, and 4 = all social groups have roughly equal political power. South Africa's score on this indicator substantially increased since adopting federalism and remained the same, like Nigeria's score. Ethiopia's score has been bad despite federalism, which might be attributed to TPLF's power monopoly until 2018 (figure 2). Ethiopian federalism enabled most ethnonationalities to have self-rule institutions, practice and nurture their culture, and develop and use their language in subnational offices. Over fifty-one Ethiopian languages are operational in Ethiopia's education system compared to just one language, Amharic, before federalism (Yimenu 2022b). However, the system has not produced equality in accessing state power. Remarkably, Somalia is as egalitarian as South Africa and Nigeria, which can be attributed to its robust clan system. This suggests that if

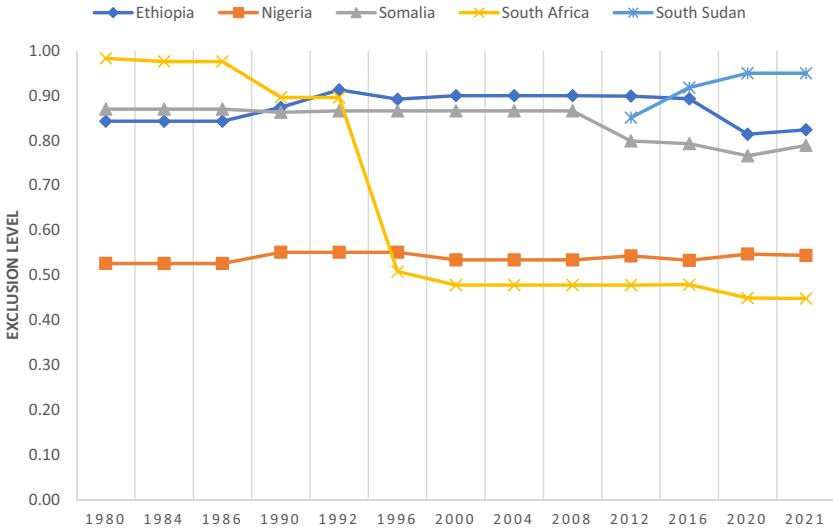


Figure 1 Exclusion by social group.

Source: Varieties of Democracy (V-Dem); https://www.v-dem.net/data_analysis/VariableGraph/

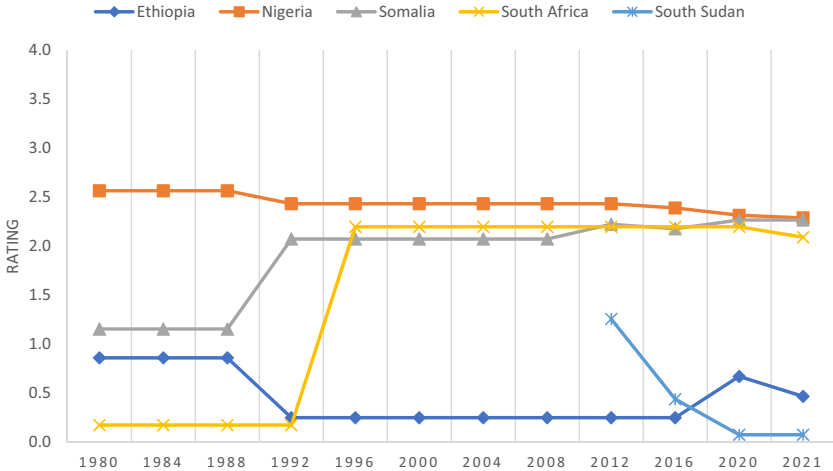


Figure 2 Power distribution by social group.

Source: Varieties of Democracy (V-Dem); https://www.v-dem.net/data_analysis/VariableGraph/

Somalia’s federalism should achieve formalized equality in accessing state power, the power-sharing scheme should be based on the clan system, yet by reassessing the situations of the clans feeling marginalized to avoid potential conflicts.

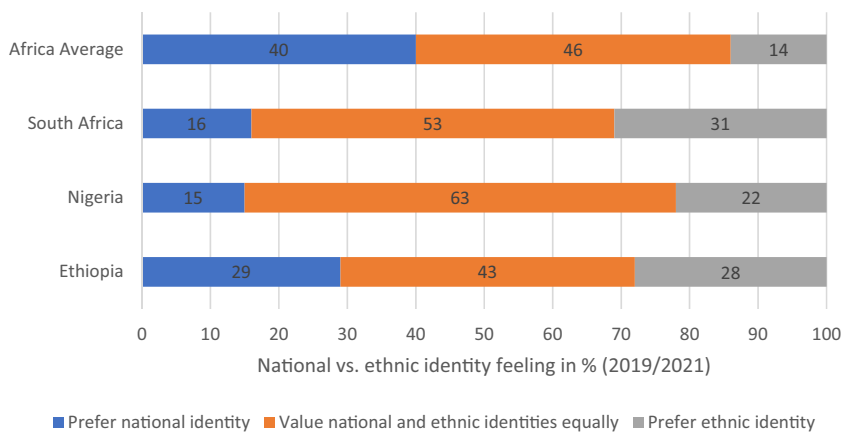


Figure 3 Ethnic vs. national identity feeling.

Source: Afrobarometer; <https://afrobarometer.org/online-data-analysis/analyse-online>

Scholars often cite ethnicity as a source of division and conflict in Africa. Hence, it is vital to assess whether Africans identify more strongly with their nation or ethnic group. I employ Afrobarometer survey data to measure the relevance of identity in the federations and assess federalism's success in forging unity. The data are produced through face-to-face interviews in the language of the respondent's choice with nationally representative samples based on stratified random sampling techniques. The sample size is 2,400 (Ethiopia), 1,599 (Nigeria), and 1,600 (South Africa). The survey does not include Somalia and South Sudan. The data show that 29 percent of Ethiopian prefer national identity (Ethiopian rather than ethnic), while in South Africa (16 percent) and Nigeria (15 percent). National feeling in three cases is shallow compared to the African average, which is 40 percent. The percentage of people equally valuing ethnic and national identity is 63 percent (Nigeria), 53 percent (South Africa), and 43 percent (Ethiopia). Feeling ethnicity is 31 percent (South Africa), 28 percent (Ethiopia), and 22 percent (Nigeria), while the African average is 14 percent (figure 3).

These three states are deeply divided and among the top four African countries with the highest ethnic feeling. This attests to the importance of ethnicity in the states' politics and governance, and federalism was only a response to centrifugal force on the ground. The data can also be used as a proxy measure of federalism's success in forging unity in diversity. Nigeria and South Africa are more successful than Ethiopia as most of their populations feel both identities. Ethiopian federalism is stressed by equal forces of extreme Ethiopian and ethnic nationalism pulling the country apart.

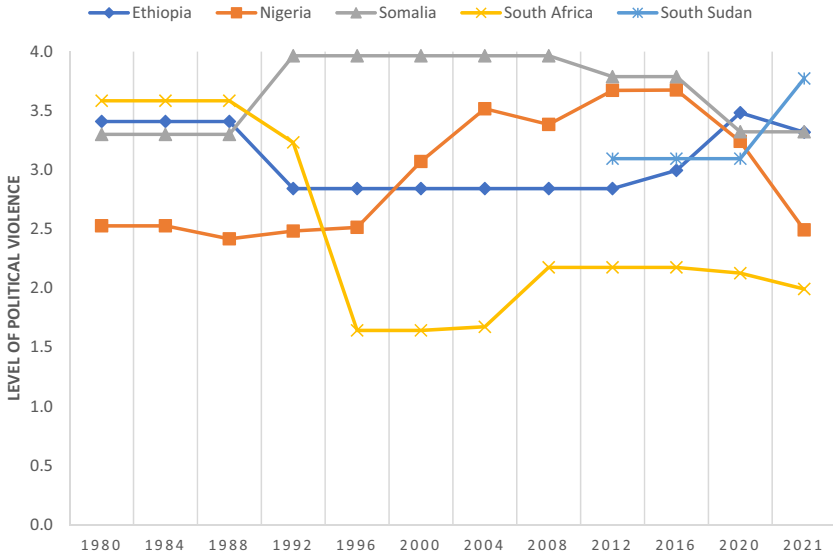


Figure 4 Political violence.

Source: Varieties of Democracy (V-Dem); https://www.v-dem.net/data_analysis/VariableGraph/

Though federalism should minimize conflicts, empirical data from Africa show mixed results. V-Dem data indicates that political violence has increased over the last decades in Nigeria, casting doubts on whether federalism actually reduces conflict. Political violence has declined, but not significantly, in post-federalism Ethiopia but increased after 2020 due to the Tigray war. South Africa is a success story because political violence has substantially diminished after federalism (figure 4). However, the end of apartheid is also an essential factor in reducing violence. Overall, African federalism's success in eliminating identity-based conflicts is limited.

Nigerian federalism abated ethnic and religious conflicts by granting autonomy, including the right to adopt Sharia law in eleven Northern states within the framework of the federal Constitution (Gebeye 2020). Further, federalism promoted a seemingly fairer and equitable distribution of resources than might otherwise have resulted. As federalism was not enough to avert Biafra's attempted secession (1967–1970), it has not prevented insurgencies in the country, including in the Niger Delta region (ICG 2006). Such conflicts are partly attributed to the demands of oil-producing areas for more oil revenues and better compensation for the environmental damage caused by oil extraction, pressuring the center to devise strategies for a territorial redistribution of oil revenues. Whether the situation would have been even worse under a unitary system is challenging to determine. Nevertheless, a unitary system would not address regionalized demands like those

of Northern states. However, considering that some Islamic groups operating in the North are religiously fanatical and defy the Constitution, it is wise to ask how much legal pluralism a country can uphold without eventually falling apart.

Besides, the “federal character,” favoring titular ethnic groups in distributing jobs and resources in Nigerian states (Dent 2000, 163), made it difficult to safeguard the rights of nonterritorial groups living in regions outside their own (Demarest et al. 2020). Further, insecurity in the Northeast due to *Boko Haram* (Amnesty International 2021), though not necessarily linked to federalism, affected federal governance. South Africa’s riots, for example, in KwaZulu-Natal and Gauteng provinces in 2021, which significantly contribute to national GDP, exposed the country’s ethnic fault lines and deep-rooted economic inequality that the federal system should tackle though the conflict had multiple causes.

Ethiopian federalism is under pressure as its northern war is tied to Western Tigray, a fertile territory under the Tigray region until Amhara occupied following the battle. The Amhara region claims the area is their ancestral land, and Tigray annexed it in the 1990s when the regional boundaries were marked. Hence, the regional force is unwilling to leave Tigray, defying the center’s interest. Conflicts over contested territories are common in Ethiopia. The lack of enough public consultation in creating CU contributed to such problems. The ongoing warfare between the federal government and the Oromo Liberation Army (OLA), an insurgency in Oromia demanding genuine autonomy or self-determination, is also rocking the country.

Federalism harnessed the enthusiasm for autonomy and self-rule, which incumbents suppressed and violently responded to avoid the multiplication of regions (Yimenu 2022b). During the Ethiopian People’s Revolutionary Democratic Front (EPRDF) era, self-determination demands did not cause much trouble for two reasons. First, the party prevented the question from being raised by tightly controlling all regions, as the predominant Communist Party of the Soviet Union prevented the exercise of similar rights under the 1936 constitution of the former Soviet Union. Second, the regionalized party system allowed regional parties to channel their ethno-regional demands into the center to be addressed by the EPRDF. After the EPRDF’s dissolution, this mechanism appeared missing, and regionally mobilized interethnic conflict increased, and the center struggled to control regional officials. Further, federalism brought the unintended consequence of intensifying competition among ethnic parties for regional powers, generating conflicts. In this regard, federalism does decentralize not only powers but also conflicts.

Party System, Regime Type, and Subnational Autonomy in Africa

This section examines political and institutional contexts theorized to influence federalism’s effectiveness. African federations have all the structural features of

classic federations; however, they suffer from *de facto* political centralization. *De facto* centralization caused by unlimited federal interference despite formally elected regional governments and state-party fusion characterizes Ethiopian federalism. Since elections became ceremonial practices for regime legitimation, Ethiopia has seen no ruling party except the EPRDF and its heir Prosperity Party (PP). Abiy Ahmed, who came to power following years of protest and EPRDF's fracture, brought a more centralized vision by dissolving regional parties to form a nationalized party, PP (Yimenu 2022b). The impact of the nationalized party is yet to conclude, but the move possibly generates centralization by giving the federal party direct control over regional posts.

Analogous to Ethiopia, South Africa's ANC has overseen the country since independence, generating power consolidation in defiance of the Constitution (Dickovick 2014, 558). In both states, the same parties that played vital roles in designing the federal systems dominated ruling the federations. Nigeria resembles a federal-unitary hybrid due to incumbent parties' manipulative strategies, such as coercively removing opposition from states during the PDP (Suberu 2009, 79–80; 2010, 470). However, PDP's dominance declined as APC seized power following the 2015 elections. Somalia and South Sudan lack a developed party system. Considering that Sudan People's Liberation Movement (SPLM) is the main force pulling South Sudanese together and the party's strong military wing (Nelson 2021, 11), it will continue to dominate the country's politics.

Ethiopian and Nigerian federalism operated under a situation unsuitable for federalism to flourish. While Nigeria's federalism has been fused with military administration principles, Ethiopian federalism is melded with the Leninist nationalities' self-determination notion under one-party electoral authoritarianism. South African federalism is relatively aligned with liberalism, yet ANC is centralized. The ruling elites chose federalism to hold together their states under pressure of centrifugal forces and accommodate their explosive ethnic, regional, and religious divisions, yet militarization of powers, the political hegemony of centralizing military elites, and the centralized party system generated power consolidation. However, the states differ regarding the autonomy of their subnational units.

I use Varieties of Democracy (V-Dem) data to compare the states on selected territorial government-related indexes (*composition of the regional government, electoral democracy, and regional government*). States are rated (0–5), 0 = regional-level offices are not elected, and 5 = regional executive and legislature are elected. Accordingly, Ethiopia, Nigeria, and South Africa have elected regional governments since the outset. South Sudan's states had elected legislature but not executive until 2019. Post-2019, the country has no elected regional government. Somalia's subnational units never elected executives and legislature (figure 5).

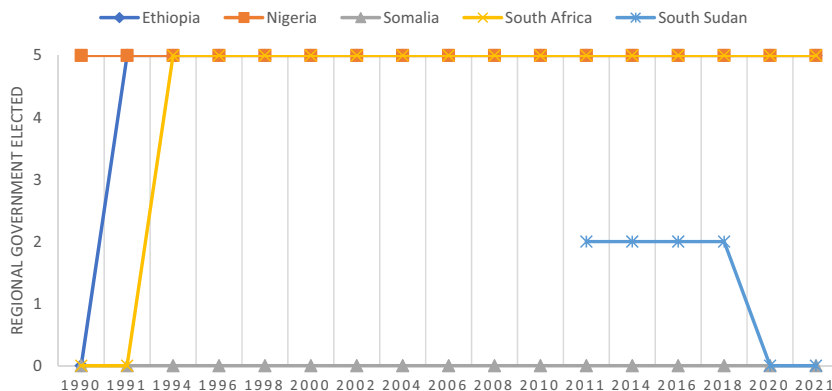


Figure 5 Composition of regional governments.

Source: Varieties of Democracy (V-Dem); https://www.v-dem.net/data_analysis/VariableGraph/

Elected regional government alone neither shows democracy nor regional autonomy. What is more salient is the extent of electoral democracy, embodying a responsive government formed through competitive and nonfraud elections, which affect the composition of the country's chief executive. States are rated (0–1), with a higher score indicating a high electoral democracy and vice versa. Electoral democracy remarkably increased following the revitalization of federalism in Nigeria and adoption of a federal system in South Africa. The improvement can also be associated with the end of military rule in Nigeria and Apartheid in South Africa. Ethiopia's score is much lower than its peers and showed no improvement despite federalism, attributed to its *de facto* one-party severely limiting political space. Somalia and South Sudan's scores were very low, unsurprising considering the countries' infant institutions (figure 6).

Figure 3 puts the same states on the regional government index (0–1). A high score denotes a country with elected and highly autonomous regional governments. Post-1999, Nigerian states and South African provinces enjoy almost equal autonomy. Conversely, Ethiopian regions have much-limited autonomy. Though states in South Sudan had elected regional legislature between 2011 and 2018, their autonomy consistently declined over time (figure 7). Generally, countries with higher electoral democracy scored higher on the regional government index. However, regional autonomy does not necessarily correspond to electoral democracy. If that were the case, Nigeria's score on the regional government index would have been significantly lower than South Africa's. Such scenarios suggest that political powers can be decentralized without fulfilling the liberal

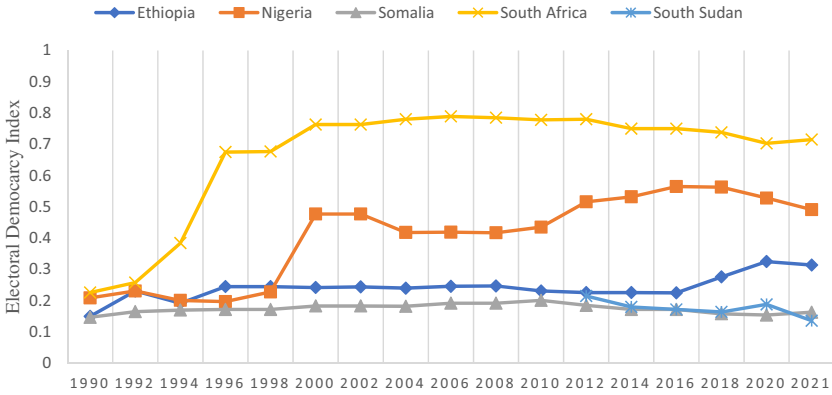


Figure 6 Electoral democracy index.

Source: Varieties of Democracy (V-Dem); https://www.v-dem.net/data_analysis/VariableGraph/

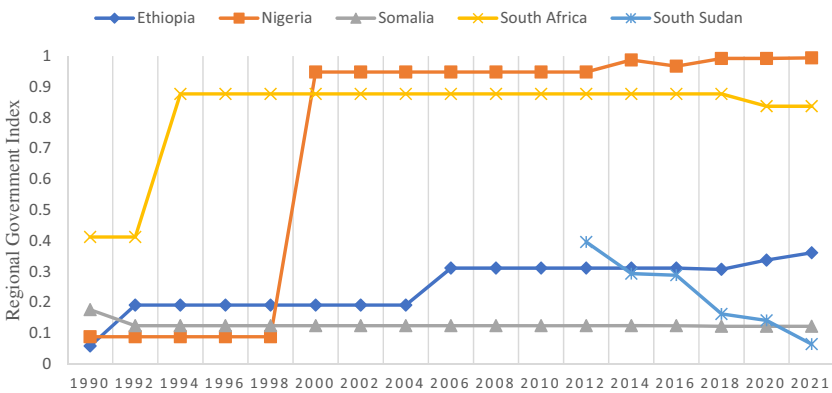


Figure 7 Regional government index.

Source: Varieties of Democracy (V-Dem); https://www.v-dem.net/data_analysis/VariableGraph/

democracy elements. Ethiopia attests that constitutional decentralization has little relevance for regional autonomy unless the center is committed to constitutionalism.

Another vital issue is fiscal federalism, which greatly impacts CU autonomy. In Ethiopia, Nigeria, and South Africa, subnational spending constitutes half of the government spending, while subnational own source revenue is 30 percent, 15 percent, and 20 percent, respectively (Hobdari et al. 2018). As CU expenditure is much higher than revenues, the units depend on federal grants that are mostly unconditional and formula-based. Nevertheless, the center tries to infringe on CU fiscal jurisdiction and manipulate grants. For instance, the center manipulated

fiscal allocation and encroached on the residual competence of opposition-ruled states of Nigeria (Suberu 2009, 78) as South Africa's national government attempted to sneak into opposition-ruled provinces' tax prerogatives (Fessha and Kirkby 2008, 263). Conversely, federal fiscal disbursements are often targeted to buy off constituencies that vote in opposition in Ethiopia (Ishiyama 2012). Although grants increased poor regions' share (Hobdari et al. 2018, 7), the arrangements in Nigeria and Ethiopia triggered conflicts as wealthy regions were unhappy that their shares were disproportionate to their contribution.

Conclusion

Territorial politics and state restructuring became prominent in Africa in the wake of decolonization. Departing colonies arranged several short-lived federal systems. However, Africa is not just a cemetery of failed federal systems but also a continent with thriving federations. Unlike classic federations, African federations are products of state restructuring by governing elites with centripetal and centrifugal interests. Yet, negotiations among parties and elites of the potential center and prospective CU preceded the federations' birth. Somalia's federalism is a product of regional and international actors' joint efforts to build a fallen state, another variant of a "putting-together" federation. Ensuring the states' territorial integrity, accommodating diversity, managing conflict, and diffusing secessionism by allowing subnational self-rule are the primary rationales of African federalism. Besides, federalism is a post-conflict peace-building and state reconstruction mechanism.

Seen against the original purpose of ensuring territorial integrity, federalism in the three matured federations has been successful. However, the systems' success in reducing conflicts is limited. Nigeria has experienced continuous conflicts despite federalism. While significant conflict reduction followed South Africa's federalization, Ethiopian federalism is accompanied by a small magnitude of conflict reduction. Regarding accommodation, Nigerian and South African federalism is taken as effective as it helped minimize exclusion and improve different groups' access to power. Though Ethiopian federalism enabled some ethnonationalities to establish self-rule institutions and allowed multiculturalism and linguistic plurality, the system is unsuccessful in minimizing identity-based exclusion and ensuring groups' equal access to power.

Such mixed outcomes suggest that the number of power-sharing or self-rule institutions has little relevance in managing territory-centered conflict unless augmented by other political institutions and conducive processes. Ethiopia's federalism celebrates identity and organizes regions around ethnonationalities to enable them to exercise self-rule, while the Nigerian model is based on dividing ethnic regions to diffuse ethnic mobilization. However, both strategies are not very

successful in mitigating conflicts, showing that creating regions based on identity or not *per se* is neither a cause nor a solution for the conflict. This is because federalism's effectiveness as a conflict management tool depends on robust democracy, strong institutions, and a party system conducive to flourishing federalism, which both states lack.

Africa illustrates the centripetal roles federal ruling parties play in territorial politics. Considering the extreme diversity in the continent, which is ready to rip the states apart, the incumbents' centripetal roles can be defensible. However, formal territorial self-rule institutions have little meaning if the political practice hinges on the party structure, as in Ethiopia. Based on the evidence presented in this article, the impact of federalism in reducing communal conflict is discouraging. Irrespective of the discouraging results and ongoing conflicts, however, it is clear that the federal system remains the only option to achieve peace and forge unity in diversity. However, federalism will remain on paper unless the incumbents embrace democracy, curtail their centralizing desire, and are committed to genuinely implementing federalism.

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