IS A FEDERAL STRUCTURE REALLY AN APPROPRIATE POLITICAL SOLUTION FOR MULTIETHNIC SOCIETIES? THE CASE OF CYPRUS
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INTRODUCTION

Federal questions have become increasingly important in contemporary politics and policy-making around the world. Many new and old states are struggling to find appropriate structures to give expression to the ethnic, religious and linguistic diversity of various societies.

The Cyprus problem is one of those problems where different ethnic and national communities live in one territory and struggle for a political association that protects their cultural identity.

The Cyprus question, which brought not only the Turkish and the Greek communities on the island into conflict but also Greece and Turkey to the very brink of war, remains one of the most intractable problems in world affairs. Since the 1950s, despite many peaceful and friendly efforts, including that of the United Nations, no just and lasting peace for the two Cypriot communities under a Federal Republic has been attained.1 Since the Turkish intervention on the island on 20 July 1974, which divided the island into Greek Cypriot and Turkish Cypriot parts, there has been neither substantial progress nor a great crisis on the island. After the collapse of the 1960 partnership between the two Cyprus communities, the Cyprus question has revolved around issues such as the structure of possible future political organisation, the delimitation of the borders between Greek Cypriot and the Turkish Cypriot territories, the establishment of a guarantee system that would contribute to the physical security of both the communities, and the establishment of a political system respecting the rights of the two communities. After the 1974 division of the island between the Greek Cypriots and the Turkish Cypriots, some important developments have taken place: the establishment of the Turkish Federated State of Cyprus in 1975 followed by the Turkish Republic of Northern Cyprus in 1983 (which only Turkey recognised). Meanwhile, Turkish troops remain on the island. For both communities, from their different perspectives, there were and are distressful developments. Lack of international support for and recognition of the Turkish Cypriots is affecting the Turkish Cypriots both politically and economically.2 The Turkish Cypriots are unable to establish official ties with the international world. Furthermore, they are under an economic embargo that makes Turkish Cypriot economic growth very slow compared to the Greek Cypriot economy. On the other hand, although the Greek Cypriots have been recognised internationally since 1964 and enjoy the benefits of being the only internationally recognised of the Cyprus Republic, they are still displeased with the current situation on the island.3 The reasons for their dissatisfaction are twofold: first, of all they feel physically insecure because of the existence of the Turkish army in the North (Turkish Cypriot) of the island; second, they feel disgraced by losing this territory to the Turkish Cypriots.

So, both communities, have some important reasons for demanding a solution to the problem. A

solution would benefit both communities: the Turkish Cypriots would have the right to be treated as co-founders of a possible association with the Greek Cypriots, thus they would enjoy both the political and economic benefits; the Greek Cypriots, with a new security arrangement, would no longer be threatened by the Turkish army and, most probably, in the 'give and take' of negotiations, they would reacquire some of their lost territory; and, last but not least, a solution would probably ease the antagonism and separatism between the Greek and the Turkish Cypriots.

Finding a workable political system that suits the needs of the two communities on the island would not only benefit them but also Turkey and Greece as the motherlands.4 Apart from the Aegean problem about territorial waters, continental shelf and air space, the Cyprus problem has been the most important problem between Turkey and Greece and it has damaged their willingness to co-operate and solve bilateral problems. Also, from a security perspective, the Cyprus problem has negatively affected the motherlands because it creates another tense border between Greece and Turkey, on the island itself. Developments on the island have damaged the relations between these two antagonistic countries.5 Thus, the solution of the problem on the island, which needs the association of the two communities in some form of political system, would be very important for the future relations of Turkey and Greece.

Furthermore, the solution of the problem is important for the West, especially the United States as the major world power in the post-Cold War era. During the Cold War years, the southeastern flank of NATO came to the edge of collapse because both Turkey and Greece, both NATO members, opposed each other over the Cyprus problem. Greece gave its support to the Greek Cypriots, whereas Turkey gave its full support to the Turkish Cypriots, both morally and physically. Additionally, in the post-Cold War era the interests of the West and the United States can be negatively affected because the area continues to be geographically vital for Western needs (due to Cyprus's strategic location at the entrance to oil routes in the Middle East and Asia). In this manner, a durable solution to the Cyprus problem is as necessary and vital for the Cypriots themselves as it is for both the motherlands and others.

CYPRUS AND A FEDERATION

A. The Causes of Failure or Success of a Federation

A federation is often advanced as the best way to manage the nationalistic problems of the two communities on the island.

The main subject of this article is the question of the suitability of a federal solution for Cyprus, where there are two national groups sharing the same island. The aim is to make an academic contribution to the ongoing debate in the literature and in diplomatic and political circles as to whether a federation is a suitable model for resolving the Cyprus problem.

In the twentieth century, the emotional appeal of nationalism has affected multinational structures, whether communist or non-communist, authoritarian or democratic. There are many methods for regulating ethnic and nationalist conflicts such as arbitration and federalism, consociationalism, partition, hegemonic control, assimilation, forced mass population transfers and even genocide. Federalism and consociationalism look like the best way to moderate such problems because they are based on the will of the people involved. It is a fact that some nationalist problems have been managed successfully by federal arrangements. One of the most successful examples of a federal

union for different nationalities and religions is the Swiss Federation. However, after the end of the Cold War, the world has witnessed a rise in ethnic and nationalist confrontations from Asia to Africa to Europe. Even in Western Europe, where countries are moving towards a more integrated association and possibly a federal union, ethno-regional communities such as the Basques, Catalans, Scots and Flemish are demanding more and more autonomy. Furthermore, even the future of one of the well-established federations, Canada, is uncertain as French Canadians—the people of Quebec—are demanding independence. The situation in the relatively new federal state of Belgium, which is built mainly on two cultural communities, is uncertain because of their nationalistic problems. Many of the post-war federations have failed despite the high hopes of their creators, for instance Indonesia, Pakistan, Malaysia and Mali.6 These examples bring to mind the question of the appropriateness of a federal union as a form of governance in multiethnic societies, such as that of Cyprus. The support for such arrangements should depend on their feasibility and long-term efficacy.

Federalism, although a legal and constitutional condition is, as Edward McWhinney explains, also an attitude. McWhinney explains that federalism is "as much a social-psychological attitude on the part of government decision makers as a strictly juridical condition."7 As he suggests, commitment and goodwill for the maintenance of federalism is one of the most important factors. With the existence of goodwill and commitment, federal spirit and federal behaviour develops over time. According to Carl Friedrich, with the development of a federal spirit and of federal behaviour, "agreement on fundamentals is achieved and similar forms of doctrinaire rigidity" are avoided.8 Thus, compromise and accommodation, which is very important in the functioning of a successful federation, can be achieved. The above analysis can be summarised in K.C. Wheare's words: "A desire for federal union among communities is a first and obvious factor which produces in them the capacity to make and work a federal union."9

There are other factors that affect the successful functioning of a federation. Federalism has usually been considered the second best choice for political association. It offers a balance between unity for common purposes and separation for ethnic or other local reasons. People living in a federation are generally torn between the feeling that they want to go and the feeling that they want to stay. These dual feelings should be supported by a constitution and institutions. The institutions should be devised in such a way that there is no danger of an over powerful central government. In most federal states, even Switzerland, there is a tendency for the power of central government to grow.10 There is also the danger of the regions inspiring greater loyalty than the union. To devise a readymade constitution for a new federation is very difficult. As H. Hicks explains, unless all citizens hold a dual loyalty, the existence of proper institutions cannot guarantee the durability of a federation.11 Whether federal structures provide an adequate basis for the governance of local interests depends on the existence of several other factors.

One of these factors is the so-called crosscutting cleavages. For example, in the case of the Swiss federation, there are four linguistic groups (German, French, Italian and Romanche) and two main religious groupings. Although these cleavages might be expected to promote violence and instability, on the contrary, the existence of these cleavages brings unique success to their system. Before moving onto how these cleavages bring stability and success to the Swiss federation, we shall try to explain how crosscutting cleavages work in general.

In politics, there are competing interests. These different interests represent majority opinions in different states of a federation. However, if there is one split in a country (such as that of religion, nationality or language), the country will be in a danger of being torn apart by violence. On the other

hand, if the member states' alliances are subject to more than one cleavage then potential tensions will be cancelled out as, in this way, an individual cleavage does not become entrenched in the system. In the Swiss case the religious cleavage cuts across the linguistic cleavage (of the eleven predominantly Catholic cantons, seven are German, two bilingual, one French and one Italian; while of the ten predominantly Protestant cantons, seven are German, two French and one bilingual). In this way, cleavages of language and religion cut across each other. While on some issues the Swiss may divide on linguistic grounds, on others they may divide on religious grounds.12 These cutting cleavages prevent a permanent majority factor. As Ross explains:

A society, therefore, which is riven by a dozen oppositions along lines running in every direction, may actually be in less danger of being torn with violence or falling to pieces than one split along just one line. For each new cleavage contributes to narrow the cross clefts, so that one might say that society is sewn together by its inner conflicts.13

By contrast to Swiss crosscutting cleavages, in Canada, the English speaking Canadian majority also coincides with a Protestant majority and the French Canadian minority is predominantly Roman Catholic.14 Hence, there is no crosscutting of linguistic and religious issues, which is a disadvantage for Canada's system. However, Canada has been one of the successful multiethnic federations despite the lack of these crosscuttings. The Canadian case shows the necessity of a substantial number of member states in a federation. Only in this way, can the competing interests of the units be pacified. Therefore, the size, number and relative homogeneity of the component units become important in the stability and the success of the system.15 As K.C. Wheare writes in his book 'Federal Government', it is not desirable that one or two should be so powerful that they can overrule the others (eg. as was the case of Prussia in the German empire of 1871). Federations are composed of a varying number of states. For example, Switzerland has 22 cantons, the US has 50 states, Pakistan had two units until its break up into Pakistan and Bangladesh, and Canada has 10 provinces. The number of units in a federation usually has the potential to act as a crosscutting cleavage as well. In Canada, the existence of more than two units in a federation that are composed of two ethnic national communities, French and English, helps its integration process. When Ivo Duchacek analysed thirteen bi-communal polities, he found out that the durability of bi-communal dyadic federations is more difficult than multi-unit federations. Dyadic bi-communal federations are those where there are two dominant communities and two separate local states as well. Now, there is one bi-communal federation that is working and that is Belgium. However, even Belgium is not a classical bi-communal federation because of the situation of Brussels, the capital, which is classified as a separate region. So, even in Belgium, there are still three regions: the Walloon, Flemish and the Brussels area. As Duchacek explains: The distinctive feature of a confrontation between only two communities have no opportunity to alter their power relationship by internal coalition shifting. They tend to confront each other within a rather narrow alley that endows their bargaining or frontal conflicts with a zero sum quality.16

The absence of alternative coalitions in bi-communal systems results in the confrontation of the two communities on every issue. Many dyadic bi-communal federations—like Sri Lanka, Northern Ireland, pre-Bangladesh Pakistan and Czechoslovakia—have been aggravated by violence and disintegration. Another factor in the bi-communal states that might have a destabilising effect on the system is the possibility that one or both communities have blood or national relations with people in a neighbouring state. This kind of connection decreases the willingness of the component units in a federation to co-operate with one another. Instead, they try to get support from outside. Examples of this can be seen in Greece and Turkey's relationship with Cyprus, France with respect to Quebec

(especially during the rule of Charles de Gaulle), England with respect to Northern Ireland, or India with respect to the Tamils in Sri Lanka. Hence, foreign reactions can be cited as one of the factors determining the failure or success of a federation.17

Another factor that is important for the success of such a system is the common peoples' acceptance of a federation; the idea must be popular. There are four classical and successful federations in the world (Switzerland, Canada, the USA and Australia) and many have tried to imitate these federal models (eg. Nigeria, Malaysia and others). However, every country has different historical and geographical circumstances. They need remedies specific to their circumstances rather than a readymade model. At the end of the colonial period, some colonial powers, especially Britain, urged federal solutions on their colonial territories (eg. the West Indies, Malaysia, Central Africa and Cyprus). But experience has shown that a federation imposed from above and in the absence of popular approval is likely to experience difficulties and may well lead to disintegration.18 These examples have shown that the federal system was an unpopular idea that nevertheless offered a way out of colonial rule.19 Thus, people under colonial rule accepted a federal solution as a means of emancipation from colonial rule rather than as an end in itself; there was no real commitment to the federal idea and federation. Federalism has been taken as means to reach other ends. Federalism was introduced to Indonesia before the Dutch left. This solution however, only provided a superficial unity for the limited purpose of freedom from colonial rule.20 When freedom was achieved, the other divisive forces began to gain strength. The same can be argued for Cyprus. In the late 1950s when a consociational federal solution was offered to the Greek and Turkish Cypriots, they accepted it as at that moment there seemed to be no other alternative. However, after a short time, it became apparent that the main objective of the majority Greek Cypriot population was enosis (unification with Greece). In short, the results of these superficial unions have been costly for the people involved in these kinds of systems.

Connected with the idea of popular support for a federal system is the length of time to achieve it. Most successful federations, like the USA, Switzerland, Canada and Belgium, did not start their life as federal states. The USA, Switzerland and Canada were confederations in the early stages of their system. It took decades for an integrated society to develop in these countries. After passing through a learning process of loose associations, they appreciated the necessity of a federation for their well being. On the other hand, Belgium, which was a unitary state until 1993, became a federation with the publication of revisions to the Belgian Constitution. Tendencies towards decentralisation began to take shape from the beginning of the twentieth century and this resulted in a federal concept in 1988. Yet, the institutionalisation of the system took some decades in Belgium as well. Consequently, a readymade federal constitution has not much probability of success. Instead, the populace should design the constitution gradually in a process of increasing federalisation. Successful federations cannot simply be imitated because the material conditions that existed for certain federations are lacking in others.

B. The Success of a Federation in the Case of Cyprus

The points made in the previous section as to the durability and success of a federation are the most important ones besides institutional devices. For the durability of federalism, the most important factor is the maintenance of both diversity and unity, and both of these will be realised through the existence of goodwill and commitment, crosscutting cleavages, the number of the units in a federation, and the acceptance of a federation as an end in itself. Consequently, the question in the case of Cyprus should be: are there solid foundations for the establishment of a federation? Will a

federation be a practical solution to the problems between the two communities of the island?

First, in Cyprus there is mistrust and fear between the two communities. In the evolution of federalism, the media plays an important role.21 In Cyprus, the media is enhancing the mistrust and fear among the people of the island. Apart from the media, there is the role of the schools and, in the case of South Cyprus, the church.22 These establishments have a negative impact on the development of perceptions and ideas about each other. In this way, hostile attitudes, wrong perceptions and misleading communication are favoured. There are unhelpful attempts to address the problem. So, the result is an unwillingness to reach a solution. Even with the conclusion of a federal constitution, there is no guarantee of a continued commitment to and full acceptance of the system because the qualities of a co-operative relationship are not present. In 1960, as mentioned earlier, a partnership agreement was concluded between the Greek and the Turkish Cypriots. The Turk's suspicion of the Greeks and Greek's ideal of ENOSIS ended the partnership in civil war. After the de facto partition of the island, the Greek Cypriot side has mainly sought to return of Greek Cypriot refugees to their previous homes in the North and an end to the Turkish guarantee. Nobody can guarantee that after achieving these two objectives in the framework a settlement, the Greek Cypriots would be fully committed to the functioning of a federation or that the Turkish Cypriots would not suspect every move of the Greek Cypriots and feel threatened by them.

Yet, there is another factor that raises a question about the communities' commitment to the federal idea. In the era after de facto partition, both sides seem committed to the federal idea (though they talk about different kinds of federations). Yet, there is no psychological condition that would foster unity in Cyprus. The positive social-psychological conditions could emerge but they will not emerge immediately even if a federal constitution is written. The success of a federation needs a spirit of tolerance and compromise amongst the leaders and the communities.23 Unless co-operation and basic consensus exist, the viability and the success of a federation will be in doubt. As in the Canadian case, success depends on, "You give me this and I will give you that; repeated twenty times."24 Unfortunately, this is probably not going to be the case in Cyprus, at least in the near future.

The existence of crosscutting cleavages, as said earlier, gives stability to a federal system. In Cyprus, there would be no crosscutting cleavages because there would be two homogenous groups. Duchacek talks about the 'Nth group' factor which plays the role of an integrative glue.25 It means the existence of communities other than the two territorial communities and the existence of these other communities makes the territorial communities co-operate.26 Disagreements over certain issues in daily politics have the potential to destabilise the system because they might lead to the dissatisfaction of the minority group. A supreme court, as a conflict regulating mechanism, could in theory settle disagreements. But, on Cyprus, this mechanism, which was tried in the 1960 partnership, was unable to resolve the conflicting interests between the two sides. Thus, it is not advisable to make a settlement dependent on such a mechanism on Cyprus as both sides will look at the issues from different nationalist perspectives. Connected with the crosscutting cleavage factor is the number of units of federation. In Cyprus, the ideal federation is considered to be bi-communal and bi-zonal, which means that the number of the main actors is limited to only two communities. There will be no possibility for them to change their power relationship. Particularly, since both communities are very nationalist and lack the commitment to a common authority, they will find themselves in a zero-sum-game situation. Moreover, there is a numerical imbalance between the two communities on Cyprus. This fact complicates the situation on the island. In federations, the decision making depends on majoritarian mode. The minority group, the Turkish Cypriots in the case of

Cyprus, would be expected to place their trust in this mode of decision making. In the near future, this does not seem to be achievable. To reduce any state to only two sectors, brings intolerance and the ability to control tensions becomes more difficult.27

The main objective of this section has been to determine the conditions of durability and workability within a federal arrangement, besides the purely constitutional basis. An analysis was carried out to find out whether the Cypriots should expect federalisation to make it easier to resolve conflicts between them and to bring a long period of peace and stability to the island. As Covell argues in the Belgian case, on balance it seems that federal institutions should ease the process of conflict resolution.28 Federalism is often advocated as a system that can defend minority rights by limiting the dominance of the majority. But, federal institutions, like the Supreme Court or charter of the rights in Canada, or the School Pact and the Cultural Pact in Belgium, would not be able on their own to ensure this. Successful federations have benefited from other factors that defend minority rights, like crosscutting cleavages, etc. The twenty three-year-old partition of Cyprus has left the communities with a limited contact with each other and with deep-rooted fear of each other. Apart from these facts, they also lack the necessary elements for the success of their federation. Furthermore, the 1992 'Set of Ideas' was the UN's most elaborate work for the establishment of a bi-communal and bi-zonal federation since 1974, but it was inadequate. It failed to bring about a compromise formula for the method of electing a president, for a proper conflict-resolution mechanism or the issue of sovereignty. The Turkish Cypriots regard this set of ideas as inadequate for their equitable participation in the governing process. The Greek side remained non-committed. The Greek and Turkish Cypriots have conflicting constitutional demands, for example, about the mode of electing the president, the issue of separate sovereignties for the Greek and Turkish Cypriots and the question of veto powers. The Greek Cypriot presidents George Vassiliou and Glafcos Clerides refused to grant veto powers to the Turkish members of the cabinet because the Greek Cypriots believe that these veto powers would impede governmental efficiency as in the 1960 partnership.29 Clerides stated, "Although the set of ideas included positive aspects it also was disadvantageous for Cypriot Hellenism".30

The proposed solutions did not satisfy either the Greek Cypriots or the Turkish Cypriots. The proposals seem to offer superficial solutions to deep problems. The constitutional engineering that is hoped will overcome the Greek-Turkish Cypriot cleavage has not been found yet.

In conclusion, the present circumstances are unsuitable for the founding and operation of federalism on Cyprus. Even in the light of the renewed interest in the Cyprus problem, especially by the European Union, the probability of a successfully negotiated federal settlement looks very remote.

1 Attalides, M., Cyprus Reviewed, The Jus Cypri Association, Nicosia, 1977, p. 22.

2 These facts were obtained from formal and informal interviews of Turkish Cypriot officials, politicians and ordinary people.

3 This information was gained from interviews in the Greek Cypriot part of the island.

4 This has been admitted by both Greek and Turkish diplomats in interviews. Upon request, we have withheld the names of these diplomats.

5 Bahçeli, T., Greek-Turkish Relations Since 1955, Westview Press, Boulder, San Francisco, London, 1990, p. 2.

6 Franc, T.M., Why Federations Fail, New York University Press, USA, 1968. Hicks, U., Federalism: Failure and Success, The Macmillan Press, UK, 1978.

7 McWhinney, E., Comparative Federalism, University of Toronto Press, Toronto, 1965, p. 69.

8 Friedrich, C., Trends of Federalism in Theory and Practice, Pall Mall Press, London, 1968, p. 39.

9 Wheare, K.C., Federal Government, Oxford University Press, London, New York, Toronto, 1951, p. 45.

10 Ibid., p. 51.

11 Hicks, U., Federalism: Failure and Success, The Macmillan Press Ltd, Great Britain, 1978, p. 175.

12 Watts, R., Administration in Federal Systems, Hutchinson Educational Ltd, London, 1970, p. 10.

13 Bogdanor, S., 'Federalism in Switzerland', Government and Opposition, Vol. 23, No. 1, 1988, p. 20.

14 Watts, R., Administration in Federal Systems, Hutchinson Educational Ltd., London, 1970, p. 10.

15 Ibid., p. 11.

16 Duchacek, I.D., Publius: Journal of Federalism, Dyadic Federations and Confederation, Spring 1988, No. 18, p. 12.

17 Hicks, U., Federalism: Failure and Success, the Macmillan Press Ltd, Great Britain, 1978, p. 177.

18 Smith, G., Federalism, The Multiethnic Challenge, Longman Group Ltd., New York, USA, 1995, p. 262.

19 Franc, T., Why Federations Fail, New York University Press, USA, 1968, p. 181.

20 Dikshit, R.D., The Political Geography of Federalism, The Macmillan Company of India limited, India, 1975, p. 189.

21 Frenkel, M., Federal Theory, The Australian National University, Australia, 1986, p. 180.

22 In the elementary and high schools in both sides of the island, both in the teachings and the books, a negative indoctrination against the other party is present. See the Greek and Turkish history books, Public Information Office, TRNC. In South Cyprus, the role of the church has been negative in the sense that it blames the Turkish side for the division of the island. Moreover, the church emphasises its view that the only solution to the problem is Greek Cypriot rule of the island. Evidence for this can be got from the newspapers—eg. Kıbrıs, August 1996—and from the fact that the Greek Cypriot Church was behind the organisation of the border demonstrations of the summer of 1996.

23 Salem, N., Cyprus: A Regional Conflict and its Resolution, St. Martin's Press, Ottawa, 1992, p. 130.

24 Ibid., p. 130.

25 Duchacek, I.D., Publius: Journal of Federalism, Dyadic Federations and Confederation, Spring 1988, No. 18, p. 8. In Duchacek's words, the 'Nth' factor is described as follows: "Paradoxically, the third, the fourth or Nth group may occasionally and quite unwittingly play the role of an integrative glue that holds the two otherwise antagonistic communities together. That is, the two dominant groups may co-operate for the purpose of keeping the other small groups in a political penumbra. For example, despite their mutual antagonisms, the Czech and Slovak communities were able to establish and for nearly twenty years maintain a consociational cartel for the purpose of controlling their German (over three million), Hungarian, Polish and Ukrainian minorities. And this was an Nth group cement of the Czech-Slovak union." See p. 8.

26 Ibid., p. 8.

27 Beaufays, J., 'Belgium: A Dualist Political System?', Publius: the Journal of Federalism, Spring 1988, No. 18, p. 77.

28 Bakvis, H. and Chandeler, W.M., Federalism and the Role of the State, University of Toronto Press, Toronto Buffalo, London, 1987, p. 476.

29 Bölükbaşı, S., 'Boutrous Gali', Middle Eastern Studies, 1995, Vol. 31, No. 3, p. 478.

30 Ibid., p. 476.