FEDERALISM: THEORY, DEFINITION, AND CONCEPT

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One of the critical and central theses in federalism is.

(i) Understanding the theory; Is there any defined and restricted theory of Origin formation federalism.

(ii) Defining the concept that explains federalism and gave credence to the field.

(iii) Coalesce of the various perspectives and their criticisms.

The academic study of federalism is what is called comparative politics or comparative political institutions and comparative theory construction. What is theory/construction? Theories are the repository of general knowledge or put differently theory is a system of ideas intended to explain something, such as a single or collection of fact(s), event(s), or phenomena(on). Typically, a theory is developed using contemplative (thoughtful) and rational (lucid, cogent, balanced, or based on reason) forms of abstraction (concept; idea, construct) and generalized thinking. In a modern perspective, it is an empirical and rigorous way of making a scientific inquiry, that is, a well-confirmed type of explanation of nature, made in a way consistent with the scientific method, and fulfilling the criteria required. Barry Markovsky (sage) described theory construction as a process of developing theories in accord with criteria for their production and analysis. In other words, what we do when studying federal systems in comparative. Therefore, the field is vexed with the inevitability of concept formation, measurement, equivalence, comparability, data selection, and data analysis. Thus, restricting a singular theory to the formation and origin of federalism will be falsifying and limiting the scientific way of inquiry. Within the field of federalism and the debate about the theory, coupled with the influence of behaviouralism
on the study of politics, federalism has been concerned with given a correct, concise, or appropriate strategy for explaining what they adopt. An explanation is an attempt to make clear, in an intelligible manner and comprehensible way and not necessarily make a prediction or law-like generalization about the phenomenon. What is suggested here is that an explanation can be satisfied without being predictive; the test of being satisfactory is that the explanation must not only be true but that there must be a relationship between what is explained and what is explained by.

What is federalism? How do we define or conceptualize federalism? What is unique to it that we can say it stands in a class of its own? What is uniquely federal about the federal system? What are the problems associated with the concept formation of federalism?

**Problem Associated with the concept of Federalism.**

(a) The problem is about defining federalism without been stipulative. (Restrictive, imposed conditions), in other words, federalism like democracy, freedom, and revolution, is an ambiguous term, having no clear or universally acceptable definition.

(b) The problem of meaning posed by these questions is an empirical one. Generally, it is possible to define things, events, phenomena, and objects so that we can identify them and make classificatory dimensions to the definitions. How do we give a name to social phenomena? In the case of federalism, is it the phenomenon that gave rise to the name, or was the name in use before the occurrence of the phenomenon? Can the name be used to designate two or more different phenomena? Or can the same phenomenon have more than one name? These
questions might generate debate or dust as to the exact meaning of federalism. These questions are raised to illustrate the confusion that such term as quasi-federalism, cooperative federalism, organic federalism, dual federalism, confederation, decentralization, which are all terms used to designate shades and levels of federalism.

(c) Another related problem in the study of federalism is the distinction between the definition and accompanying characteristics. Often, the accompanying characteristics of a federal system of government are raised to the status of its defining characteristics, so that when such characteristics are discovered in a system said to be non-federal, there is then truly little to distinguish a federal from a non-federal system of government, e.g., judicial review, the impact of the center on the individual citizens and other legal residents in the country.

Federal is usually viewed as a form of government and institutional structure, deliberately designed by political “architects” to cope with the twin but difficult task of maintaining unity while preserving diversity. As observed by Daniel Elazar, the problem of conceptualization has however been compounded in that “there are several varieties of political arrangements to which the term had properly been applied”. William Riker also points out that “an initial difficulty in any discussion of federalism is that the meaning of the word has been thoroughly confused by dramatic changes in the institutions to which it refers, hence the world that organically referred to institutions with an emphasis on local self-governing has come to connote domination by the gigantic, impersonal concentration of forces. What is this various re-conceptualization of federalism that has given meaning and faces to the formation of federalism or federal systems? Let us examine them one by one.
Perspectives on Federalism

The aim of this is to adjust our lens so that we can understand what federalism was in the past, present, and what it is today. Having emphasized the contestable and malleable nature of federalism like democracy, it is important to stress the fact that Prof Kenneth C. Wheare was not the first theorist on federalism, there are other theorists like Jean Bodin, Johannes Athusius, and Hug Grotius in the 16th and 17th century. These writers saw federalism as a contract, a voluntary form of union between the sovereign state, either temporary or permanent. They described it as a ‘feodus’ (contract, agreement) e.g., between Nigeria and the Benin Republic, and stresses that those state should maintain their sovereignty despite the contract. This was dominant before the American revolution of the 18th century. As at the time this was propounded it was only useful for explaining the Swiss and Netherland governments based on historical background. After American Revolution, the concept of the idea was introduced.

The contemporary interest in the study of federalism is the result of post-war development and the proliferation of the types of political systems, which manifest some divisions of powers among different governments. More specifically, the new interest has reflected the trends in the post-war political system, namely the general system approach; integration of the social science disciplines; the quest for theories and hypotheses about the social process, and the emergence of federations in former colonial territories added new empirical data to the study of federalism. All these can be termed the behavioural impact on the study of federalism. These perspectives will be divided into 2: Traditional and Modern.

Traditional is associated with scholars like A. V. Dicey and K.C. Wheare while Modern is further sub-divided into Sociological; Process and Bargaining Perspectives and are associated with scholars like William Ricker, William Livingstone, Carl Friedrich, Amitai Etzioni, and Karl Deutsch.

K. C. Wheare (Traditional Approach)

The discussion of contemporary federalism generally starts with K.C. Wheare and He is also regarded as the father of federalism because he provided the ideas that form a platform for the debate on federalism. His laudable idea is a springboard for subsequent formulations, which are presented as an improvement over his work. As contained in his
book “Federal Government (1946, 1963), federalism is viewed as a constitutional arrangement that divides law-making powers and functions between two levels of government. He further stated that this constitutional arrangement is made possible where people are prepared to give up only certain limited powers and wish to retain other limited powers; both sets of powers are to be exercised by coordinate authorities. He distinguished between these three concepts: Federal principles; Federal constitution and Federal government. Federal principles mean “the method of dividing powers so that the general and regional government are each within a sphere (of jurisdiction) co-ordinate and independent”; the federal constitution is the constitution where the federal principles are dominant or well-articulated; the federal government is the one in which there is a division of powers such that the general and regional authority each within its sphere co-ordinate with other and independent from the other.

He gave certain characteristics or elements of a federal system of which the first three are of utmost importance.

- The division and distribution powers among levels of government
- The existence of a supreme written constitution where powers and responsibility are formally documented, and which cannot be unilaterally amended. That is, the power of amendment must not be conferred either upon the federal government or state government rather both authorities acting in cooperation should exercise powers of amendment.
- The presence of an umpire for settling a dispute between the federal and the state authorities – the Judiciary.
- Fiscal Autonomy- each level must have enough human and mineral resources to perform its function and be independent of others.
- Bicameralism

According to Wheare, other characteristics must not be found in a federal system of government (1) the center must not be given powers of intervention/power of declaring emergence (2) The rights of the units to secede. Wheare perspective is what can be referred to as Dualistic Relationships between Federal and state government where independence and autonomy are totally given.
**William Livingstone** (Sociological Approach) – Federalism and Constitution Change (1956)

Livingstone’s perspective differs from K.C. Wheare’s legal formulation of federalism. He looked at federalism as a product of the interaction of socio-cultural and political factors. He defines federalism by referring to the nature of society.

The essential nature of federalism is to be sought for, not in the shading of legal and constitutional terminology, but in the forces – economic, social, political, and cultural – that have made the outward form of federalism necessary… the essence of federalism lies not in the constitutional or institutional structure but in the society itself. The federal government is a device by which the federal qualities of the society are articulated and protected.

By this definition, he demonstrates the interaction between the constitutional framework and the socio-cultural substructure. In essence, federalism is not a function of the constitution but the function of the society and the nature and various characteristics of that society (centripetal and centrifugal forces).

Secondly, he differentiated between the federal constitution and federal society. The federal constitution is the arrangement incorporating federal principles e.g., division of powers, while federal society is one with territorial delineated cleavages, diversities division, (cultural-historical linguistics divisions), marked and distinctive geographical location from the others (groups identify each other within a geographical location, recognizing each other and be able to relate with each other). In this sense, therefore, federalism is a device for compromising unity and diversity. He also emphasized common political tradition if federalism is to survive.

William is known for introducing the idea of federal instrumentalities. Acknowledging diversities, he believes that the constitutional arrangement can shape the pattern of the society and the society can shape the flow of the constitution due to the societal diversities. These devices are to use to address the problem of diversity/political expression of the society. E.g., Policy of federal character in Nigeria; Quota System; NYSC; Local government status as the 3 tiers of government.

Friedrich is a processed theorist who views the concept of federalism as a process by which unity and diversity are politically organized. To him, Federalism is something designs not in a box (structure) but the processes by which several separate political organizations, be it the states or any kind of association enter an arrangement for working out a solution, adopting joint policies, and making decisions on joint problems. To him, federalism is of two processes: (1) Aggregative federalism and (2) Dis-aggregative federalism. Aggregative occurs when previously independent states come together or unite to federalize. e.g., United States, Germany. Dis- Aggregative: federalism is disaggregated when a state that was previously unitary is disaggregated to federalize. He used aggregation and disaggregation to explain the process of federalism. For example, the most colonial era in African is dis-aggregative by given power to the region and later come together in another form. In disaggregate federations, the center still has dominant power over the other units, unlike the aggregative process where the units are more powerful. His idea on federalism is unique and dynamic in that he explained the historical aspect of federalism and talked about economic and sociological forces that brought federalism into being and accounted for unity in diversity.


Riker explains federalism from a statics perspective, as a bargain struck by the component units. His focus is one of the reasons for the bargain. For there to be federalism, two critical conditions must be fulfilled. (a) Expansionist condition – that is the desire of a nation to expand its territorial control or stretches its tentacles. – Theory of state – force theory. (b) Defense Condition: there must be the presence of external threat or opportunity. Simply put, Riker’s perspective gave us the conditions for federal bargaining and the political condition that stimulate federalism. If these two conditions exist, there will be a federal system but when they ceased, federalism ceases to exist.

Riker shed more-light on Carl Friedrich's two (2) processes – Aggregative and Dis-aggregative because Friedrich does not give a reason for forming a federation. But Riker made us understand that political conditions brought about union or dis-union.