Theme Paper

Building on and Accommodating Diversities

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Abstract

Diversities are not to be considered as a burden but as an asset that states can build upon. Unfortunately, however, diversity is often considered by politicians as a problem that states have to accommodate. On the contrary, one has to consider diversities as an opportunity for states that are enriched by different languages, cultures, religions and traditions. Only if a state is able not only to cope with and accommodate diversities but also to build on the diversities and cherish its diversities will it be able to contribute to a sustainable peaceful development.

Prejudice arises out of mistrust that, in itself, is a result of ignorance and lack of awareness about others. The absence of social interaction between groups and ethnic segments of a society forces the numerically small and socially weak groups to adopt a self-imposed apartheid. But avoiding contact with others cannot be an effective way of protecting one's own identity and culture. The insular existence (self-imposed or forced) results in communication gaps, developing prejudiced perceptions. On the other hand, accepting differences in a plural diverse society is the basic principle of a liberal society. The need is not to target the values of others but to abandon the stereotyped images about others.

In the Indian example, secularism does not mean anti-religion but is associated with respect for all religions, and the community loyalties are viewed as various levels of a wider national loyalty, crystallizing themselves at different gradients with different sectional interests. In their totality, these are the best objectives of national integration. As the political systems of various diverse societies, like Belgian and Indian, show it is possible to have both equality and identity; and there is no reason to trade off one's identity for constitutional equality.

1. Purpose of this Paper

The purpose is to analyse the state of the art with regard to the relation between federalism and diversities. Whereas some countries chose federal structures because federalism is an additional tool to limit governmental powers (e.g. USA and Germany), others made the choice for federalism because it accommodates their diversity (e.g. India, Canada, Ethiopia, South Africa, Spain, Switzerland and many others). Federalist structures, by experience, provided the best possibilities to accommodate diversities and, in many cases, it was the only possible compromise to build on a common consensus for the structure of a multicultural state.

What makes federalism special as a tool to profit from and to accommodate diversities in comparison to other governmental systems? Is federalism at all relevant for constitutional and structural solutions with regard to diversities? What are the main structural, institutional and procedural elements that would enable multicultural federal states to build on their diversities? These questions raise a number of issues. The first issue concerns the relationship between diversity and the modern polity. Diversity in the past was usually not considered as a foundation for the building of a polity. Traditionally constitutions either denied diversity as a basic element for the nation-building, pretending rather that the nation is composed only of citizens, or they built on the majority culture of the nation (e.g. Germany). "Immigration countries" have often tried to integrate the diversities of the immigrants based on a "melting pot" concept.

The need, however, is for modern polities to consider diversity as a basic foundation for building their polity. Excluded diversities disintegrate society and consider themselves as discriminated and permanent losers within the majoritarian democracy. Culture, tradition, language and religion are an integral part of the human personality. Polities cannot ignore this and choose only those dimensions that they consider important.

Historically federalism has been designed to limit governmental powers by dividing sovereignty between the federal and the state powers. Whereas the US constitution was based on the principle that a government was best when it governed the least, constitutions like the Indian believed that a government was best when it was able to bring about social transformation and development for *all* the citizens. How then, in this context, can federalism be a foundation for a multicultural polity?

1.1 *Dimension of Diversities*

The diverse features of a multicultural society create conditions that cannot be changed because they are rooted in a common history. Nor can they be effectively modified by violating fundamental human rights such as religion or language. Compared to economic diversities that can be changed in a society by improved equality or by political decisions approved by the majority, these diversities are not quantitative but qualitative, thus, cannot be changed only by a majority. Furthermore, they are often rooted in symbols and emotions.

Since peoples and nations are granted, according to domestic or international law, some fundamental rights (autonomy or minority rights) we consider those features as essential that facilitate the demands of a collectivity to such rights. In most cases those features depend, on one hand, on objective characteristics such as language and religion and, on the other hand, on subjective feelings of a "we" as distinct from "them" that is the "other". If the "we" is mainly defined by a *negative feeling* of the "other" a situation close to ethnonationalism arises. If the "we" on the other hand is based on *common values* that do not exclude but rather accommodate other values, the preconditions for commonalities within a polity are provided.

To achieve these goals the essential elements are: shared rule in law-making (constitution, legislation and, eventually, executive) processes, *and* regional self rule (autonomy) including group rights. Individual nations consider themselves to have a constitutional status based on their right to self-determination. In cases where peoples create common polities with other nations they need to be recognized as a state-building nation. In polities, building on different diversities, democracy needs to be consensus driven in the sense that besides the simple majority the decisions with regard to vital interests of minority groups are also accepted by the majorities of the different communities. In general, they need to *participate* in the decision-making process in order to be able to identify with the result.

Different communities need also to be able to foster their identities with regard to education, religion, communication, media, social networks, etc. However, they can only foster their identities through autonomy and self-rule. Multi-ethnic polities need to provide autonomy with regard to those vital issues that foster local identities and then to build on a common identity. If vital issues concerning the minorities are decided upon without the participation of the minorities in the decision-making process then the minority groups become losers likely to reject the legitimacy of the polity.

Communities built on diversity need to grant those diversities collective group rights. Citizens belonging to minorities need to have the feeling that the cultural value of their minority is considered equal to other majority or minority values. Minority alienation can only be transcended if the distinct communities are enhanced with group rights. Such group rights should, however, not enable the group to interfere with basic human rights. An exception, however, is where such a group may interfere in language rights to the extent of imposing within its territory their language in order to defend the threatened language of the minority. For the sake of peace within the polity some human rights may be limited for the protection of the group rights.

Polities building on group identities provide both some overarching shared-rule among different diversities and some regional

self-rule by decentralization or federalization. The most challenging issue, though, relates to the constitution-making procedure for the design of those institutions. What should be the impact of diversities at the level of constitution-making? The main principle to be considered is the principle of inclusiveness, consensus and compromise. The final goal to be achieved must be to get the great bulk of the society and of the different diversities to have ownership of the constitution. Thus, the process must find a good balance between efficiency-building and accommodating diversities. Negotiators must be aware that such processes can only achieve these goals if they are able to build trust and tolerance among the diversities based on a spirit of reconciliation, partnership and mutual respect.

Unitary states do not build on diversities although they can accommodate diversities partly by centrally determined decentralization. Federations, on the other hand, can provide at the same time not only constitutionally guaranteed regional self-rule for the federal units and but also shared-rule at the central level, such as by a two chamber system or even in the organization of the executive. Additionally, federal systems can install mechanisms for peaceful management of conflicts among different diversities or recognize diversities with the formation of new constituent units. Special procedures for the protection of vital interests of minorities, organization of the executive with several members representing diversities, and other special arrangements are also possible. Finally, one can imagine even a very loose federation, such as the Union between Serbia and Montenegro that was almost confederal and which provided even the possibility for a unilateral secession of the federal units. The latter provision has existed also in the constitution of Ethiopia.

Diversities enrich politics, culture, legislation and the judiciary. They educate people to tolerance, flexibility and mutual respect. By their nature human beings are diverse. A polity that builds on and accommodates diversities provides for more justice and better guarantees of human dignity because it respects the reality of the diversity of the human nature. On the other hand, the main risks of such diversities are stalemates and inefficiency. Any decision-

making process has to find a good balance between the vital interests of the different diversities as groups and the interests of each citizen. Account must also be taken of the interest of the majority. In these cases it is particularly challenging and difficult to find a good balance that will be accepted by all the concerned diversities. In most cases, secession is the worst solution possible because it generally creates new minority problems when diversities which do not belong to the newly created ethnic majority are created.

Diversities can also be accommodated by a confederal model based on an international treaty. An example is the European Union which has drafted a treaty constitution in order to take into account the grey zone between a classical alliance of states and a new sovereign member of the international community composed of different constituent units. The confederal model has historically been used as a bottom up approach which in practice has often culminated in a federal system such as in the United States and the Swiss Confederation.

2. The Issue of Legitimacy and Nation-Building

Constitutionalism of the Enlightenment period turned the legitimacy of the state from the grace of God into the secularized grace of the people. But today, the most challenging issue with regard to diversity is that of the legitimacy of the state based on the notion of the nation. The system of law and justice, based on political authority, derives its legitimacy from the basis that no one group should eliminate and overshadow the needs of others. At the same time, the desire and need to identify some common goals and purposes, and to establish not just political legitimacy but political accountability, becomes the basis of nationhood in plural and diverse societies. Thus within the broad theme of building on diversities, nation-building in a diverse society is the first subtheme we have identified for consideration.

In principle, nations either exclude diversity because they are only composed of rational "citoyens" (e.g. France, Turkey), are based on common language, culture and tradition (e.g. Germany), or

ignore diversity because they set up new communities integrating diversities into a melting pot (e.g. USA which additionally considers native nations as special units). Actually almost all countries have to cope with the reality of multi-ethnicity. To whom does the state belong in these cases: to the rainbow nation (South Africa), to the peoples of the cantons (Switzerland), to the Spanish nation excluding nationalities (Spain), to the Regions and the Communities (Belgium), to the nations, nationalities and the peoples (Ethiopia), or to the people representing a "unity in diversity" (India)?

All these concrete examples reveal that practitioners and scholars need to explore the different possibilities for including diversities within the concept of one nation without discriminating against minorities. Indeed, each polity should belong to the nation that is the bearer of people's sovereignty. But what is that nation?

Can one solve the problem by inclusiveness and label the nation as a "composed nation"? By accepting such solution the state needs to define the status of these different diversities composing the nation. Do they have the status of a state and thus need to be all on an equal footing? Does the polity only belong to the majority within the nation? Then minorities will feel discriminated as permanent losers within the majoritarian democracy. Does, on the other hand, the state belong to all the nations on an equal footing? Then the majority nation may feel discriminated in its relationship to the minorities.

These challenges are mainly caused by the emotional and subjective feelings peoples have considering themselves to be part of a certain ethnicity. Such feelings of belonging depend often on a negative label of the "others" as opposed to the "we". How can someone, who considers him or herself to belong to a certain minority, accept being part of a composed nation, when this nation is composed mainly by negative feelings towards the majority nation? How can one include different nations into a composed nation, when those ethnicities mainly depend on a negative outlook to ethnicity? The only way to turn these dilemmas into an asset is a creative concept for an integrating nation-building process. This explains the importance of the first subtheme we have identified.

2.1 *Nation Building*

A nation-building process needs to generate, for all members of a nation, the feeling of belongingness in the sense of the "we" in relation to the "others". For composed nations such a nation-building process needs to unite diversities through common values shared by the respective ethnicities and distinct from values of the particular nations. Universal values such as rule of law, democracy and human rights by themselves will not bring diversities together because they apply too broadly to mankind and not particular federal polities. A more specific value could be federalism, direct democracy or the bottom up process of a consensus driven democracy with a concept of regional autonomy close to collective group rights.

If values, that hold and bring the concerned nations together are commonly accepted, the composed nation can build a new feeling of a broader "we" including all nations within the polity. Such a nation-building process, determined by democratic decision-making processes that involve the entire society by elections or by votes on referenda can create the necessary feeling of togetherness and belongingness. For the rainbow nation in South Africa, most important for the nation-building process was the double phased constitution-making process that required the adoption of an interim constitution followed by election processes for the constitution-making assembly and parliament creating the final constitution.

One must acknowledge the fact that ultimately the nation-building process is a never ending process. The nation-building process of composed nations is in fact a permanent evolving process with its normal ups and downs.

Processes with the aim of nation-building that discriminate within the procedure against one or several communities, will never achieve a common feeling of togetherness. Only, if an equal footing is respected, will the nation-building process have a chance to integrate the less numerous nations into an overall composed nation. Article 2 of the Spanish constitution has until recently only recognized the Spanish (Castilian) nation and considered the other peoples as subordinate nationalities. This discrimination of the nationalities has been one of the main impediments for the creation of a broader Spanish nation. Logically the shared rule principle with regard to

all concerned nations has to be fully implemented in the nation-building process. This principle has also to be widely implemented in the civil society particularly in the field of media and communication.

2.2 *Asymmetry and Nation*

Federal polities may have to take care of at least some asymmetries with regard to the complexity of their multicultural population. Some federations have tried to overcome this asymmetry by turning social asymmetries into legal equality. Although, in Switzerland, the number of German, French, Italian and Romansh speaking peoples is strongly asymmetric, the first three languages are constitutionally treated as equal official languages although in practice there are important asymmetries. The main problem for all multicultural states is how to take such asymmetries into account during the process of constitution-making. Some federations provided for instance equal status of the unequal federal units. As a result, the value of a vote of a citizen of Appenzell i.Rh. in Switzerland, for instance, counts 37 times more than the vote of a citizen of the canton of Zurich with the largest population.

In Canada the "Meech Lake Accord" failed because it appeared to privilege the province of Quebec and would have created greater asymmetry with regard to the other provinces. The Annan Plan for Cyprus was rejected by the Greek Cypriots mainly because it had supposedly privileged the much smaller Turkish Cypriot population. One of the main problems of the failed union between Serbia and Montenegro was the extreme asymmetry in size of the two units equalized legally by the Union. Cyprus, Serbia-Montenegro, Sri Lanka, Saint Kitts and Nevis, and Belgium teach us that the most difficult challenge with regard to asymmetry has to be tackled in countries divided by only two asymmetric groups. Other countries such as Russia, India and Australia, with multiple types of different federal units, have faced less explosive challenges.

Most federations composed of different diversities are confronted with the claims of multiple loyalties. In particular political leaders in the less numerous communities often foster the loyalty of their "nationals" against loyalty towards the majority nation. Such controversies turn often into violent ethnic conflicts. Federations

composed of diversities need to accept and develop the multiple loyalties of their citizens. The Swiss federation for instance has a distinctive threefolded citizenship concept. Each Swiss national needs to be a citizen of its municipality and its canton in order to become a Swiss citizen. This legal concept of citizenship reflects the acceptance of the principle of multiple loyalties as a foundation of the Swiss diversity.

One of the most important challenges of asymmetry is the principle of equality. What has to be considered as equal: each individual or each community notwithstanding the number of its citizens? For the French, with the concept of the unitary state based on the individual "citoyen" the answer is clear: only equality of the individual citizen counts. Based on this concept minorities, and in particular diversities and thus ethnic communities, will have to be ignored as political entities. The other extreme would be to consider only the equality of each community. This is in principle the concept of international law that considers all sovereign states as equal no matter what their size. Which should have priority: equal rights of citizens or the right to be equal as a member of a community? A bicameral federal system can provide a valid compromise for such a dilemma by providing a two-chamber legislative structure—one chamber composed according to the number of the citizens and one chamber composed according to the number of the federal units. The difficult issues with regard to different quotas in the second chamber and to the relationship between the chambers will then still have to be decided.

3. Autonomy

A second subtheme we have identified for consideration is the role of "autonomy" in accommodating social and political diversity.

3.1 Notion and Function of Autonomy

Autonomy is often described as the principle of self-rule. In this sense regional autonomy is the right of a constituent unit in a state to rule on the issues within its constitutional competences. Constituent units may have self-rule with regard to their own constitution-making and thus have their own constitution relating to their

own legislative, executive and judicial powers. With regard to the content of regional autonomy there are different varieties and degrees of decentralization possible. The member states of the European Union consider themselves sovereign although an important part of their legislation is ruled by the European Union. Hong Kong is under the sovereignty of China but has its distinct legal system. Greenland belongs to Denmark but is not a member of the European Union. On the other hand, the federal units in the Russian Federation or in Austria have less autonomy than the autonomous regions in the unitary (but decentralized) system of Sweden.

Most important with regard to autonomy is the allocation of financial resources. In fact real autonomy is only possible when the autonomous units can also levy their own taxes and have the ability to finance their tasks with their own income. With regard to the finances, it is of utmost importance, nevertheless, that financial inequalities among the different autonomous units are equalised by special tools for fiscal equalization since financial disparities can be corrosive. Such equalization is politically feasible, however, only if there is a minimum solidarity among the different autonomous units.

With regard to the challenge of diversity, regional self rule and autonomy is, together with the shared-rule principle, the most important structural tool to accommodate different diversities within a state. The various diverse groups can foster their own culture and identity if they have a measure of autonomy. In a federal system different communities are able within the overarching federation to enhance their own interests based on their special identities by enjoying at the same time both the advantages of profiting from being members of the superior federation and retaining their cultural identity through the guarantee of autonomy for their cultural development.

Autonomy in order to accommodate different diversities can be provided in different ways. A unitary system can decentralize, by central legislation and assigning special competences accommodating the particular demands of different regions with regard to their vital interests. In such a system autonomy depends totally on the whim of the majority in the central legislature. In states where particularly minorities desire stronger autonomy and devolu-

tion, some constitutional guarantees with regard to the autonomy granted are indispensable to protect minorities. In federal systems the distribution of powers is generally defined by the constitution. Thus, the constituent units enjoy constitutionally guaranteed legislative, executive and judicial powers. Furthermore, through their constitutional autonomy they can in addition also accommodate local diversities by internal decentralization granting autonomy to their municipalities.

3.2 *Integration and Autonomy*

Autonomy as a tool to accommodate diversities is often rejected with arguments that it prepares the way to secession, leads to disintegration, undermines solidarity within the state, and creates important inequalities. Consequently autonomy is often regarded as an impediment to integration and instead systems of multi-ethnicity based on individual human rights are advocated in the belief that minorities will be able to foster their special identities within the melting-pot or multi-ethnic system.

Whoever explores these challenges will detect, however, that federations with the guarantee of strong autonomy for their constituent units have in fact had the opposite experience. Indeed, strong autonomy has often fostered the real accommodation of diversities because unity can only be sustained on the basis of mutual respect and tolerance. If the citizens feel at home and secure within their regional and local community, they are more willing also to identify as citizens of the larger federation. They will be convinced of the win-win benefit from being part of a federal system. They can both foster their identity within the constituent unit and profit from the advantage of the bigger state through cooperating in the shared rule with other diversities at the central level of the federation.

3.3 *Diversity as a Foundation or Goal of Autonomy?*

Different concepts of autonomy are possible. In most cases autonomy is granted on the basis of territory. Autonomous regions, constituent units or even municipalities controlling a specific territory

are granted autonomy. In cases where diversities are dispersed throughout the entire territory of the federation and where they cannot therefore be accommodated on a territorial basis, the only alternative possible is so called "personal autonomy" which may be granted as a collective right to certain communities. Belgium and in particular Lebanon have partially provided in their constitutional systems for such a concept of personal autonomy.

Diversities should not be tolerated only as a special burden by the majority. Diversities in fact enrich the polity with additional values. Only by granting autonomy, which can foster the diversities and the different identities, are federations able to profit from this enrichment. By providing autonomy to different communities a federation both builds on and fosters the diversities. By enhancing diversities it enables all inhabitants of the country to feel at home within their motherland. A country challenged and enriched by its diversities has to build on these diversities. This again requires that the diversities are given the possibility to develop according to their own ideas, values and interests. Only when the diversities are able to define themselves and build on their own self-consciousness are they able to cooperate on a basis of partnership with other diversities and thus contribute to the added value of the common nation.

Autonomy guarantees that communities develop from the bottom up in order to achieve finally the overall composite identity of the federation.

4. Conflict Management

A third subtheme we have identified for consideration is the management of conflict between diverse groups within a federal polity.

Countries challenged and enriched by diversities will never find "the end of history" of their country. As long as diversities exist, they will foster their identities and their own interests. With the flourishing of their diversities a federation will itself evolve and develop continuously in the design of its polity. One should in principle not seek final solutions. One should rather permanently seek processes, procedures, institutions and tools that enable a continuing and peaceful management of any conflicts among controversial diversities.

4.1 *Purpose of Conflict Management*

The main goal of the classical liberal state is liberty. The state has to provide security for the citizens in order to enable them to pursue their happiness in liberty. A state with diversities needs not only to seek individual liberty for all its citizens, but also to look for peace among the different diversities. Besides individual freedom, peace among communities is one of the main goals to seek in multicultural states. In order to promote peace among the different groups, federal political systems can provide special tools to facilitate the reduction of overpowering nationalism and emphasize multiple loyalties. Moderating nationalism is made possible by providing autonomy for the different communities on a territorial or a personal basis. The Swiss experience with direct democracy in addition reveals that decision-making through direct democracy in most cases moderates nationalism because often it is the political elites that foster nationalism. Voters are usually less induced by nationalistic feelings, tending to seek more their personal rather than ethnic interests. Party systems which avoid or prohibit parties from uniting along ethnic lines and which include different diversities within individual parties or coalitions are additional tools for reducing the intensity of the regional nationalism.

It is sometimes thought that emphasis on the cohesive and exclusive nation state is the only way to manage conflict among distinct groups. Cohesion can be fostered, however, by processes emphasizing inclusiveness of all the different diversities. This inclusiveness must be based on the values of justice, democracy, tolerance, respect of diversity and rule of law that are not only accepted by all different ethnic communities but that establish for all communities a new and stronger identity making possible a solidarity among the different communities.

4.2 *Institutions of Conflict Management*

The usual institutions for conflict management are the judiciary, the legislature, the constitution-making power, and the executive and administrative institutions. These traditional conflict management institutions will only be useful for conflict management,

however, if they are able to recognize and respect the vital interests of the different diversities. Special procedures within the legislature may be needed for such protection.

In order to enable the judiciary to respect the interests of different ethnicities there will need to be some constitutional guarantees such as group rights that can be applied to particular cases by the judiciary. Moreover the judiciary needs to be composed of judges representing the different communities to ensure confidence in the impartiality. In addition, a federal system may allow delegation to the constituent units of some of the organization of the courts, the appointment of the judges and their procedures in order to accommodate the different interests and traditions of different legal cultures.

On the level of the executive, the various diversities will also have to be somehow taken into account. In Belgium the executive cabinet is composed half of Flemish-speaking and half of French-speaking members. In Switzerland the federal council as executive must be composed of seven equal members but with different language communities and regions being adequately represented.

One of the most challenging features with regard to accommodation of diversities is the police. In federal countries the police power can be delegated to the constituent units and within these it can again be delegated to autonomous municipalities. Where the police forces have to guarantee security among different communities they need to be composed of officers and ranks that belong to those different diversities in order to achieve credibility and trust among all the different communities.

Civil society needs to have the organizational tools that enable associations, parties, gender and professional groups such as labour unions that cut across the borders of the fragmentation within the polity. Furthermore, the civil society needs to enhance linkages and common values among the different groups. Thus it is most important that a federation promotes cross-cutting organizations and tries to prevent the sharp fragmentation of civil society along ethnic lines.

4.3 Processes of Conflict Management

Delicate but important processes for conflict management are those procedures providing for shared-rule in decision-making. These

include constitution-making and legislation, but one should not overlook procedures within the executive and its administration as well as within the judiciary. Shared-rule procedures will only contribute to peaceful conflict management if they have legitimacy and credibility among all the different communities. Such credibility depends on the fairness of the processes and the opportunities each group considers it has to convince other groups to support its interests. Where the vital interests of one of the communities are at stake, special procedures may be indispensable in order to give the concerned communities security that their minority position will be protected.

In Switzerland the consensus driven democracy has proved to be one of the most important tools for legitimate conflict management. As it is very difficult to convince the population to support a positive vote in a referendum, all major parties find it necessary to seek compromise in order to achieve a comprehensive majority in support of a referendum. Thus, indirectly direct democracy— although majority based—forces the political elites to seek compromise and consensus.

As already mentioned with regard to law-making, the second chamber and its powers in relation to the primary federal chamber are of utmost importance. In addition to the legislative process in parliament, consultative procedures and hearings that would provide for all communities to present their specific interests within the law-making procedure are additional valuable tools. As a basic principle one should guarantee that the law-making processes are inclusive with regard to the diverse groups and even more so when they deal with law-making at the constitution making level.

The most difficult question with regard to the procedures of shared rule concerns decisions relating to categorical conflicts. These are conflicts which turn on an absolute either-or position where any kind of compromise is virtually excluded. In such cases often the vital interests of the different communities are at stake. Categorical conflicts may also involve issues with religious implications for instance in the field of criminal law. As long as the decision in such a conflict is not final and can be changed later with a newly convinced majority the issue is likely to be less explosive than when

the decision is irrevocable such as in the case of advocacy of seces-
sion. In such instances, it may be advisable to give all the small
units the opportunity to take their decisions autonomously in order
to avoid important minorities being finally overruled by a small
majority.

In cases of categorical conflicts it may be possible to delegate
the issue to the different autonomous constituent units if a solution
at the federal level is not necessary. Then constituent units may
decide for themselves on an issue in which their vital interests are
involved. For instance in this way religious communities may have
their own special criminal and family law, decide on religious
holidays and provide special educational programs for their children
without imposing these on the other constituent units.

5. Conclusions: Management and Accommodation

Some of the issues that have been highlighted in this paper include:
the dimensions of diversity, the legitimacy of states, autonomy in
the context of nation and nation-building, interaction between
autonomy and integration, and institutions and processes of conlict
management. If the nation is an "imagined community" then the
various diversities also have to be incorporated within the "compos-
ed nation". Difficulty arises when there are attempts to "manage"
identities and when an "official nationalism" emanates from the
nation state, serving not the people but the state structure. This
difficulty can be overcome if the concerns of diverse groups are
accommodated within concerns for the proper and just functioning
of the state. Once the state is just in its treatment of the constituents
of society, the latter are less likely to have difficulty in recognizing
the legitimacy of the composed nation state. It is in this context
that federalism can accommodate diversities and provide the
mechanisms for achieving this.

Among the issues raised for consideration are several. How can
the conscious policies of governance achieve legitimacy in diverse
societies? How can we develop institutions that can accommodate
different group identities? How can a federal system handle diver-

sities that may seem to be mutually exclusive? A notable observation is to recognize the extent to which contemporary federations are actually facing the issue of diversity and the various ways they are accommodating diversity in practice. Rather than treating diversities as *problems that need to be managed,* where federations have treated diversities as strengths that are assets, as opportunities through which a plural society is enriched, they have succeeded. This enrichment gets lost if there is ignorance and lack of awareness among groups about each other. Absence of social interaction weakens a society. On the other hand, in a liberal federal democracy, respect for various differences and loyalties may be viewed as loyalties towards the inclusive nation. In this paper we have attempted to point how diversities can be accommodated by means of effective sharing in federal policy making, how autonomy within federations can foster diversities, and how federalism can be a mechanism for good governance in plural societies.