

FEDERALISM AND PERSPECTIVES OF DEMOCRACY

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Abstract: From political point of view, federal government is a kind of political organization in which political power is divided among smaller political units and each one of them has its own regulations and organs which acts in accordance with its people and group benefits and origins. Borders and management of units are determined by certain regulations. In terms of world politics, federal system appears in different forms. Close relation between governmental organizations and people allows independent institutes to control political power and this, in turn, contributes to the development of democracy.

In a country in which different nations live, development of democracy is in contrast with centralization of political power in a centre, as in such a political organization the power of government is ever-increasing to a degree in which government by exploiting its own power or relying on one of the reasons decreases people to its peasants and bases to reign over all other nations. Suggesting the right of separation and mentioning it in the constitutional law hinders the implementation of long-term projects across federal country. Distrust on an unknown future leads to some political crisis; then, its economical and social results appear in interior policy making and international relations.

Keywords: Federalism, Nationality, Democracy, Destiny, Power

INTRODUCTION

The term "Federalism" which was introduced during 18 and 19 centuries in multicultural societies to meet different social needs in the direction of unity while reserving diversity, another time has been propounded in multi-cultural societies. While, federalism as a political and legal theory in different societies has its own characteristics, and based on the considerations of the units it shows different performances.

The technologic revolution along with the development of international information networks have created a great revolution in the structure of governments and power centers, the governments' decline took place gradually, great economic poles developed the extensive network of power; as a result, those national, local, and regional units supporting connection between local capital with global capital gain the political power. The Europe Union seeks to spread and reserve its historical achievements and concentrate its potentials to resist against the enormous revolutions of Asia and America

National units often enjoy common culture, history, and territory, having a common political plan they try to provide appropriate backgrounds for having collaboration with other nations. National units, different groups and ethnics in collaboration process in a common territory acquire national identity and defend their nationality and territory.

We have federalism system with its different forms in the political perspective of the world. It seems to be an effective approach for solving national problems in multi-cultural societies. (Yahyaee, 1384: 15)

Globalization, in the present time, is changing monetary and financial markets, production and consumption toward globalizing; public opinions by applying communicational devices lead to globalization, so, the inscrutable power of the governments are declining and multi- structural powers are developing.

RESEARCH DESIGN AND ITS IMPORTANCE

Proponents of federalism, who have attracted a lot of attentions from political forces and elites of national units, believe that dividing power among the units paves the ways for more collaboration and develops national identity. As a result, not only the territorial integrity is damaged, but also reinforces national impression among national units and different ethnics. In this regard, the democratic institutes are

created and organized by people. In this situation, the democratic atmosphere of country paves the way for discourse under its shadow intellectual and helpful thoughts take form.

Federalism contributes to the development of democracy, political culture, and gaining experience; as a result, political parties will be more active in the national units; democratic and constant institutes are established; political elites leave seclusion and contribute to training political practitioners, finally sophisticated and skillful political practitioners receive trainings necessary for managing the country. (Bashyryeh, 1995:37)

In countries in which different nations live with their various features the development of democracy, politics and economy reflex in their political life, so that respecting nations and ethnics' rights is included in the constitutional law. With respect to relative and classic democracy in which the will of majority is dominant, however, sovereignty is in the hands of that nation which has the majority and determines the political fate of the country in accordance their interests. So, the principles of democracy and regulations of multi- national societies can not secure freedom and rights of minor nations and ethnics.

Federalism as a pervasive administrative and political approach has high functions and potentials that correspond with the needs of plural societies and is able to solve their structural problems. In order to fulfill this approach in plural societies and adopt it with different situations, first of all we should undertake cultural activities along with political and economical measures. (Kolae, 2002: 18)

Federalism or dividing power among different centers prevents power from concentrating in one center; this in turn leads to the development of democracy in the units. Fulfilling these situations, federalism activates political parties, trains more political elites to participate in country's leadership and management. If the elites are familiar with social and economical features and needs of units, the can adopt more suitable policies; then they can apply communicational tools, find effective resolutions for the current problems, and develop their relationships with people. If there is close relationship between governmental institutes and people, independent institutes will be allowed to control performances of political power, this matter at last results in democracy development.

HISTORY AND DEFINITION OF FEDERALISM

" Federalism" originates from the Latin word " Foedos" that means " agreement" or " treaty". Thus, cooperation and unity among different groups and units in search of establishing larger units to fulfill

their common objectives is called " federalism". (Habermas, 1996: 13)

In political terms, federal government is a kind of political organization in which political power is divided among smaller political units; each one has its own regulations and institutes that function in accordance with their interests and public or group origins. In such a system, borders of power and units' management are determined by certain regulations. Organizations of different federal nations are not the same. Based on their social, political, and geographical situations they have different features.

The United States, Russian Federation, Federal Germany, Canada, Australia, Mexico, Switzerland, and so forth have different structural and administrative organizations. Federal governments have two distinctive administrative systems. First, " Federal administration" has all the country under its coverage. This kind of administration is an active center conducting administrative activities nationwide. Besides this system, there are plenty of institutes and organizations selected directly by people's votes that function under people's monitoring.

In the second system country's administration is divided to smaller units. These administrative units include province to region. Therefore, they are called national or regional units. These federative units function within their borders and are considered to be responsible for a part of country or a certain population.

Then, federalism is applied to a kind of administration in which there is a pervasive national government as well as several smaller national units. According to their population or regions, these units divide the political power among them and establish political government based on which. (Yahyae, 2006: 62). If the process of uniting was in the same direction with the development of modern culture and economy as well as freedom, equality, justice, and law, there would be better results. As the process of nationalization in those western countries established based on power plurality and dividing it has led to democracy establishment.

Switzerland, for instance, has got a brilliant history and experience in federative system. This country has always sought to expand this system in accordance with public and states' rights. Thus, Switzerland has strengthened relationships among people, culture, language, and various needs. (Thurow, 2001: 86)

Lack of centrality has expanded states' abilities in accomplishing their activities, created closer relationships between people and governmental agencies and finally, thoroughly has developed democracy across society. As a result, Switzerland is

considered to be a member of international family in which all the social and individual rights are secured exactly. A reason of Switzerland's social and economical developments lies in its administrative and political system that it is for a while that are managed federatively. Based on the above discussions, one can make this conclusion that in those countries where different nations and ethnics live with their special cultures and languages, they can pave the ways for a comprehensive progress.

In January 1918, the first constitutional law of Russian Soviet Federative Social Republic (RSFSR) in the fourth nationwide congress of the soviets was approved. That constitutional law was approved to be applied in managing Russian Federative Republic, as by then the Soviet Union has not been established. (Kolae, 2002: 18). The constitutional law of 1918 which had suggested its objective as transition from a bourgeois democracy to a proletarian one, at the same time had discussed about nations' equal rights and had proposed federalism in accordance with the development of different cultures.

While evaluating the Czarina Russia, Lenin had said: "Russia is the prison of the public; it is just through establishing the Soviet Union that we can secure all rights of the nations." According to this statement, article 70 of the Soviet Union's constitutional law had named that country as a multi-national one and its federal system in the form of soviets provides all nations with equal rights. (Kolae, 2002: 170). Like Italy, Spain was ruled by centralist and dominant government of Franco. During that period, fascist and pen fascist thoughts were dominant in the political system. Therefore, democratic movements and public institutes were suppressed strongly.

Under the pretext of trying to weaken the central government, regional and local movements, too, were suppressed and their members were pursued. After the death of Franco, there were remarkable changes in Spain's political system. In 1987, the constitutional law changed. With respect to cultural and ethnical features, self-determined regions with different possibilities and authorities were established. The new law supported and guaranteed those self-determined regions. As a result, after the death of Franco they undertook remarkable measures in democratizing their society. They began some activities in accordance with lack of centrality, determined ways of undertaking their measures and their borders to be able to negotiate with the central government.

When the new constitutional law was approved, according to cultural, lingual, geographical, religious, and economical differences 17 self-determined regions were established. (Yahyae, 2006: 64). Canadian federal system is consisted of 10 units; 9 of

them are ruled by English speakers and the other one is governed by French speakers. Quebec is the only state French speakers have control over. This state is economically, especially in industry sector developed. Some social groups, especially extremist nationalists seek to separate this state from Canada. (Khobroyepak, 1999: 186)

BASIC FEATURES OF FEDERATIVE SYSTEMS

Federalism forms based on two principles. First, based on population; that is, it should have sufficient similarities. Second, based on geographical regions which should have some differences with other regions. (Khobroyepak, 1999: 190). The number of constituent units depends on geographical divisions. Thus, these units take on different names. In some countries, for example, we have units called state, province, region, self-determined, and autonomous governments.

The United States of America is consisted of some 50 states, Federal Republic of Germany of 16 units, Russian Federation of 89 different units with special rights and authorities, India of 25 states and Belgium of 6 regions. (Khobroyepak, 1999: 192)

A federal system functions independently in its interior affairs. In federal systems public institutes are controlled by people, as political institutes are selected by people. Their performances, then, are controlled by people and democratic institutes which are not under the control of government. Canada is consisted of 10 federals and 11 administrative centres. Thus, federal systems are called "multi-centered" systems. (Khobroyepak, 1999: 193). Nowadays, units of federal systems are not able to accomplish great projects by themselves and need the cooperation of other units. This element creates unity among the units.

Federalism is an administrative system and a method of governing in which there are different centres of power. Unlike centralized systems which are ruled from one centre, in federal system there is a pervasive national government with several regional governments differing from autonomous or self-determined governments remarkably. Two-parted federal systems consist of 3 power centres. Attending the applications of refugees, accepting or rejecting foreigners' residing or ways of settling them in different states, as well as establishing different associations are among the responsibilities of the states. Decision makings and performances of the states should correspond with expectations of the federal.

Those units established as state or region having common culture and language with other unite, confine their activities mostly to development,

construction, housing, water supply, conserving natural resources, and environment conservation.

Educational and cultural activities of these units have their own regulations enacted by the federal governments which are carried out across the federal country. Units are mostly engaged in economical and constructive activities. There are different centers for making and executing decisions in federal governments; as units are responsible for monitoring and observing political and economical regulations and the centre has no if any intervene in units' interior affairs. Finally, those units have their representatives in central organizations and have direct participation in decision makings; as it is one of the basic features of federalism.

Establishing federal governments without units having economic possibilities is impossible, as units' legal and administrative guarantees depend on their financial power. (Yahyaee, 2006: 95) It is why in establishing units based on population and geographical regions economical potentials and financial power are more emphasized on. Executing this policy in some cases, however, raises dissatisfaction or causes tension between national and ethnical groups.

Most of the federal countries are divided based on geographical researches and establish their units according to these researches. These geographical regions are located alongside each other according to their common political and economical interests. People of these regions may have different cultures, races, religions and special features. (Maghsudi, 2001: 241) These features include race, culture, language, and national and religious beliefs. So, geographical units bring about some cultural and natural differences. These cultural and national differences whether have a long history or are created by the pass of time or political and historical events. Anyhow, these differences are of great importance in establishing federal units.

Certainly, in the constitutional law of a federal country the relationship between the center and its related units and visa versa has been determined, their authorities and obligations, too, have been explained. In adopting federalism as a political system for a country, cultural, lingual, religious and ethnical differences have great importance. Among the important features of federalism one can refer to power division among the units, it is while we can meet the needs of those civilians who have different languages and cultures by adopting policies like "corporatism", "pluralism", and "functionalism", but these concepts have no consistency with federalism. Dividing power according to geographical region and organizing federal system are the inseparable parts of federal systems. (Maghsudi, 2001: 243) Thus, the

term "federalism" is applied to those units having geographical borders and interior regulations while participating in the central government.

In federal systems, will of people can not alone decide on some of their wishes or fulfill them, it is the federal units and their residents who are determinant, as they propose their wills to the national assembly and control its performances. Thus, in the process of policy making in federal governments not only the people of country but also residents of the units affect this process.

The number of parliament members depends on population. The more population a unit has, the more representatives it has. As a principle of federal systems, units have equal rights in the parliament and no one can change these rights for the benefits of others.

People of those countries that have federal political systems have got multi-identities; that is, from one hand they have national identity and from the other hand they have a single identity belonging to their unit. These dependencies are either regional and geographical or ethnical and population; in each case those people simultaneously have more than one identity. They can refer to federal administrations or unit's organizations to have their applications attended. In most of the cases, they refer to their local organizations. As they can easily control their performances.

Among other features of federalism we can name power division, units' equality and having equal rights. These features exactly correspond to the essence of federalism. (Castells, 1997: 392). From international law's point of view, constituent units of federal country are not considered to be a whole and independent country, so, in international associations they do not enjoy the same benefits with independent countries. However, they can engage in some mutual economical contracts. Federal country attends the international associations on behalf of its related units and functions by their names.

FEDERALISM AND DEMOCRACY

In federal systems public and democratic institutes' control over government and administrative organizations' performances, mainly in executing rules with respect to the different centers of power will be more effective. In this regard, federalism with its certain structure and regulations provides all the necessary possibilities for executing rules and expanding democracy for all the people and national or ethnical groups. We do not mean that other countries having centralized or self-determined structures are unable in executing democratic rules or respecting human rights. Some countries, especially those developed centralized ones with respect to their

social and cultural differences produce macro policies, and then apply them in accordance with the interests of society and social groups.

In a country where different nations live, development and institutionalization of democracy is in contrast with power concentration in a centre, as in such political organizing government's power increasingly grows so that by applying its power and relying on one of those reasons, it turns its people to some peasants and bases and governs them easily. (Maghsudi, 2001: 250) If power is divided and the law has sovereignty in a society, people are allowed to use these potentials and control government's performances. As a result, different units in a federal country contribute to survival and development of democracy. Proponents of democracy in multi-national countries defend nations' rights and federalism.

It should be said that federalism can not spontaneously reinforce democracy, and even some kinds of federalism may develop inequalities among the nations and weaken their correlation. Trying to find a form of democracy which can set civil nationality and equal citizenship rights in a society, prevent national and ethnical prejudgments is one of the most important duties of proponents of democracy in different societies.

In federal systems, people have more participation in their political fate, political and economical competitions revolve the society, and in turn, this contributes to developing democracy and institutionalizing it. In societies where different nations with different cultures are living, creating solidity and nationalization has taken a lot of time, has spoiled appropriate opportunities and the necessary correlation for public progress has encountered a lot of challenges. Therefore, by reserving nations' identity we can pave the ways for cooperation; create voluntary unity to reach common objectives.

Federal system with its special structure prepares necessary opportunities in this regard, as the civilians not only participate in their unit, but also play remarkable roles in the political activities of their society. Undertaking economical competitions along with exhibiting art works, sports and other activities of units lead to the development of different sectors; this process, then, results in more correlation among nations; it is why federal system is considered to be an effective tool in expanding and maintaining democracy.

In single and centralized systems, however, the cooperation between nations and different ethnics takes place in accordance with class and group interests, but this cooperation is found to be fragile;

because if these interests are damaged, this cooperation will break down. This situation is more common in those countries which have not yet formed civil society or their social institutes are not so effective. Anyhow, these two administrative systems are organized with respect to social situations, population and geographical structure and have their special features.

We should remind that democracy and its institutes do not form just in federal systems, as some countries with single administrative systems have made some remarkable progresses in creating civil society and developing democratic institutes, European developed countries can be good examples in this regard. So, having federal systems does not assure providing democracy and respecting international charter of human rights, but democratic institutes should develop to allow people to have direct intervene in their political fate.

Having federal or pen federal law does not guarantee providing social and individual freedoms, as federal system is different from uniparty systems, marital dictatorship, and totalitarian regimes. Federalism is based on this concept that its related units have their own policy makings while having direct intervene in policy makings of the central government. Thus, the structure of representation takes shape and power will be divided. (Khobroyepak, 1999: 202) the units reserve their features including: language, religion, culture, history, and economy then make effort to reinforce them and patrol their national interests. In the case of having different power centers, the possibilities of centralization and empowering of a centre or a certain group disappear. Also, the system of democracy observation is applied by the units to reserve them, as observing law articles guarantees their survival. In those countries where federal system is adopted successfully, power centers seek to create political and economical cooperation among units to enjoy their benefits.

Most of the policy researchers believe that federalism is one of the best choices and methods for supplying rights of ethnical, religious, and national minorities. As the law guarantees these rights and plurality of power centers pave the ways for reserving social structure and explaining its differences. The units keep their cultural, social, and economical identity. Therefore, they would not suffer from identity crisis and this, in turn, contributes to correlation among nations.

Some countries governed by single systems try to develop democratic rights and solve ethnical problems by establishing autonomy and considering geographical situations. It is while supplying just political rights can not provide social justice, but the backgrounds of economical justice should be

arranged. Accepting plurality federal countries get more ready for social revolutions. Therefore, accepting and developing democracy in these countries has prior backgrounds and can institutionalize easily, as cultural and social differences are accepted by these countries, so trying to reserve plurality results in rapid growth of culture. Ultimately, the bed for development of democracy and social and economical progress will be available.

Stable democracy in federal systems depends on the relationships between units and the relationships between the centre and its related units. Power division among units and units' participation in federal decision makings indicate of democracy development across society and people's participation in their political fate. There are some federal systems, in which the units don't have sufficient power or authority, and then they are unable to decide about their social, political, and even economical fate; in comparison to autonomous regions, these units enjoy fewer authorities. Therefore, political participation of units in the central government and people's role in determining policies of units show the degree of maturity and development of democracy in these societies.

Owing to the remarkable developments in computer technology in the recent decades, now different countries are closer to each other and have developed their regional cooperation. (Falsafi, 1998: 249). Due to plurality in power centers, federalism has shortened people's distance from these centers and has allowed them to have more participation. In those countries that have democratic systems and there is a single political system managing society politically, people participate in their political fate freely and select their representatives in accordance with their interests, then send them to the parliament and observe the execution of policies. Constitutional laws of federal countries are more often democratic, liberal, and have some features that encourage people to participate in their fate. It seems that all those countries which have any kind of political systems seek to display their constitutional laws as democratic by adding some democratic articles to them. It is beyond doubt that having some democratic articles in law does not indicate of democracy and has no administrative guarantees. As people and public institutes don't have power of monitoring and in the case of repressing the regulations by the ruling government have no means to defend it.

In federal systems observing law is possible through different power centers. As forming dictatorship and controlling all the centers of power is difficult and with regard to their special situations, suppressing all the units can not be easily possible. It is why reserving constitutional law and operating democracy

in federal countries are easier. (Falsafi, 1998: 249) unfortunately, there are some social and economical discriminations owing to them all the social groups don't have equal opportunities and possibilities. So, federalism by having extensive possibilities for expanding democracy and freedom across the society can not apply democracy by itself; but social, economical, and political backgrounds should be provided for the society to take steps towards democracy and social justice.

Enjoying extensive potentials for solving social problems and identity crisis, federalism can not solve all social problems and in action encounters some shortages. Constituent parts of federal government act in accordance with their economical and social interests, and then create the sufficient regulations for their social and cultural development. They try to reserve their identity and reinforce it. Among these units, there are some minor groups or ethnics deprived from their social rights, and as are in minority can not reserve their interests and in special situations are suppressed strongly. So, while has those extensive potentials, federalism is found to be unable to develop pervasive democracy for all groups and ethnics; as a result it keeps social contradictions and crisis inside itself. For instance, we can refer to the situation of Negroes in different states of America. They are unable to reserve their interests and rights. The policy of their complete rejection or acceptance is adopted. As a result, we observe sometimes some social crisis and violence in those states that are accompanied with police's harsh suppression. (Mawlaee, 2001: 124). Thus, it is the civilians who are responsible for reserving and observing their civil rights. Federalism as a political system with its structural plurality is able to fulfill the charter of human rights and can adopt it in its units.

CHALLENGES OF FEDERALISM

Tremendous economical and social differences among units of federal government and its reflection in lifestyle have led to different approaches to international issues, treaties, conventions, and agreements. Federal government signs the charter of human rights and other agreements and undertakes to fulfill them. But the units considering expectations of the central government as intervene in its interior affairs, refuses executing those agreements. Thus, executing the contents of these treaties that support human rights anywhere and in any situation encounter different problems. Above all, in countries like US, Canada, and Australia that are managed by federal systems, the local people suffer from different deprivations; these deprivations do extensive damages to the federal system and put their justice under question. As, the units while have enormous possibilities, can not supply their ethnics and smaller

groups' rights and in some cases succumb to suppressing them.

Canada, for example, adopting federal system, has allowed the residents of Quebec to use French language and has provided them with all the necessary possibilities to develop their language; it is while that Canada does not allow other speakers to develop their cultures and languages. In spite of those great possibilities federalism has allocated for the freedom of different nations living in a geographical region, can not solve all social problems; thus, cooperation among units is inevitable if we want to strengthen life levels and freedom.

When the Soviet Union scattered, in those countries once had been governed by federal systems, separation increased unprecedentedly. A wave of blind nationalism covered those societies. War and murder replaced peaceful coexistence. (Kolae, 2002: 138) Proposing the right of separation and mentioning it in the law prevents accomplishing long-term projects in federal countries. Distrust in an unknown future leads to political crisis, thus its economical and social results will appear in interior policy makings and international relations. The danger of separation weakens countries' political stability. (Bashryeh, 1995: 300) This process directly affects domestic and foreign investments and determines political and economical fate of the country. In search of their short-term interests, units avoid long-term cooperation with other units. As a result, administrative organizations of federal government will encounter problems in macro policy makings which consider all people's interests in long-term.

DISCUSSION AND CONCLUSION

While the development of technology using satellite and information networks pass the borders and do not confine themselves to national governments and geographical borders, insisting on nationalism- in its chauvinistic form-, lingual and ethnical excellence indicates of a historic straying and lack of knowledge. It is taken for granted that any activity in the direction of federalism and political and economical unions requires extensive and open insights in which moderateness and negligence replace ethnical and cultural differences, then the prosperity of human beings I considered to be the ultimate goal of these systems. So, once cultural policy contributes to international understanding that does not confine to arranging some plans for superficial development of cultural exchanges, but by investigating ethnical and superstitious bigotries that are against other ethnics try to weaken them. (Falsafi, 1998: 260).

By creating understanding, bringing the nations together, and recognizing them we can pave the ways for fulfilling the charter of human rights. This contributes to those units that seek to establish federal systems to be able to provide situations for a powerful and stable cooperation. Recognition, trust, mutual respect to cultural, religious, and lingual differences as well as enjoying equal rights and economical possibilities are the separable principles of this cooperation summed up under the name of federalism, union, and so on. Fulfilling this objective in a world often dealing with nationalism, and as we said ethnical self-consciousness increasingly grows in this world, is considered to be a difficult duty; however, we are not eligible to justify our lack of effort by this difficulty.

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