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**FUNCTIONALITY OF FEDERALISM
IN THE CONTEMPORARY WORLD
(MIDDLE EAST)**

**561.01 – THEORY, METHODOLOGY AND HISTORY OF POLITOLOGY;
INSTITUTIONS AND POLITICAL PROCESSES**

PhD thesis in Political Sciences

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FUNCTIONALITATEA FEDERALISMULUI
ÎN LUMEA CONTEMPORANĂ
(ORIENTUL MIJLOCIU)

561.01 – TEORIA, METODOLOGIA ȘI ISTORIA POLITOLOGIEI;
INSTITUȚII ȘI PROCESE POLITICE

Teză de doctor în științe politice

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Chișinău, 2019

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ANNOTATION

Rafic Sulaiman. Functionality of federalism in the contemporary world (Middle East). Doctoral thesis in political sciences. Chisinau, 2019.

Thesis structure. This PhD thesis contains annotation (in English, Romanian, Russian), summary, introduction, 3 chapters, general conclusions and recommendations, 131 pages of basic text, bibliography of 304 titles.

Key words. Federalism, Middle East, political systems, functionality, political reality, sovereignty, state power, federation, confederation, federal processes.

The field of the study. Political Sciences.

The purpose of the PhD thesis is to elucidate the conditions of functionality of contemporary federalism and to identify the opportunities and obstacles that play roles in determining the political present and future of the the examined countries

The research objectives: to study the theoretical and methodological peculiarities of the scientific approach of the contemporary federalism phenomenon; the systemic approach of federal relations in contemporary states; to identify some issues of sovereignty and equality of rights of federal subjects; to determine the particularities of the federal integration processes of the Middle East states; to identify some directions for improving the organization of state power; the comparative analysis and the highlights of the principles of contemporary federalism; to study the problem of federalism related to the political realities of Middle East states.

Scientific novelty and originality of the obtained results. The thesis has an innovative character well argued by the research process of current problems, which have resulted from a series of changes in the political realities of various contemporary states. Here is presented a complex approach of federalism, based on systemic and comparative analysis of ongoing political processes. It is one of the few papers in Moldova in which the issue of federalism is examined taking into account the current political situation of the Middle East.

The important scientific problem solved in the thesis is the complex approach of contemporary federalism, which fact led to the systemic and contrastive analysis of political realities and which allowed the determination of its functional conditions, especially in Middle East states.

The theoretical importance of the thesis is marked by the achievement of some results regarding the methodological particularities of the approach to contemporary federalism, the identification of specific elements of the federal processes, the determination of the factors of the functionality of federalism.

The applicative value of the thesis consists in the possibility of using this theoretical material in the didactic process and for carrying out further research in the field.

The implementation of scientific results was achieved by examining and approving them at the Center of Political Research and International Relations and the Profile Seminar of the ICJPS, through reports and communications at International Scientific Conferences, publication of more than 20 scientific works, as well as within the didactic activity of the author as associate professor at Mardin Artuklu University in Turkey.

ADNOTARE

Rafik Sulaiman. Funcționalitatea federalismului în lumea contemporană (Orientul Mijlociu). Teză de doctor în științe politice. Chișinău, 2019.

Structura lucrării. Teza conține: adnotare (în limbile engleză, română, rusă), sumar, introducere, 3 capitole, concluzii generale și recomandări, 131 pagini text de bază, bibliografia din 304 titluri.

Cuvinte-cheie. Federalism, funcționalitate, Orientul Mijlociu, sisteme politice, realitate politică, suveranitate, putere de stat, federație, confederație, procese federale.

Domeniu de studiu. Științe politice.

Scopul tezei de doctorat constă în elucidarea condițiilor funcționalității federalismului contemporan și identificarea oportunităților și obstacolelor care se manifestă în procesul determinării prezentului și viitorului politic al țărilor examinate.

Obiectivele cercetării: studierea particularităților teoretice și metodologice de abordare științifică a fenomenului federalism contemporan; abordarea sistemică a relațiilor federale în statele contemporane; identificarea unor probleme ale suveranității și egalității în drepturi ale subiecților federali; determinarea particularităților proceselor federale integraționiste; identificarea unor direcții de perfecționare a organizării puterii de stat; analiza comparativă și evidențierea principiilor federalismului contemporan; cercetarea problemei federalismului raportată la realitățile politice ale unor state din Orientul Mijlociu.

Noutatea științifică și originalitatea rezultatelor obținute. Lucrarea are un caracter novator derivat din cercetarea unor probleme actuale, survenite în rezultatul unui șir de modificări ale realităților politice din diverse state contemporane. Abordarea federalismului este complexă, bazată pe analiza sistemică și comparativă a unor procese politice în derulare. Este una dintre puținele lucrări în spațiul moldovenesc în care problema federalismului este examinată ținându-se cont de actuala situație geopolitică a statelor din Orientul Mijlociu.

Problema științifică importantă soluționată în teză constă în abordarea complexă a federalismului contemporan, fapt care a condus la analiza sistemică și contrastivă a realităților politice și care a permis determinarea condițiilor de funcționalitate a federalismului, în special, în statele Orientului Mijlociu.

Importanța teoretică a tezei rezidă în obținerea unor rezultate referitoare la particularitățile metodologice de abordare a federalismului contemporan, determinarea unor elemente specifice ale proceselor politice de ordin federal, precizarea condițiilor de funcționalitate a federalismului în statele contemporane.

Valoarea aplicativă a lucrării constă în posibilitatea utilizării materialului tezei în procesul didactic și pentru realizarea unor ulterioare cercetări în domeniu.

Implementarea rezultatelor științifice s-a produs prin examinarea și aprobarea lor în cadrul ședințelor Centrului Cercetări Politice și Relații Internaționale și ale Seminarului Științific de Profil al ICJPS, prin rapoarte și comunicări la Conferințe științifice internaționale, prin mai mult de 20 de publicații științifice, precum și în cadrul activității didactice a autorului în calitate de prof. asociat la Universitatea Mardin Artuklu din Turcia.

АННОТАЦИЯ

Рафик Сулейман. Функциональность федерализма в современном мире (Ближний Восток). Докторская диссертация в области политологии. Кишинёв, 2019.

Структура диссертации. Диссертация содержит: аннотацию (на английском, румынском, русском), резюме, введение, 3 главы, общие выводы и рекомендации, 131 страниц основного текста, библиографию из 304 наименований.

Ключевые слова. Федерализм, функциональность, политические системы, политическая реальность, суверенитет, равенство прав, государственная власть, федерация, конфедерация, федеральные процессы.

Область исследования. Политические науки.

Цель диссертационной работы: определить условия функциональности современного федерализма и выявить возможности и препятствия, которые играют роль в определении политического настоящего и будущего некоторых стран.

Задачи исследования: изучить теоретические и методологические особенности научного подхода к современному федерализму; осмыслить, на основе системного подхода, федеральные отношения в современных государствах; выявить некоторые особенности в проявлении суверенитета и равенства прав субъектов федерации; определить характеристики федеральных интеграционных процессов; определить некоторые направления совершенствования организации государственной власти; провести сравнительный анализ в применении принципов современного федерализма; исследовать проблемы федерализма, связанные с политическими реалиями ближневосточных государств.

Научная новизна и оригинальность полученных результатов. Диссертация обладает новаторским характером, исследованием текущих проблем, возникших в результате ряда изменений в политических реалиях различных современных государств. Комплексный подход к федерализму определяется системным и сравнительным анализом текущих политических процессов. Это одна из немногих работ в Молдове, в которых рассматривается вопрос о федерализме с учетом нынешней политической ситуации в ближневосточных государствах.

Важной научной проблемой, решаемой в диссертации, является комплексный теоретический подход к феномену современного федерализма, который привел к системному и сравнительному анализу политических реалий и позволил определить обстоятельства функциональности федерализма в разных государствах Ближнего Востока.

Теоретическая значимость диссертации выражается в раскрытии, на теоретическом и методологическом уровне, особенностей современного федерализма, идентификации конкретных элементов федеральных процессов, определения условий функциональности федерализма.

Практическая ценность диссертации заключается в возможности использования этого теоретического материала в дидактическом процессе, а также для проведения дальнейших исследований в этой области.

Внедрение научных результатов осуществлялось путем их рассмотрения и утверждения на заседаниях Центра политических исследований и международных отношений и профильного семинара ИЮПСИ, посредством докладов и сообщений на международных научных конференциях, публикацией более 20 научных работ, а также в рамках деятельности автора в качестве доцента в Университете Мардин Артуклу в Турции.

LIST OF ABBREVIATIONS

EU – European Union

GCC - Gulf Cooperation Council

HDI - Human Development Index

IS – Islamic State

KDP - Kurdistan Democratic Party

KIU - Kurdistan Islamic Union

KRG – Kurdistan Regional Government

NATO - North Atlantic Treaty Organization

OSCE – Organisation for Security and Co-operation in Europe

PUK - Patriotic Union of Kurdistan

TMR - Transnistrian Moldovan Republic

UAE – United Arab Emirates

UK – United Kingdom

UNDP - United Nations Development Program

UNSC - United Nations Security Council

USA – United States of America

USSR – Union of Soviet Socialist Republics

UTAG - Gagauz-Yeri territorial-autonomous unit

INTRODUCTION

The importance and the actuality of the researched problem. The federalism is one of the principles applied in the practice of relations between the central power and the power exercised in the territories of that state. It is not only a form of state organization, a principle of relations between the center and its regions, but also a comprehensive concept, a particular vision based on the capacity to discover the development potential of a state in its diversity and on the granting of autonomy to the constituent regions. The federalist vision is in search of the possibilities of dialogue, of mutually acceptable solutions, in sharing responsibility. That is why federalism in the contemporary world is, or may be, under certain circumstances, the basis of social-political stability.

The experience of federalism in the world provides a rich material for reflection in order to highlight the best practices and extract the positive elements in the event of their implementation in the political practice, sometimes marked by deficiencies.

The issue of federalism appears at the forefront of international political practice and, at the same time, of current scientific debates. To know the peculiarities of application of this principle in the political practice of international actors is a matter of attraction for political scientists. Despite the attention paid to the issue of federalism, there remains a whole series of unclear issues. In this context, addressing the problem of functionality of federalism could reveal a number of relevant issues.

Unresolved fundamental theoretical and applied problems of the development of federalism (particularly, in Middle East) adversely affect the political behaviour of the masses, depriving them of the necessary guidelines for the organization of their own state, assessing the activities of its various units. All this taken together cannot but affect political stability in society, the political awareness of pressing tasks by various state structures, and the provision of power with the necessary support from the people.

The nature of the modern stage of the formation of the states objectively requires thorough political and sociological studies that reveal the essence, signs and principles, types and models of federalism, the prospects for its development. These circumstances predetermined the actuality of the problem of the federalism and choice of the topic, the object and the subject of the study, its goals and objectives.

The empirical material, which requires systematization and re-evaluation, is quite rich and offers the possibility of new and careful research. Thus, the proposed subject involves

examining the current situation in the field of federalism, starting with the investigation of the federalist practice of some states of Middle East (United Arab Emirates, Iraq, Syria, especially).

It would of course be impossible in a single paper to examine the issue in question in exhaustiveness. That is why we are using only a few (real or possible) experiences of federalism in those countries that we have considered more relevant to addressing the issue. It should be noted that the problems of federalism continue to attract the attention of researchers. There is multiple evidence of recent interest in re-invigorating debates on the issue of federalism, such as the „Federalism in the Middle East” conference organized by the well-known Freeman Spogli Institute of Stanford University in 2017 [278]. In fact, federalism in the Middle East is a very relevant issue in the current context. The region has long been was, in opinion of the experts, a zone of turbulence and conflict, and the rapid developments in the region, internal instability and weak predictability, the destruction of statehood and uncertain responses of elites to modern challenges repeatedly put this problem at the center of political discussions. On the political horizon, there are more and more federalization projects in which their external and internal authors see the opportunity to get out of the perils of general conflict, into which more and more countries and regions are drawn.

Therefore, special place in the work will be devoted to studying the problem of federalism in the Middle East. It should be noted that political realities in Middle East, marked recently by the federalist trends, have some justification. The regularly voiced idea of federalization conceals the attempts of local authorities and external actors to come up with a model for preserving statehood in a situation of weakening or disintegration of institutions. On the other hand, federalist initiatives can be seen as an attempt by the central government to preserve the unity of the country by finding a consensus with regional (often ethnic or non-confessional) elites. This is the expression of the desire to improve the political system, which has the power to carry out the mechanisms of governance, to create more subtle management mechanisms. The federal government even may be not have much of the rivalous regions in its governance processes, but also stimulates the development of civil societies and democracy.

Clearly, speaking about the experience of federalism, we cannot neglect such countries as USA, Germany, Canada, continuing with a research on the political aspects that influence these options, also it appears appropriate as well as to examine this issue in the context of debates on the political realities of the Republic of Moldova.

The description of the situation in the research domain and the identification of the research problems. Contemporary scientific approaches to the functionality of federalist

principles in the contemporary world have seen a significant increase over the last period, usually resulting from both political and legal approaches. They focused on the historical experience and evolution of the concept of federalism, the various theoretical and practical aspects of the federal relations, highlighted the specific nature of this form of political organization, the particularities of political doctrine of the federalism and its implementation in the national systems of the modern states, on the global, national and regional scale of federalism. Such studies have been signed by a number of notorious researchers such as Daniel Elazar, Preston T. King, William Riker, Ronald Watts, Kenneth Wheare, Vincent Ostrom, Michael Burgess, Arendt Lijphart, Alfred Stepan, Pippa Norris, Robert Shapiro, Jan Erk, Lawrence Anderson, Daniel Ziblatt, Murray Bookchin, Jens Woelk, Claus von Beyme, Daniel Weinstock, Wayne Norman, Daniel Halberstam et al. Their work was the theoretical and methodological basis of our research.

In the Republic of Moldova the problems of federalism were approached, even tangentially, by Valentin Beniuc, Victor Juc, Alexandru Burian, Victor Saca, Sergiu Nazaria and others. It is worth mentioning the general character of several of the above-mentioned works, which suggested the opportunity to carry out a special study focused on federalism issues, with an integrated view on the phenomenon of federalism in the countries of the Middle East, the area characterized in the last decades by the complex social-political processes, civil conflicts, reversals of regimes, challenges to security against the backdrop of some manifest tendencies to reinvigoration the idea of federalism.

Particularities of the political processes currently taking place in the Middle East have been devoted to the works of both Western authors, such as Michael Gunter, Alex Danilovich, Eric Davis, Malcolm Peck, Brian Galligan, Dylan O'Driscoll, Denise Natali, Johannes Jüde etc. and belonging to researchers directly linked to the Middle East area: Mallat Chibli, Ali Allawi, Hasan Al-Qarawee, Khada Keram, Lydia Khalil, Kazim Aqil, Sujit Choudhry, Nagham Saleh, Ismet Vanli, Rafat Al-Akhali, Mohammed Ahmed and others.

Such a study could offer the possibility of assessing the quality of democracy in the examined states, appraising hypothetical scenarios of the future development of the region, testing the possible solutions for peace and stability of the Middle Eastern states, examining the application of the principles of federalism in concrete political realities.

Then we start from the idea: in general, despite the considerable volume of scientific literature on various aspects of the phenomenon being studied, the problems of political tension in the Middle East region in the context of the issue of federalism must be continued and

deepened, the more that the previous works has lost its relevance due to rapid changes in the nature of political confrontations in the region. This dissertation is intended to highlight the modern features of the deployment and settlement of political disagreements in the Middle East in their refraction to the issues of the functionality of federalism.

So, taking into account the above mentioned, the relevance of the researched problem, we considered that it would be useful to verify the following main hypotheses:

1. The phenomenon of federalism, in all its diversity, is an integral part of modern political processes. The contemporary forms of federalism are the result of a series of developments and require a re-evaluation that will be theoretically justified by scientific investigations.

2. The launching and the deployment of federalization projects in various states (including those in the Middle East) points to the fact that the functionality of current federalism is interdependent with the political reality of the respective state, driven by both internal and external factors.

3. There is a complex relationship between federalism and the democratization processes. Federalism is beneficial for democratic development, supports working democracy and, in some cases, can contribute to a better organization of state power. At the same time, in poorly functioning democracies, federal forms can hinder democratic development.

The theoretical content of this work, the presentation of the results obtained from the scientific investigations carried out, will be structured according to the methodological requirements for the elaboration of doctoral theses. Thus, each chapter of the thesis will serve to verify one of these hypotheses; will serve to achieve the aim and the objectives of the research, to formulate conclusions and recommendations based on the application of the most appropriate methods.

The purpose and the objectives of the thesis:

The main purpose of this PhD thesis is to elucidate the conditions of functionality of contemporary federalism and to identify the opportunities and obstacles that play roles in determining the political present and future of the some countries.

In order to achieve this major goal of the research, the following **objectives** have been proposed:

- to study the theoretical and methodological peculiarities of the scientific approach of the contemporary federalism phenomenon;
- to highlights the principles of contemporary federalism;

- to achieve a systemic approach of federal relations in contemporary states;
- to identify some issues of sovereignty and equality of rights of federal subjects;
- to determine the particularities of the federal integration processes of the Middle East states;
- to identify some directions for improving the organization of state power;
- to study the problem of federalism related to various states in the Middle East;
- to make a comparative analysis of federalism in various states of the world;
- to determine the relevance of problem of federalism for the political realities of the Republic of Moldova.

Methodology of scientific research. In order to achieve the aim and objectives of this doctoral thesis, two categories of research methods were used:

1. the methods that have served to examine the theoretical material, to elaborate the bibliography and to investigate the sources, the necessary information, such as: the analysis, the synthesis, the induction, the deduction;
2. three research methods that directly served to solve the problem: the systemic approach, the comparative analysis, the normative-value method.

The systemic approach will be applied to investigate and determine the particularities of federal processes. The results of these researches will be presented in Chapter 2 of the thesis. Also, the same method of systemic analysis will be applied to the complex research of contemporary federalism, which will allow us to identify its main elements, as well as the interaction between them. It is a research method used very often by various researchers in the field of political science. In most cases, the investigated problem and the aims of the research are taken into account, but also the specificity of this method. According to the literature in the field of philosophy and methodology of scientific research, the systemic analysis allows us to have some conceptual clarifications in the case of investigating phenomena, processes or events. It allows us to achieve certain terminological distinctions and to achieve the approach of some general concepts. The most important fact is that after identifying the basic elements of the object of the research, we can investigate the interaction between these elements and, respectively, better understand the principles of its functioning as a system. In the case of this thesis, focused on the research of the functional and non-functional factors of current federalism, the systemic approach is one of the main methods. For this reason, the results obtained by applying this method will be presented in some compartments of Chapter 2 and Chapter 3.

The comparative analysis is another method of research widely used in the field of social sciences and more recently applied in the field of political sciences. Its importance derives from the overcoming of the national framework in the case of a complex research and the extension of the investigation area. It is very useful to respect the basic rule of applying this method – the careful selection of comparable units. The examination of specialized literature allowed us to remark the use of this method in the case of the research of political institutions, of political phenomena, of legal systems or of public policies. In some cases, on the bases of comparison, political phenomena are better understood or certain classifications are made. In fact, the comparative analysis gives us the advantage to check the correlation between phenomena and to formulate more general conclusions. In the case of this thesis, the method of comparative analysis will be applied for the research of contemporary federalist models. The results of these investigations will be presented in Chapter 3 of the thesis.

The normative-value method is important because of the possibility of examining political phenomena from the point of view of their compliance with certain norms or values such as justice, freedom, equality. Therefore, it is a very useful method for researching the federal relations in contemporary states, for studying the issues of sovereignty and equality of rights of federal subjects, for analyzing and identifying some directions for improving the organization of state power. The results of applying this method will be presented in Chapter 2 of the thesis.

Scientific novelty and originality of the obtained results. The novelty is determined primarily by the conceptual political science approach to the study of federalism, based on a specific analysis of the problems of the political process development, mainly in the countries of the Middle East. The thesis has an innovative character well-argued by the research process of current problems, which have resulted from a series of changes in the political realities of various contemporary states. Here is presented a complex approach of federalism, based on systemic and comparative analysis of ongoing political processes. It is one of the few papers in Republic of Moldova in which the issue of federalism is examined taking into account the current geopolitical situation in the Middle East.

The important scientific problem solved in the thesis is the complex approach of contemporary federalism, which fact led to the systemic and contrastive analysis of political realities and which allowed the determination of functional conditions of the implementation of the principles of federalism in various states of the world, especially in the Middle East.

The theoretical value and the practical relevance of PhD thesis. The results of the research carried out during the elaboration of this thesis have a theoretical importance and an

obvious practical relevance. The theoretical and practical value of this paper is conditioned by addressing the issue of contemporary federalism, applying the most appropriate research methods in the field of political sciences, formulating conclusions and recommendations that are needed both for researchers and for politicians. Results of the study make it possible to clarify political understanding of federalism. This is a subject whose actuality is marked by the specificity of the global society, the recent changes of the economic system and of the political system in various states of the world, the latest geopolitical situation. Therefore, this thesis is first of all a way of dialogue and of the presentation of solutions for the improvement of the act of governance in states with great cultural diversity.

Thus, taking into account the objectives of these researches, we can mention that **the theoretical importance of the thesis** is marked by:

- the achievement of some results regarding the methodological particularities of study of contemporary federalism;
- the study of the experience of examining the forms of contemporary federalism;
- the study of the evolution of federalist theory;
- the identification of specific elements of the federal processes;
- the determination of the factors that influence the functionality of federalism (based on the examples of the Middle East states).

On the other hand, **the applicative value of the thesis** consists in:

- the accumulation of new experiences on the systemic analysis of federalism;
- the results of the study make it possible to clarify political understanding of federalism.
- the investigation of contemporary federalist models based on comparative analysis;
- the possibility of using this theoretical material in the didactic process, to teach courses in the field of political science at the level of university and postgraduate studies;
- the possibility of using the thesis material for carrying out previous researches focused on addressing the same issues;
- the elaboration of some recommendations (conclusions) on the functionality of contemporary federalism;
- the scientific argumentation of some solutions regarding the social and political stability in the current federalist states.

Implementation of scientific results was achieved by examining and approving them at the Center of Political Research and International Relations and the Profile Seminar of the ICJPS, through reports and communications at International Scientific Conferences, more than

20 scientific publications, edited in Chisinau, Berlin, Minsk, Comrat, Iasi, etc., as well as within the didactic activity of the author as associate professor at Mardin Artuklu University in Turkey.

Summary of the thesis compartments. This PhD thesis contains: annotations, a table of contents, an introduction, 3 chapters, general conclusions and recommendations, a bibliography.

In the **Introduction** is presented the argumentation of the actuality and importance of the investigated theme, is determined the scientific novelty of the research, are identified the purpose and the objectives of the thesis. Also, in this compartment are mentioned the hypotheses that will be verified, the main research methods applied for the purpose of the thesis, the main results presented in various publications and at national and international conferences. Also, are mentioned the theoretical importance of PhD thesis and the practical relevance of the obtained results.

The **Chapter 1** of the thesis, with the title *The theoretical and methodological landmarks of the research of contemporary federalism*, is divided into 4 sections, serves to verify the first hypothesis, contains an analysis of scientific materials on the topic of the scientific approach of contemporary federalism, includes a description of the situation in the field of researches. In the same compartment of the thesis are identified the research problem and the ways of its solution. As a result of applying the first category of scientific methods, which serve to select and analyze the theoretical material (the synthesis, the deduction, the induction), were studied the conceptual bases for the interpretation of contemporary federalism, described the experience of examining contemporary forms of federalism, investigated the theory of federalism and its stages of evolution, were determined the perspectives of the phenomenon of federalism. All of these have allowed us to achieve the goal of studying the theoretical and methodological peculiarities of the scientific approach of the contemporary federalism.

The **Chapter 2** of the thesis, with the title *The challenges of federalism in contemporary Middle East*, contains 5 paragraphs and is focused on investigating federal relationships in contemporary states of the Middle East. In this compartment of the thesis were applied the research methods of the second category (that directly served to solve the problem): the systemic approach, the normative - value method, the comparative analysis. The normative - value method was used to examine the political phenomenon from the point of view of its compliance with certain social norms and values. More specifically, this method has served to study the issues of sovereignty and equality of rights of federal subjects. As a result, have been identified and analyzed some directions for improving the organization of state power. The systemic analysis – another method used in this thesis compartment served to achieve the following objectives: the

investigation of some issues concerning the sovereignty and the equality of rights of federal subjects; the delimitation of main particularities of the federal integration processes of the Middle East states (United Arab Emirates, Iraq, Iraqi Kurdistan, Syria); the identification of some directions for improving the organization of state power.

The **Chapter 3** of the thesis, with the title *The problems of functionality of federalism*, is divided in other 3 paragraphs and contains the presentation of the results obtained on the basis of the comparative analysis of the contemporary federalist models. In the same compartment of this doctoral thesis were investigated the principles of contemporary federalism and the main issues of federalism in the contemporary states, including the Middle Eastern countries and Republic of Moldova. Consequently, as a result of these researches, was achieved the complex theoretical approach of federalism, were determined the particularities of the evolution of federalist relations, have been identified the conditions of functionality of federalism in various states of the world. Particularly, it examines the problems that stand in the way of its efficacy to adequately manage ethno-religious fragmentation, contain inter-group conflict, and ultimately foster a national community.

As a logical conclusion, the final section of the thesis includes the General Conclusions and some Recommendations that resulted from the study of the phenomenon of the federalism in contemporary world (especially in the Middle East).

1. THEORETICAL AND METHODOLOGICAL LANDMARKS OF THE RESEARCH OF CONTEMPORARY FEDERALISM

In this compartment of the thesis are presented the main results concerning the theoretical and methodological particularities of the study of the contemporary federalism. The examination of important bibliographic sources allowed us to make a description of the situation in the field and to remark the interest of political scientists for the practical application of federalist principles in countries such as USA, Canada, Germany, United Arab Emirates, Iraq, and others. In this context, it is important to note that federalism is a topic of debate for various political scientists. The high relevance of the „federalist theme” can be explained by the following two factors. The challenges of modernity produce such alternative and interrelated motives as the need to create political alliances for the construction of a modern, dynamically developing state; on the other hand, the need for small self-governing territorial entities to be, more adaptive, more responsible for citizens, more able to protect and legitimize group affiliations, religious, ethnic, cultural, social and other traditions [156, p. 3]. It is the states of the „federal solution” that convincingly demonstrate the ability to create an adequate constitutional form for coordinating these objective trends. The need for the application of the principles, institutions and technologies of federalism in settling a multinational state is especially high in which the contradiction between the desire to preserve the identity and independence of individual nations (ethnic communities, state-territorial entities) and the unity, integrity of the nation-state remains fundamental. The second factor that actualizes research in the field of federalism is complex and contradictory tendencies in the most territorially political organization of modern states. In a number of unitary states, there is a steady transformation from rigidly centralized territorial-political relations to a „hybrid” form of state structure that combines unitary and federalist principles and institutions.

A more thorough analysis of these works allowed us to note that „the polyphonism” (multiplicity of forms) of federalism offers the opportunity of considering the phenomenon from various points of view. However, the diversity of investigations and points of view related to addressing the issue of federalism can be classified into two main research directions. In the first one can be grouped the researchers who support the idea that federalism and democracy are inconceivable one element out of another. Other researchers (those in the second category) focused on promoting the opinion that the federalism as an institutional form can become the object of manipulation by political elites. They think that the federalism is capable of fortifying

and diminishing the potential of democracy - depending on the circumstances of the application of those principles. Therefore, some researchers make theoretical and practical investigations to the arguments of the advantages of federalism, and others - to justify its disadvantages. In this context, addressing the issue of functionality of federalism could reveal a number of relevant features of the phenomenon, generating some viable solutions to overcome existing crises.

1.1. Scientific views regarding the problems of contemporary federalism

The federalism viewed from the point of view of political sciences is not only a constitutionally guaranteed distribution of competences between the state and subnational levels of power, but also political partnership relations, and negotiations on conflict resolution, and a balance of distribution of influence resources between the center and the regions. Federalism is designed to weaken the contradictions between the center and the periphery. As a principle applied in the practice of relations between the central power and the power exercised in the territories of the state, it is not only a form of state organization, but also a particular vision based on the capacity to discover the development potential of a state in its diversity and which would guarantee the autonomy of the constituent regions. The federalist vision is subordinate to search of the possibilities of dialogue, of mutually acceptable solutions, in sharing responsibility. That is why the federalism in the contemporary world constitutes (or could, in certain circumstances) a precondition for social-political stability and can be a tool for making the economy more efficient. At present, the idea of federalism is often circulated by the academic community as the „basis for increasing political participation and democratic stability” [65, p. 2] and its potential for a „social-political balance” [97, p. 20].

The experience of federalism around the world provides a rich material for reflection in order to highlight the best practices and to identify positive elements in the event of their implementation in political practice, especially the one marked by deficiencies [53]. The empirical material gleaned in political reality is considerably rich and offers the possibility to synthesize the observations, to reveal the essential features of the phenomenon studied and to draw some conclusions.

What would be the purpose of federalization? Which circumstances determine the adoption of federalism? How is power divided between governing levels in a federal state or about to federalize? Is federalism a remedy or an end in itself? Why are some federation successes succeeding and some thriving? Such salient questions are currently in the eyes of promoters of vari-

ous theories of federalism - the legal institutional theory (K. C. Wheare [160]), sociological theory (M. Burgess, W. S. Livingston [22; 85]), political / bargaining theory (W. H. Riker [115]), the process/developmental theory (C. Friedrich [48]) and other have tried to respond over the years.

The latest political realities clearly lead to the advancement of the issue of federalism in the forefront of international political practice and, at the same time, of current scientific debates. The elucidation of the particularities of the application of this principle in the political practice of international actors has become a topic of debate for various political scientists.

As governments „tend to expand against the waves of regional fragmentation in modern societies” [72, p. 47], as national pressures on minority issues, national identity (Brazil, India, Canada, South Africa (Nepal, Ethiopia, Russian Federation, Venezuela), self-determination requests are revealed through secession (Pakistan, Canada, Spain), scientists are addressing these complex challenges, which, in fact, summarizes current problems of federalism, and come with theoretical proposals that reveal the logical explanation of the causal relationship of federalism.

Attention to the problem of federalism, an attempt to understand and explain the formation and functioning of federative systems, has generated considerable research interest for a long time. The volume of scientific literature devoted to the analysis of various aspects of this concept is really huge. The whole set of sources considered by the author during the preparation of this study can be divided into several groups.

Firstly, these are studies of a general theoretical nature devoted to the examination of the specifics of the phenomenon of federalism as the fundamental principle of organizing social relations in heterogeneous societies. A large number of studies from this group became part of the scientific tradition and were integrated as an integral part in the political ideology and practice of modern states. The works of D. Elazar [40; 41; 42; 43], A. Lijphart [84], W. Riker [114; 115], and others, which have become scientific classics, conceptualize federal relations as a means of overcoming numerous social schisms, the mechanism of social integration and conflict overcoming.

The second group of studies is devoted to the analysis of the functioning of federal systems in individual political systems at different stages of their formation and development. Most of them set themselves the task of the most complete and detailed description of individual cases: the functioning of federal relations, their evolution in specific circumstances [3; 13; 89; 164; 147, and others].

What matters for the characterization of federalism is that federal relations as a derivative of it „may be conveniently defined, as Preston King pointed out, as a constitutional system which

instances a division between central and regional governments and where special or entrenched representation is accorded to the regions in the decision-making procedures of the central government” [79, pp. 140-141].

Most researchers agree in the understanding of federalism as political principle, the essence of which lies in the divided and partnership between the center and the regions [48; 75; 101]. Proceeding from this, certain criteria of the federal system are formed:

1. the same territory and population are simultaneously under the jurisdiction of the two levels of power;
2. each level of power has its own competence;
3. none of the levels of power has the right to abolish the other;
4. at the federal level is mandatory to ensure the representation of regional interests.

Of course, every concrete case requires a thorough examination. This type of investigation would give us the opportunity to know the advantages and disadvantages that usually accompany the ongoing federalization processes. Thus, the specialists show, among the benefits to be gained by adopting the federalist option, the fact that the elements of the federal structure can be constituted as genuine laboratories of democracy, as real platforms for verifying certain social and political experiments.

About 40% of population of the planet lives in federal systems, in countries „that can be considered, or claim to be federations, many of which are multicultural or even multinational in their composition” [157, p. 9]. Federalism is for some a success story, because it combines autonomy and cooperation, especially in multinational states. For others it is just a first step to the break-up of nation states. For some federalism enhances the elements of democracy, because it creates an additional layer of governance (closer to the people than the political centre). For others it creates an unnecessary and costly additional level of government with benefits only for bureaucrats and the political classes.

Regarding the processes of change stemming from separation and division of powers in federal, federalizing and decentralizing polities, efforts of researchers have been made to elucidate these dynamics by seeking appropriate characteristics of the respective societies.

In practice, it has also been demonstrated that the federalism effectively protects and supports the pluralism, that it contributes to the real multiplication of levels of government and that it offers to the population an increased access and greater involvement in decision-making. Another mentioned advantage of federalism is to ensure separation of powers and overcoming barriers to some possible abuses. It is considered that local governments, in relation to the central

power, have the antidote against tyranny: this fragmentation, in fact, is an opportunity to keep up the flag of freedom. By removing the national government from engaging in some controversial issues and by assuming responsibility from the local government, the federalism creates real opportunities for the central administration to strengthen its political stability.

The recurring themes in the literature include a multitude of concepts. Lately, researchers have devoted themselves to studying the various facets of federalism. The advantages and deficiencies of federalism are given, for example, a special attention [17; 27; 97; 100; 116; 120; 253; 290]. The disadvantages observed in the functioning of federal governance usually have two types of inconvenience:

1. the lack of opportunities to impose a single national policy, which may cause some confusion;
2. the difficulty in making responsible decisions: the overlapping of the limits of competence between the national government and those of the federation's entities makes it difficult to attribute guilt to failed policies.

Critics of federalism claim that there is no direct correlation between federalism and the potential attributed to it or, in other words, there is no guarantee that a federal system governance will encourage democracy, provide economic prosperity, or favor the minority [47]. P. Beramendi, for example, interprets the benefits generated by federalism as a „federal illusion” [18, p. 759], and other authors [52] are launching the argumentation on the advantages of unitary and parliamentary governance versus federal or presidential.

It cannot be overlooked that federalism is not a viable alternative to secessionism, and, under certain circumstances, it can even be a factor favouring separatist impulses [32; 81].

Of course, since the theoretical postulates until their application in political practice there is a very long distance. „Perils”, associated with the possible implementation of federalist principles in political reality, can generate reluctant attitudes. Thus, the debate of the problem of federalism in the media of the Republic of Moldova after 2003, activated with a repeated periodicity, points out that „the population and the surface of the Republic of Moldova are not able to claim an imperative necessity of a federal government system. In this particular case, it is missing namely that uniting the rest of federations around the world: the common goal. From the beginning, the separatism was generated by the difference in cultural identity, it was launched the opinion that the imperial minority was afraid of „decay” to the status of ordinary citizens, with rights and obligations - not only rights” [177].

In any case, the opinions of researchers from different countries are focused on the attestation of the fact that some of the mechanisms for managing the relationship between federalism and democratic aspirations illustrate how different federal models affect the preferences, the strategies and the decisions of actors involved in the political process. This affirmation is particularly valid for societies where both federalism and democracy are the objects of institutional change [18, p. 762].

In the discussion of the issue of federalism, all political segments in different countries are currently involved: the political right – the liberals, but also the centre and the left political; the economists, the constitutionalists, the political scientists, the sociologists, the international relations specialists, the opinion leaders, generating a full spectrum of interpretations - from the presentation of the principles of federalism as a panacea against all the evil of modern society to the „exaltation of local forms of collective egoism” [288].

Also, it is important to note that „the polyphonism” [127, p. 2] of federalism offers the possibility of examining the phenomenon from different perspectives. First of all, it is obvious the opportunity to examine the given phenomenon, very pronounced in the contemporary society, from the point of view of the inherent connection, existing in the relationship between the conduct of democratic processes and the manifestations of federalism. Some researchers, interested in establishing linkages between federalism and democracy, noted that federalism and democracy are inconceivable one element out of another [16]. For these reasons, it is symptomatic that democratic regimes functioning in most contemporary federal states, even if authoritarian federalism is also met in real practice (the example of Brazil, characterized before as „the most *demos*-constraining federation in the world” [130, p. 23] went on the path of transformation into a case of the *demos*-enabling society: „Brazilian political institutions enable the federal government to deal with national problems without infringing the rights of subunits, since these are framed to limit the possibilities of minority groups blocking the will of the majority” [11, p. 146]. In other researchers' opinion, the federalism as an institutional form can become the object of manipulation by political elites, and it is both capable of fortifying and diminishing the potential of democracy - depending on the circumstances of the application of those principles: „the various forms of distortions imposed on the practice of federalism appear to be key issue” [163, p. 6] in social-political life of the certain states (for example Nigeria); „institutional arrangements which facilitate territorial autonomy in states or provinces may reinforce ethnic differences and provide resources for leaders who play the ‘nationalist’ card,

thereby promoting ethnic intolerance, and even in extreme cases nationalist succession, partition, or state failure” [290, p. 6].

The doctrine of federalism is the one that supports and favours the process of integration of different states, sometimes called federation subjects or, in certain situations, territories, autonomies, provinces, regions, *länder*, *commonwealth* etc.

Respectively, the political approach means the examination of the most diverse aspects of the phenomenon, such as: the values of federalist principles and the value of federalism, the migration and federalism, the contemporary models of federalism, the nationalism vs. federalism, the ethnic issues determined by federalism, the confessional factor, the political dilemmas of federalism, the role of political parties in federal state formations, the historical-political motivations of federalism, the federalism and the electoral system, the contradictions of the federal political system, the institutional design of states in transition, the distribution of power in a federal state, the principle of autonomy in federations, regionalism vs. federalism, the economic and fiscal problems of federalism, subsidiarity and federalism, the verticality of state power, the question of the articulation of power, the federalism and the issue of decentralization of power, the relations between the center and the periphery, the impact of federalism on state development, the mechanisms of political participation in federal conditions, the popular movements of federalist matrix, the particularities of federalism in different countries and many others [28; 63; 72; 74; 86; 93; 104; 122; 125, etc.].

The subject of federalism's political interpretation is also the federal relations, the relations of representing the interests of the federation's subject in the upper house of the federal parliament, the participation of the representative body of the federation's subject in the legislative process at federal level, etc. Despite the attention paid to the issue of federalism remain a number of unsolved issues.

In other words, it is no coincidence that contemporary specialists in the field of political sciences, in their debates on the conditions of federalism, on concrete applicability of the principles of federalism, on state structure, on functionality and non-functionality of contemporary federalism often apply the formula „puzzle” [36, p. 42; 164, p. 21] of federalism.

Some arguments have been used efficiently to contest the case of participatory democracy than the statement that we exist in „a complex society or multi-cultural-nationalities". The current processes in economy are too „global”, may be, to unravel the intricacies of the productive sphere. In the current circumstances of the transnational system, often highly centralized political system, it is better to fortify the representation in the state, to increase the

efficiency of the institutions; we are advised „than to advance utopian „localist” schemes of control of people over political and economic life [271].

Over the past two decades, political scientists say, „we have heard a historically unprecedented volume of talk about and praise of democracy, and many governmental, nongovernmental, and international organizations have been engaged in democracy promotion” [104]. More power given to the people in the current means signifies adequate representation in institutions of power. In relation to democracy is important, as there may be an alternative democratic to the nation-state.

Apparently, some arguments in favour of centralized government, such as those expressed by Jeremy Brecher et al. [20], may seem quite convincing. However, tendency to ignore the problems of „localism”, for example, the existence of „conflict of the decentralization” is no less serious than the issues raised by globalization that promotes total decentralization of politics at the global level. The interpretation of the concept of decentralization in an arrow understanding causes the local isolation and a promotion of self-sufficiency, and overall may lead to cultural parochialism and chauvinism.

The phenomenon of parochialism can lead to problems that are as important as a unification of cultures, their flattening, which can be overcome just by participatory democracy. The ideals of localism, decentralism, and self-sustainability of the communities must be taken into account in the discussion of matters of state organization. Clearly, it is a worrying fact that neither decentralization nor self-sufficiency, yet definitely not the prerequisite for achieving democracy plenary. However, decentralization in itself provides no assurance that we will have a multi-cultures society. A decentralized society can easily co-exist with extremely rigid hierarchies [296, pp. 2-3].

An open federalism and interdependence are two key words to solve the problem. Decentralism and self-sustainability, therefore, refers to a much broader principle of forms of governance. In fact, there is a compelling need for democratic and truly, communitarian forms of interdependence - in short, for libertarian forms of open federalism. The researchers explain: „If libertarian skepticism about government is correct, it implies that we often have good reason to worry more about the need to limit the scope of harmful legislation than the need to maximize the impact of good laws. From that perspective, federalism is often valuable as a strategy for reducing the risks of bad government” [129, p. 8]. In fact, observes the same author, federalism is not an unalloyed boon for freedom. „Unless properly structured, it can also empower subnational governments to exploit owners of immobile assets, most notably land. Federalism can also

permit local majorities to oppress local minorities. Finally federalism also creates substantial dangers for liberty in situations where regional governments derive all or most of their revenue from the central government rather than through taxation of their own residents” [129, p. 2].

Generally speaking, notes the contributors of the series „Perspectives on Federalism” participatory democracy is a set of proceedings - in which participatory budgeting is at the top of the ladder – that possess this common character: to implement the voluntary collaboration, institutionally ruled, of ordinary citizens with public authorities in the deliberative process of a public (administrative or even legislative) decision, so that citizens can be influent actors of the same decision [5]. The findings are valid about federalism.

Aside from the United States, countries that have a federal system of government are Mexico, Canada, Australia, Germany, Switzerland and Malaysia. In Canada, the federal system of government is defined by dividing the powers of the federal parliament and the different provincial governments of the country. In the proposed definitions of federalism different authors emphasize different aspects of the concept. Thus, some scholars highlights the form of government with the principles of economic organization of the state. They assert that „market-preserving federalism” [294]. William Riker, in his turn, defines federalism as a hierarchy of governments in which: a) „two levels of government rule the same land and people”; b) each has a well-defined scope of authority; and c) each possesses a guarantee of autonomy within its own sphere of authority [115, p. 11]. Barry Weingast and his collaborators add four additional requirements for market-preserving federalism that deal specifically with the role of the state in the economy: the subnational governments have primary authority over the economy within their jurisdictions; the national government has the authority to police the common market and to ensure the mobility of goods and factors across subgovernment jurisdictions; revenue sharing among governments is limited and borrowing by governments is constrained so that all governments face hard budget constraints; the allocation of authority and responsibility has an institutionalized degree of durability so that it cannot be altered by the national government either unilaterally or under the pressures from subnational governments [159, p. 3].

A federalist option involves a clear separation between policymaking and the execution and coordination of adopted policies. Of course, policy development is exclusively the right of popular community assemblies based on the practices of participatory democracy. Coordination and administration of all the activities are the tasks and the responsibility of federal authorities, which represents the means for interlinking villages, towns, neighbourhoods, and cities into federal networks [271]. Understanding federalism means make sense of such a rich diversity of

federal experiences. Is evident that the fundamental organizational and normative principles that set federalism apart from unitary political systems is very difficult and cannot be sufficient to describe and explain this confusing array of federal systems in practice.

But is clear that the federalism is thus a way of perpetuating the interdependence that should exist among communities and regions - indeed, it is a way of democratizing that interdependence without surrendering the principle of local responsibility, control and administration. Examples can serve many cases of federal states; consider, for example, United Arab Emirates and Iraq, especially, Germany, the USA. After the Iraqi liberation, the Iraq became as federal system.

Lately, there has been an increase in the interest in the research of the federal political institutions, which is most justifiable if we consider that many of the most developed and most democratic countries in the world are federations: „Federations and decentralized unions, and also local government decentralization, allow spatially-concentrated communities considerable freedom to manage their own affairs and to protect minority rights, for example over education or language policy. Certain well-known cases can be regarded as exemplifying the success of federations in established democracies and plural nations, notably Canada, India, and the United States” [290, p. 11]. Although the number of countries with a federal structure (28 out of 193 recognized by the United Nations) seems small compared to those with a unitary political system, around 40% of the world's population lives in these 28 countries [275]. But what is significant about federal states is the variety of existing forms, from developed societies. To less developed countries such as Nigeria or Ethiopia, which have been able to integrate ethnic, linguistic and cultural differences such as India, Canada or Malaysia and others who have problems in this regard, such as Belgium, and up to states that, although not yet true federations, still possess federal structures and features such as Italy and Spain. R. L. Watts explains the increasing relevance of federal organization to today's world through the following aspects [154, p. 71]: cultural particularities that make sense of the desire for self-determination; people who want to be global consumers but local citizens; the economy no longer has national bases and people don't have to like each other to get mutual benefits; technological changes have led to the organization of federal business principles, which has led to attitude changes towards political organization; the principle of subsidiarity as a democratic principle is applied in all areas; federations are flexible and adaptable forms of organization; UNDP shows that Human Development Index is higher in federal rather than centralized states. The United Nations

Development Program sets the Human Development Index (HDI), which also takes into account qualitative factors such as education and health.

The federalism remains a great unknown, because sometimes while it is equivalent to the destruction of the state and the nation, in Great Britain it is associated with too much centralization (which is why the federal projects was seen as an accumulation of too many powers in the hands of the technocrats) [168, p. 5]. Alfred Stepan expound this situation: „Unfortunately, some of the most influential works in political science today offer incomplete or insufficiently broad definitions of federalism and thereby suggest that the range of choices facing newly democratizing states is narrower than it actually is. In large part, this stems from their focusing too exclusively on the model offered by the United States, the oldest and certainly one of the most successful federal democracies” [130]. However, federalism has a fairly safe future, in particular because the nation-state is overtaken by things, but in Europe also due to the fact that the Treaty of Lisbon has put a few solid stones at the federal edifice of the European Union.

„Equality of citizens does not mean that territorial units must have the same powers ... The asymmetric status of units based on nationality can be considered as a means of promoting the principle of moral equality, because it guarantees the same attention to the identity of minorities as the one of the majority nation” [278, p. 226]. This means that, for example, Canadian territorial units can, in an asymmetric federalism, exercise specific skills and take responsibilities according to their own situation. In Canada, federalism has many asymmetric aspects. On the one hand, those *de jure*, which come from the constitutional and legal nature and which emphasize the division of powers, and on the other hand the *de facto* ones, which come from the administrative arrangements between the levels of government. However, they are not very stable, because they can be modified according to the short-term force ratios, and in addition, the *de jure* are almost irrelevant in numeric terms compared to the *de facto* ones. Moreover, the few powers granted are in fact a compensation for the breach of exclusive competence in Quebec [272, p. 163].

The subjects of the federation are guaranteed territorial integrity. This is an inalienable right of federal subjects. Under the conditions of democratic federations, territorial integrity is assured. However, we can not say the same under the conditions of federations with authoritarian regimes. „As an example, we have the Soviet federation. It is well known that initially the Moldavian Soviet Socialist Republic, which was forced into URSS as a result of the additional secret protocol of the Ribbentrop-Molotov Pact, would have a territory of about 50,000 square

kilometers. By the end, Moldova was also robbed of those territories, which have never joined other states” [205, p. 8].

Along with the federal constitution, the Constitutions of federal subjects as well operate in some federations. Also, federal law acts alongside federal subjects’ laws. In all cases, however, the supremacy of federal legislation is undermined by federal law. This ensures the uniqueness of normative regulation on matters of major interest. It also affects the organs of federal.

Beyond federal issues, within the federal state there can be seen the so-called federal territories, which do not enjoy the status of federal subjects, but are subordinated directly to the central public authorities. This category includes federal districts (US, Mexico, Australia, etc.) where the capitals of these states are located, some forms of autonomy being determined by the need to solve some national problems. Thus, we see forms of autonomy in the federation: autonomous republics, autonomous regions, national districts, autonomous provinces.

By pointing out the most prevalent typologies in current federalist research, we can distinguish, of course in rough terms, the main varieties of federal governance: the dual federalism and cooperative federalism, the competitive federalism, asymmetric federalism, market preserving federalism, participatory federalism, confederal government and multi-level governance [1; 58; 115].

Depending on the co-ownership between the federal state and federal subjects (federal states), federalism may be dualistic or cooperative. Dualistic federalism requires a balance between the federal state and the federation subjects, the latter being endowed with a certain competence, and the relations between them based on the principle of internal non-interference [127, p. 92]. Cooperative federalism is based on the idea of bilateral co-operation between the federation and the federation subjects, with a fair division of attributions between the federation and its subjects. „This cooperation has given autonomy to many states, thanks to block grants from various federal governments” [14, p. 54]. However, the federation is a sovereign state that pays greater attention to its unitary character. Currently, federations have begun to be classified as symmetrical and asymmetrical.

The classic symmetric federation consists of subjects of the federation, having the same legal status. The asymmetric federation is manifested in many forms [152]. The first model is the structural asymmetric federation - it is characterized by the fact that besides federation subjects, the federal state includes other territorial formations: federal territories, federal district, federal colonies, and some states, even associated states. For this model of asymmetric federation, the inequality of legal status of federation and non-subjects is specified by reducing the rights of the

latter. The second model of asymmetric federation consists only of subjects of the federation, but unidentified. Russia, which consists of 89 federation subjects, includes: republics, territories, regions, autonomous regions, autonomous districts, two federal cities. The third asymmetric federation model, „camouflaged asymmetry”, consists of federation subjects of the same rank, but equality is not respected in some areas (they are represented in a disproportionate manner in the parliamentary assembly, depending on the number of population within each subject). An example of such a federation is the United Arab Emirates, where seven federation subjects are represented in the National Assembly by a different number of deputies (from 4 to 8). De facto „asymmetry refers to variation (commonly observable in most federations) in size and wealth of constituent units, geography, population, economic development and so on” [86, p. 171].

Analyzing the researches of the federal structure of the states, we find that it is not determined by the territorial area, by the density or the number of inhabitants, by the existence of several nationalities, by the political regime or by the government, but by the unification or deregulation of several states to achieve common interests.

The federalism today constitutes, in the view of the many political scientists, the most appropriate response to the demands for change the society and political life. Federalism can be a win-win for both the strongest and most developed regions, and for the less-favoured regions. To the support that promises to give the competitive potential of each economic system territorial and guarantees that seems to offer in the field of management of public resources and control strategies equalization, the federalism seems to have satisfied the requirements for citizen-taxpayers of these regions.

But no less positive responses federalism seems to give to the poorest regions. In fact, the effort that normally require their federal systems states to local self-government to be effective, or is accompanied by financial self-sufficiency and full responsibility for decisions spending, can also offer the poorest regions prospects for a no more development-directed. In addition, autonomy, self-government and responsibility that federalism advocates are the ingredients for growth of a civil society stronger and more aware.

The federalism advantages meet the benefit of the policy of freedom and development within the country. However, the federalist principles provide protection against external pressures: federal defence is a defence against divide and conquer. Although federalism is conceptually based on a limited number of primordial principles, there is an almost infinite variety of federal formations in practice [64].

1.2. The conceptual bases of the interpretation of the phenomenon of federalism in the contemporary world

Without a doubt, the approach to federal case is an improvement step in the theoretical enrichment and deepening of the political science. The federalism as a political model is flexible and democratic, able to resolve the political problems between the central and local authorities, in a country of many cultures and nationalities.

As general definition of the federalism, we can highlight the following formulation: „a constitutional division between one general government (that is to have authority over the national territory) and a series of subnational governments (that individually have their own independent authority over their own territories, whose sum total represents almost the whole national territory)”. According to prof. Julian Schofield opinion, „an indestructible union of indestructible units” [296].

Federal constitution, as interpreted by specialists, is a special agreement that explicitly admits the existence of conflicting interests among the component territorial communities and commits them to seek accommodation without outvoting the minority and without the use of force.

Federalism is a process that is in perpetual negotiation: some issues need to more researches, analysis and accurate definition. It is true: the contours of federal system are under constant negotiation, „as governments construct the scope of one another’s interests and powers while pursuing their agendas” [116, p. 1626].

Federal political regime and its national constitution impose the authority of the home, rather Federation. It put an end to the central authority and setting limits to the powers of a fixed political system and its institutions and absolute orders.

It gives the regions or provinces have all the political, social, and economic, legal, cultural and even diplomacy powers, some German lands, for example, the federal State of Bavaria has the direct diplomatic relations with France and Vatican.

The nature and the structure and powers of the federal state or federal systems are various according to the following: Privacy Geography, Privacy ethnicity, Privacy Fusion. We can find this situation in the United States, Germany, United Kingdom, Spain, United Arab Emirates where their political system and the Federal Constitution, which elected by the people, granted them the constitutional powers to run their own affairs and active participation in issues of the country's internal and external and also gives the federal political system and its constitution the right to participate even in the central government starting from the federal sovereign powers

through parliament and the ministries of Interior and Foreign Affairs to ensure their entitlements in wealth according to proportion of the population distribution in the regions.

The Privacy ethnic one can find its situation in the Republics of China e.g. Turkish Gore there, Kosovo in last Serbia, the people of Palestine in Israel, the case of Kurdish people in Iraqi Federal Republic.

In addition to the mentioned rights, the federal system with its federal Constitution grants the diplomatic representation and the right of criticism/veto about the crucial issues, cultural, trade exchanges and the right of legitimate defence under the criteria and international politics and international law.

The systems under the Federal Constitution is not entitled to the central state to has a special federal army except in situations of wartime and ending the legitimacy of this Army with the state of war. The State of Switzerland does not allow forming a federal army of war, but in the case of wartime. Because the political and federal constitution, democratic systems see the danger in building a foundation of war and a private army in a federal country. Primarily, the federal political system and the nature and structural pluralism and local administrations are protected by international law and the federal judiciary does not need to build an army to the Federal Region. In some cases, „the national army under the control of the national government tries to suppress violent regional conflicts” [63, p. 58]. Under such conditions, researchers think, it is important „the institutional arrangements on the management of internal conflicts” [112, p. 261]. In fact, the promoted opinion is correct: „post-conflict states must solve a very different set of constitutional problems and in deciding whether and how to implement federalism they must respond to a very different set of challenges” [27, p. 380].

Moreover, this situation may encourage the ethnic regions to move for building of its own army and this situation threatens the political system, federal and democratic constitution and therefore could cripple the mechanisms and the evolution of federal institutions and may also create serious dilemmas. To return to the protection of nationalism and to move away from: affiliation and federal systems and encourage the national institutions and the imposition of the national culture; the absence of the actual role of civil society institutions.

For example, Bulgaria granted the cultural autonomy to Turkish minority on the territory of Bulgaria, Republic of Moldova – to the Gagauz people, while ensuring the right of full citizenship constitutionally and in addition to cultural rights, the Bulgarian and Moldavian Constitution giving them the right of the effective participation in state institutions at home and abroad. Of course, there is a different privacy from one country to another, where Oman’s

Constitution granted the Cultural rights - language and citizenship to Baluchi minority on the territory of the Sultanate of Oman [68]. According to factual analysis, information and reports, the Baluchi minority have all the rights and without discrimination there.

Federal political system came as a result of arduous struggle, to become a political reference, democratic and civilized policy to solve the problems of countries with a combination of cultural and ethnic variety. Humanity has been and continues to suffer from the totalitarian political systems and national institutions and hierarchical form, which was and still is a cause of civil wars and internal.

The mentioned Regulations and institutions have caused more or less weight against the erosion of cultures and languages under their national culture or the political class in the country. So, the left of their existing systems of national and comparative policy and institutions a great gap in the formal, institutional, and vocational and technical cooperation through its departments and its central, creating a strong shock in the structure of civil society and the intellectual Renaissance of the country.

Some researchers consider federalism as real need for countries with a combination of cultural and ethnic variety. Elisabeth Alber, from the European Academy, finds the federal system as building exits between the different solutions in both cases of „Assimilation and Emancipation” [255]. Florian Bieber, from the University of Graz, believes that the federalism is a real solution for multiethnic-country. According to his view, the political federal system is a flexible model in order to absorb the emerging problems and political contradictions [258]. Joachim Blatter, from the University of Luzern, argues deeply through his research that the federal system reducing and identifying the powers of the central authority [19]. Prof. Jens Woelk, from the Institute for regional and minority issues of the University of Trento believes that the political federal system is a natural model to save the minority from the majority [162]. In this context, to note that the principle of self-determination in federalism has become a tool used by sub-groups within nation-states to ensure their continued existence as diverse and uniquely different cultures. In this case, the federalism could be the salvation of nation-state [145].

To be sure, those are several benefits of federalism. In a nation of separate ethnic groups, a federal system can ensure voices for all. It can provide each group with a decisive say over local matters. And it can counter balance a central government dominated by one group. But then, in scientific community so are circulating the unfavourable opinions about the federalization process. David Owen, who worked for peace in Yugoslavia, has a trenchant

attitude in relation to the potential contradictions between central and local power: „The Federalism creates a state within state” [103]. The experts points out: the decentralization often „has no impact on economic growth”. Domenico Fisichella, a noted Italian political scientist, recognizing the plausibility of the federalist practice for some countries, at the same time warns about „the dangers of institutional anarchy, ungovernability, management disorder, financial wastage, widespread incompetence, administrative decay, the decline of the public mind...” [260, p. 12]. Thus, federalism does not lend itself unequivocal; the problem of the real implementation of the principles of federalism is much more complex.

The new world order, established in the world after the events of the early 20th century, has generated a prominent trend in governing the states: the tendency towards federalization, which leads to the emergence, together with the existence of old, traditional federal formations, of new federal systems. In fact, the federalization process has nothing to do with the establishment of a federal system in the ordinary sense. The contemporary Western researchers interpret the significance of federalism, on the one hand, as granting a status of independence and self-administration to the federation's components and, on the other hand, to ensure favourable conditions for them in the management of public affairs. The federalism, in such cases, is seen as a safe tool, susceptible of being used successfully in conflict resolution, including ethnic conflict. This opinion is expressed, in particular, by the authors of the important scientific contributions included in the volume „Federalism and the Role of the State”, edited by American scientists William M. Chandler and Herman Bacvis [13].

In general, federalism as a concept has a very broad interpretation. First of all, the federalism is viewed not only as a distinct structure in the typology of state organization, but also as a notion that necessarily includes the procedures for regulating relations. As a famous Western specialist in the field, Daniel Elazar, the significance of federalism, in this context, is limited to ensuring the unity of the various elements within a union that would allow the achievement of common goals, while preserving the autonomy of the parties [41]. Characterizing Elazar's conception of federalism, R. Watts noted a dominant theme in his vision „was the notion that in the contemporary world, we seeing a paradigm shift from a world of nation-states to a world of reduced state sovereignty and constitutionalized linkages of a federal or confederal character” [158, p. 155].

In opinion of D. Elazar, the application of the federalist principle states the combination of self-administration and separate leadership. The reference is, therefore, to such a constitutional separation of powers in which the components of the federation have their own part in political

decision-making and in administration. According to D. Elazar, the device of the federal state corresponds to a decentralized model. Federalism as a method of territorial and state organization of power is based on a specific form of the constitutional structure. The federal states are typically decentralized: that is, the powers of government within them extend among many centers whose existence and power are guaranteed by a general constitution, rather than being concentrated in a single center. Decentralization as a principle of the state of the federal state is of a contractual nature and concerns the structural distribution of powers among multiple centers (subjects of the federal system). Thus, in this model, there are no higher or lower centers of power. It has only large or smaller powers (which are fixed in accordance with specific tasks) of the government, which take appropriate political decisions. For D. Elazar, the federalism is „a way to peace”, „a way that all the partners preserve their respective integrities, even as they build a common framework or a common frameworks to cooperate, to secure common ends” [43, p. 5].

Robert Inman noted that the word „federal” has come to represent „any form of government that brings together, in an alliance, constituent governments each of which recognizes the legitimacy of an overarching central government to make decisions on some matters once exclusively the responsibility of individual member states” [4, p. 73].

The researcher launches the notion of „federative aggregations”, calling them state formations in which the organizational means are used to reconcile the self-management requirements and the separate leadership. Some authors in the field [122] assert that since federalism is in its essence a way of fortifying democratic republicanism, which implies a separation of powers - totalitarian systems, strongly marked by such a feature as the refusal to separate powers in any form whatsoever, may not be considered in any way federative. Other scholars, without challenging the fairness of such statements, also promoted the idea that the influence of the federal spirit, even if its manifestation was only an appearance, has the capacity to provide an institutional-constitutional weight to the local ethnic-territorial interests, allowing, even in limited proportions, a certain perpetuation of these [12]. Political practice has shown that the followers of both a current in the treatment of federalism and the other have, in fact, been right. Several researchers also launches the idea of defunct federalism, highlighting cases of failure of federals relations [74].

It was enough that the totalitarian regimes of time (post-totalitarian, pronounced authoritarian) to show, in the late 1980s - early 1990s, the accumulated weakness, then, at a spectacular speed, to fail [196]. The creation of new states in the post-socialist / post-Soviet space took place in accordance with the already existing federal states, leaving the federation

being qualified as obtaining the independence and sovereignty by the ethnic entity, included in the composition of the old federal formations. It results, in fact, that for the establishment and preservation of an atmosphere of peaceful coexistence the federalist option may present one of the other reasonable solutions. As we see, it is justified to address the federalist issue from an interrelational perspective, embodied in constitutions, structures and functions, although mutual relations have a particular relevance in this context.

A broad interpretation of the notion of federalism involves inclusion in the category of the States with federal dominance, along with traditional federations, of unitary states that apply federal principles to reconcile the requirements of self-management and separate rule. Thus, the federal state phenomenon of a federal state, to a greater or lesser extent, is quite large and important to understanding the overall picture of the contemporary world. There are, as experts say, several forms of federalism [48]. If we were to examine the problem, based on the degree of involvement of a country's citizens in opting for such a way of organizing the state, we could differentiate at least two approaches.

Under the first form of federalism, the form of government is set by citizens by vote, in other words, assumed. Such federations are constituted on the basis of the common and long-lasting historical past, often involving the convergence of identity features, the language and culture community. The principle of subsidiarity is characteristic of such state formations, a principle by which „basic social functions are managed at primary level” [167]: there is a very clear delimitation, each of the hierarchical components having a set of legislative, executive and legal duties strictly determined. According to this prescription, for a state belonging to a federation, for example, there is no provision for the exercise of foreign policy attributions or it cannot abstain from the laws adopted at the central level. In such federations, the role of citizens is manifested in the condition imposed by a rational decision, generated by the awareness of common goals for the citizens of the states-parties of the federation in both internal and external politics and the sense of necessity of conjugation of efforts.

There are also other types of federations, in which, for example, a certain group, usually ethnic, holds levers of influence over the central authorities, which control the situation quite firmly and have the ability to dominate - politically, economically, military - the components of the federation. The language and culture of the ethnic state of the central state formation is imposed on other ethnicities, generating forced assimilation effects.

There is, therefore, a growing interest in the use of federalism as a way of managing countries whose populations differ from ethnic point of view. In ethnically divided countries, the

aspiration is that political recognition of cultural and ethnic pluralism through federalism reduces ethnic tensions and conflicts.

That is why federalism was interpreted as a compromise between ethnic nationalism - which like nationalism in its classical form advocates congruence between nations and states [62, p. 9] and the assimilationist centralization by the dominant ethnic groups in multiethnic countries [4, p. 73].

In fact, the formation of such federations is the result of military action, the annexation of the defeated state being presented as a result of a „voluntary” request to join the federation. Formally, the appearances of classical federalism are preserved at the legislative, constitutional level, but essentially the real power belongs to the dominant group.

Naturally, the spectrum of concrete illustrations of the federal phenomenon is quite extensive. Broadly speaking, however, federal organizations require reliance on such a system of administrative organization in which power is shared between the central government and the states of the whole, and the federation is a state in which power is shared between the federal authority and the local authorities.

Today, a significant number of European countries demonstrate the vivacity of the federal system, including Belgium, Switzerland, Germany, Bosnia and Spain. Belgium, for example, has gradually obtained federal status, based on regional and linguistic divisions. Germany is a convincing example of a federal state, consisting of 16 Länder, with its own governments, the central authorities being not just economic issues or culture, but also issues of common areas such as defense and foreign policy, although there is the the autonomy of governments. Local government goes to the task of concluding international cooperation agreements. It has been observed that „in Brussels, the most sumptuous and imposing international diplomatic mission is that of the German Land of Bavaria and not that of the German Federal State, which does not imply any desire for independence from the Land of Bavaria” [266].

Bosnia entered in the list of states with a federal structure as a consequence of the Dayton accords (December 14, 1995), which imposed federalism as a pre-eminent condition, ensuring the peaceful cohabitation of the Serbian and Croat-Muslim communities. As far as Spain is concerned, the federal character implies its rights and the privileges granted to its autonomous regions such as the Basque Country or Catalonia. The tendencies of autonomy and regionalization are found in such European countries as Italy, France and Portugal, where a number of plenitudes have recently been assigned to the provinces; the fortification of elements of federalism is highlighted in Austria, Canada, and the United Kingdom.

Ultimately, in the development of contemporary federalism, the tendency toward integration is strongly re-emphasized, taking into account the observance of certain guarantees for the rights and interests of the subjects of the federal states. At the same time, it cannot be neglected the fact that the separatist tendencies distort the essence and functionality of federalism.

And these tendencies find a certain explanation, being invoked „the sudden aggravation of the political, economic, social contradictions, accompanied by the increase of the political instability and the plenary manifestation of the conflicting element in this space. This was the case for those countries and regions characterized by the presence of multiethnic features in the population, and, in particular, they have become a meeting point of geopolitical, economic and other interests, manifested by regional as well as supra-regional actors” [197, p. 136], and continues to manifest itself both in highly developed countries and in economically underdeveloped countries.

In any case, which is revealed by the multitude of interpretations and valences of the phenomenon of federalism contained in the literature in the field (indeed, a great deal of works), confirms the idea outlined in their book „Federalism. Political Identity and Tragic Compromise” by Malcolm Feeley and Edward Rubin: „Federalism is one of the most influential concepts in modern political discourse as well as the focus of immense controversy resulting from the lack of a single coherent definition” [47].

Moreover, other researchers also attest to the ambiguity of the concept in question: „federalism suffers from conceptual ambiguity” [1, p. 299], „federalism can be a charged and sometimes confusing word” [58, p. 3].

In the researches of Moldovan scientists the problems of federalism did not enjoy due attention. However, several studies have been published that have addressed the issue. In his study, prof. Valentin Beniuc undertook a complex examination of the concept of federalism. The author emphasized: with all the different interpretations of federalism, there is no such criterion that would generalize all the features of federalism. But it does not have to. The main thing is to understand the principle of federalism and the specificity of manifestation in every concrete country [222, pp. 5-6].

Discussing the practical application of the notion of federalism, the researcher Sergei Nazarya notes that in his opinion federalization is „the most reliable cure for separatism. Moreover, this is the most democratic form of state structure, since it best takes into account the balance of interests between the center and the regions” [245, p. 60]. He very categorically

conducts in his work the idea that the federalization of Moldova is the condition for its emergence as an effective, politically functional democratic state.

And in the works of other political scientists the problems of federalism appear to be examined in the context of the controversial discussions about the eventual federalization of the Republic of Moldova. Thus Dumitru Manzarari, in his study „There are no natural prerequisites for federalism in Moldova”, applying the concept of federalism to the political realities of the Republic of Moldova, is inclined to reject the federalization of the country, explaining: „in case of Moldova, federalism contributes neither to efficiency, nor to justice; and on the contrary, it limits the application of these principles. Moldova is too small as a country, it can be effectively governed by one government, and the creation of other state structures will increase the costs for state employees and will reduce the effectiveness of administration” [284].

In a consistent and documented study, „Building International Post Cold War Relationships” prof. Victor Juc argues that the federalization of the Republic of Moldova „is unacceptable and contradicts national interests, being a legal means of international recognition of the regime secessionist” [191, p. 234].

Defining the national interest of the Republic of Moldova, Victor Juc highlights the following: „on the one hand, as a category whose parameters are determined by the international situation and, on the other, as a system whose values prevail in society and at the state level - is the design and the expression of social needs and of the state through the activity of political leaders” [262, p. 114]. In another work the same author writes: „The national interest of the Republic of Moldova involves the following: guaranteeing and ensuring people's basic rights and freedoms, free development of a multi-sector economy; ensuring a decent way of living, which offers financial well-being to all citizens; ensuring the existence of a sovereign, independent, unitary and indivisible state; building the rule of law, promoting the pluralist democracy and strengthening civil society; ensuring national security, spiritual rehabilitation, restoration of the national conscience and asserting European aspirations of people; European and EuroAtlantic integration” [70, p. 171].

Attention is drawn to the fact that in the studies of Moldovan scholars, questions of federalism can often be related to the issue of national interest. In our opinion, it is a judicious and constructive approach. Thus, according to V. Beniuc, „the essence of national interest, in principle, and for Moldova in particular, is determined by the factors that ensure the continuity and quality of state and society in the internal and international competition environment” [169, p. 116].

Researchers provide a comprehensive concept analysis, linked to local realities. Based on the status of the country, V. Beniuc points out: „small countries are subject to dangerous challenges and various risks that come not only from their own nature - the „small country”, but also from the international environment itself, which are more dangerous and destructive” [221, p. 23].

As evidenced by several papers by Moldovan researchers, the problem of federalism (well circulated in political and in the media agenda) appears to be capitalised to the concept of national interest. This political concept, in fact, becomes a prism through which the issue of federalism can be interpreted into concrete political realities. Practically, no work avoids the connection to the political situation of the Republic of Moldova.

We remarks in this respect the fundamental compartment „National Interest as a Political Priority of Sustainable Development of Society” [189] elaborated by the researchers of the Institute for Legal, Political and Sociological Research, but also a several works signed by Victor Juc [190; 191; 192; 193; 262], Victor Saca [208; 209; 210; 211; 212], Alexandru Burian [225], Natalia Albu [166], Cristina Ejova [182], Emil Ciobu [174], Svetlana Mironova [195], Nicolae Afanas [165], Iurie Pîntea [203] etc.

Moldovan researchers have a special interest in the issue in question, and this is really a very current and timely issue for clarification in the case of the Republic of Moldova. In this context, the researchers show, „it is scientifically and methodologically appropriate to use the notion of national / state interest as one that sums up the range of interests of both the state and its citizens” [199, pp. 35-36]. It is quite right to believe that the formation of national interests takes place in a complex interconnection of economic, social, national-psychological and other factors that „determine in their entirety the content and character of the national-historical experience of the people and the country” [170, p. 192]; that concept of national interest is an integrated concept, based on people's desire for solidarity, that defining its national interests is an opportunity for the Republic of Moldova „to demonstrate that it has committed itself to respecting the values of liberty and tolerance is open to bilateral and multilateral dialogue and cooperation, tends to become a security and trustworthy partner, and thus gains more audience and credibility” [202, p. 93], that „perceiving national interest is the result of awareness the needs and interests of all social groups” [207, p. 101].

By sharing the Hans Morgenthau idea of the „primacy of national interest” [95, p. 207], researchers emphasize the importance of national interest in maintaining „national integrity”,

assuring „national security”, preserving the „national role”, maintaining „reputation” and „international standard” [184, p. 27].

Under current circumstances, the notion of national interest is defined, says Svetlana Cebotari, not only through the content, but also by the pragmatism, the state's ability to propose and achieve certain goals. At present, the concept of interest, including national interest, acquires new meanings, generated by integrative and disintegrative processes taking place on the European continent [173, p. 52]. Moreover, as Victor Juc notes, „the European integration and the state reintegration are two simultaneous processes which are not in contradiction. The recovery of these two components of the national interest will contribute to the completion of the state of Republic of Moldova and to the political and socio-economic modernization of country” [70, p. 182].

It is obvious „the complexity of the interconnection between the internal and the foreign policy, in the process of formulating the national interests of the Republic of Moldova in the context of the European integration process” [166, p. 72]. Consequently, we are witnessing the contradictory process of the formation and function of the national interests of Republic of Moldova in the context of democratic transformation: the development of the national interest in the Republic of Moldova evolves „uneasily, through turbulent movements, through ascension and decline” [215, p. 37].

There is also a certain interest of Moldovan law specialists who approached the respectively subjects: the problems of federalism was found in the works of Ion Guceac [188], Andrei Smochină [213], Serghei Țurcan [216], Marcel Cușmir [176], Victor Rusu [118], Andrei Guceac [187] et. al.

Nevertheless, a synthesis work, representing a complex approach to the problem of federalism from the point of view of political science, in addition, addressing issues related to the Middle East political realities, in the Republic of Moldova has not existed yet.

1.3. Theoretical and methodological aspects of investing the contemporary federalism

As we already referred to federalist theory, the term *federalism* comes from Latin, from the word *fædus* and refers to the set of institutional features and practices of federal political systems. So, the federalism is a system of organization, administration and government in which the state is organized as a federation and shares with the federated states the various constitutional powers: legislative, jurisdictional and administrative (examples: Comoros,

Switzerland, Germany, the United States, the Federated States of Micronesia, the United Arab Emirates, Brazil, Argentina, Nigeria).

When it concerns a form of organization of the State, it opposes the unitary State. The separation of powers then takes place between federated states and the federal state, according to the modalities organized by a federal constitution. A federation can arise from the union of several states within the same federal state or from the split of a unitary state into several federated entities. The State duality thus created refers to a double loyalty of citizens: one towards the Federation and the other towards the Member State.

Johannes Althusius is considered the father of modern federalism [80, p. 21]. In particular he explained the bases of this political philosophy in *Politica Methodice Digesta, Atque Exemplis Sacris et Profanis Illustrata* (1603). Charles L. Montesquieu sees in *L'Esprit des lois* the examples of federalist republics in societies, the polis uniting villages, and the cities themselves forming confederations [153].

However, federalism in the modern sense comes first of all from Switzerland and then from the United States. The modern federal state appeared with the Constitution of the United States of America in 1787 which succeeded the Confederation of 1777. Switzerland itself adopted a federal constitution in 1848.

During the French Revolution, federalism was the name given in 1792 and 1793 to the design that the Girondins were given to form, starting from the departments of France. In spite of the disturbances which then agitated the West and the South, it does not appear that this project had any reality.

The Community federalism existed in such states as the Aztec, Indian, Chinese or Turkish empires, where throughout the territory it was the communities, essentially defined by origin or religion that constituted a federation. This type of multinational federalism is also known as „secularism" and „Milliyet System" (of Turkish origin) and has persisted in some post-Ottoman states such as Cyprus, Lebanon, Syria, Jordan, Egypt or Israel. There are also in states such as Morocco, Iran or Pakistan.

The Austrian principle of „national-cultural autonomy", applied in the USSR and in the former Yugoslavia, presents a system inspired both by territorial federalism (with federated republics or Autonomous Regions) and community federalism (depending on ethnicity). Some forms of multiculturalism, in the United States, Canada and Australia in particular, use similar concepts, where „national-cultural autonomy" is taken into account both territorially and according to the Milliyet system.

The evolution of the idea of federalism had, therefore, a long track. The federalism was supported as well by Kant, Tocqueville, Proudhon, Maurras, Joseph Paul-Boncour etc. It was also one of the bases of the Girondin society project during the French Revolution.

At present, there are two main conceptions of federalism:

- 1) the so-called „Hamiltonian” institutional and democratic federalism focuses on the organization and the democratic functioning of federal institutions without interfering in political ideologies and programs, which belong to the free choice of citizens through these institutions and
- 2) the integral or global federalism. It is a conception of federalism that goes beyond the theory of the federal state alone, but which makes it a political philosophy in its own right, derived from the writings of Pierre-Joseph Proudhon, from the practice of organizations emerging from the currents of revolutionary syndicalism and anarcho-syndicalism, as well as personality and social Christianity.

In this context, it is necessary to remember that Emmanuel Kant posed in 1795 the foundations of a philosophy of federalism at the very time when the first federal state was formed in America. In his view, the peace can truly exist only if a federal-type organization controls the States.

In other terms, we can notice two other concepts of federalism: *The European Federalism* and *The World Federalism*. These two concepts are the results of globalization processes, taking into account the type of governance in different geographic regions of the globe.

After all, such arguments often run, centralists are all really “localists” in the sense that they believe in „more power to the people” - or at least, to their representatives. And surely a good representative is always eager to know the wishes of his or her „constituents” (to use another of those substitutes for „citizens”).

In our complex modern world we can have any democratic alternative to the nation-state. On the surface of things, arguments like Brecher's for centralized government [20] seem rather compelling. A structure that is „democratic,” to be sure, but still largely top-down is assumed as necessary to prevent one locality from afflicting another non-localism-movement. It seems that many pragmatic people ignore the importance of decentralism, many in the non-localism movement tend to ignore very real problems with „localism” - problems that are no less troubling than the problems raised by a globalism that fosters a total interlocking of political life on a worldwide basis. Without such wholistic cultural and political changes, notions of

decentralism that emphasize localist isolation and a degree of self-sufficiency may lead to cultural parochialism and chauvinism. Parochialism can lead to problems that are as serious as a „global” mentality that overlooks the uniqueness of cultures, the peculiarities of ecosystems and ecoregions, and the need for a humanly scaled community life that makes a participatory democracy possible. This is no minor issue today [37]. Specialists in the field consider that we obviously have to give of local ideas, decentralization and self-sustainability a broader and fuller sense.

„It is a troubling fact that neither decentralization nor self-sufficiency in itself is necessarily democratic. Plato's ideal city in the Republic was indeed designed to be self-sufficient, but its self-sufficiency was meant to maintain a warrior as well as a philosophical elite. Indeed, its capacity to preserve its self-sufficiency depended upon its ability, like Sparta, to resist the seemingly „corruptive” influence of outside cultures (a characteristic, we may say, that still appears in many closed societies in the East) [271]. Decentralization itself does not provide any assurance that it constitutes the plenary premise of a society close to the ideal one. They are known, throughout history, examples of how a decentralized society has coexisted easily with extremely rigid hierarchies.

Decentralism and self-sustainability must involve a much broader principle of social organization than mere localism. Together with decentralization, approximations to self-sufficiency, humanly scaled communities, ecotechnologies, and the like, there is a compelling need for democratic and truly communitarian forms of interdependence — in short, for libertarian forms of confederalism.

Studying the evolution of federal structures some researchers [271; 296] are turning their attention to the concept of confederalism. Its essential characteristic that makes it different from other forms of federalism is that it refers to cooperation between independent states. Confederalism, at least, tends to counteract the tendency of decentralized communities to drift toward exclusivity. Confederalism means the fact that it forms a key principle and gives fuller meaning to decentralism. Proceeding from this, confederation, namely, a union of states that retain their full sovereignty and only agree on establishing common organisms and common methods, in order to preserve peace. Each member state of confederation retaining some independent control over both internal and external affairs. Federalism and confederalism have many differences. For example, sovereignty in a confederal system focuses on units, while in the federal one lies at the central authority. While states, in a confederal system, have the possibility of separating themselves, but this is not the case with a federal structure.

The authors like S. Khan [78], C. Church [29], K. Dodd [276] consider confederalism to be applicable and important for the modern world. The arguments of these authors are twofold. First, confederalism has a significant impact on the integration of existing national states. It can contribute to a certain understanding of such phenomena as the European Union (European Economic Community) and the Organization of the United Nations (UN). Secondly, confederalism can serve as a model for establishing peaceful coexistence in a specific situation characterized by ethnic tensions.

In vision of Murray Bookchin, the confederalism is above all a network of administrative councils whose members or delegates are elected from popular face-to-face democratic assemblies, in the various villages, towns, and even neighborhoods of large cities. The members of these confederal councils are strictly mandated, recallable, and responsible to the assemblies that choose them for the purpose of coordinating and administering the policies formulated by the assemblies themselves. Their function is thus a purely administrative and practical one, not a policy making one like the function of representatives in republican systems of government. A confederalist view involves a clear distinction between policymaking and the coordination and execution of adopted policies. „Policymaking is exclusively the right of popular community assemblies based on the practices of participatory democracy. Administration and coordination are the responsibility of confederal councils, which become the means for interlinking villages, towns, neighborhoods, and cities into confederal networks. Power thus flows from the bottom up instead of from the top down, and in confederations, the flow of power from the bottom up diminishes with the scope of the federal council ranging territorially from localities to regions and from regions to ever-broader territorial areas” [271].

At the same time, it should be noted that the confederation is an internally contradictory form of political organization. Here, every unit entering the confederation almost completely retains its constitutional prerogatives and power. The central government receives funds for its activities through more or less voluntary contributions from lower-level governments. As historical experience has shown, the confederation is one of the most unviable forms of government.

All these theoretical reflections allowed us to see the existence of an **important scientific problem** to be solved by carrying out the research within this thesis. It consists in the complex theoretical approach of contemporary federalism, which fact led to the systemic and contrastive analysis of political realities and which allowed the determination of its functional conditions in various states of the world (especially in Middle East).

In order to achieve this major goal of the research, the following **objectives** have been proposed:

- to study the theoretical and methodological peculiarities of the scientific approach of the contemporary federalism phenomenon;
- to determine the principles of contemporary federalism;
- to achieve a systemic approach of federal relations in contemporary states;
- to identify some issues of sovereignty and equality of rights of federal subjects;
- to determine the particularities of the federal integration processes of examined states;
- to identify some directions for improving the organization of state power;
- to make a comparative analysis of federalism in various states of the world;
- to study the problem of federalism related to the political realities in considered countries;
- to examine the relevance of federalism for various states in the Middle East.

The historical method, the systemic approach, the comparative analysis, the normative-value method are the main research methods that will serve to achieve the intended purpose.

The systemic analysis, applied by American scientists D. Easton and T. Parsons, has been used in political science since the 1950s and 1960s. This method explores the political life of society as an open system, subject to internal and external influences, but at the same time capable of preserving its existence [228]. The system method is focused on the integrity of politics and on its relationship with the external environment. It allows defining the most important goals of the functioning of states and other elements of the political system, the best ways and means to achieve these goals - by building a model that includes all the factors of the interrelation of the real political situation. The system method is characterized by a holistic review of the federation as a system consisting of a set of subjects of the federation, the interrelation of which leads to the emergence of new integrative properties of the federal system that are absent in the constituent elements (subsystems). In this context, it is necessary to note that the federal system is characterized by the main features of complex systems. Of these we consider that it is useful to mention the following basic features: the presence of a set of elements - subjects of the federation; the unification of elements within the framework of an integral aggregate - a sovereign state; the presence of links between the elements both through the organizing principle - the federal center, and through direct interaction between the regions in various fields of activity; the stability of the links and interactions between the elements in the system; the goal of developing a federal system is to achieve the greatest possible stability of

relations within the system. Thus, from a systemic standpoint, the federation can be characterized as a complex holistic, purposeful system that has a structure and consists of elements (state-territorial entities, subjects of the federation). However, not only statics, but also the dynamics of the behavior of systems, the identification of its probabilistic nature is of great importance for the systemic approach. From this point of view, the federalism is a self-organizing, open system.

In the case of this thesis, the systemic approach will be applied to investigate and determine the particularities of federal processes. The same method of systemic analysis will be used to the complex research of contemporary federalism, which will allow us to identify its main elements, as well as the interaction between them. Many researchers in the field of political science have applied the systemic method to achieve the various objectives. In most cases, the investigated problem and the aims of the research are taken into account, but also the specificity of this method.

The comparative analysis is another method of research widely used in the field of social sciences and more recently applied in the field of political sciences. This method designates the mental operation of approaching two or more things in order to determine the similarities and differences between them. So, the comparative method consists in looking for the explanation of the facts by comparing them with others of the same, similar or contrasting genre. It is an essential method for human and social sciences. The comparison means: the proximity and confrontation of the facts described separately; revealing similarities and differences, grouping them into genres and classes; interpreting and justifying the similarities and differences between the facts; the discovery of universal elements from a local phenomenon; the identification of tendentious regularities and explanatory function. In the context of social sciences, the comparative method is essential in explaining phenomena and relationships that cannot be directly analyzed. Most often, this research method is used in the case of the research of political institutions, of political phenomena, of legal systems or of public policies. In some cases, on the bases of comparison, political phenomena are better understood or certain classifications are made. As mentioned by Giovanni Sartori, the comparative analysis gives us the advantage to check the correlation between phenomena and to formulate more general conclusions [123, p. 244].

The comparative analysis in political science is based on the comparison of the same political phenomena and processes among different peoples, in different countries and cultural environments. So, the comparative method makes it possible to reveal the general and specific features of the political life of different peoples and countries, the general and specific tendencies

in the development of political processes, to determine the features of political regimes, to identify factors that increase the effectiveness of the mechanisms of power, to uncover the connections and interactions of the political system with the economic and spiritual spheres of society. In the case of this thesis, the method of comparative analysis will be applied for the research of contemporary federalist models. In this regard will be respected basic principle of this method - the careful selection of comparable units.

The relevant documents were sourced to undertake the research. Likewise, related literature both from websites and published and unpublished printed documents such as books, journals and reports have been used.

The normative-value method, important because of the possibility of examining political phenomena from the point of view of their compliance with certain norms or values is, also, very useful for achieving the purpose and objectives of this thesis. This method will be applied for researching federal relations in contemporary states, for studying the issues of sovereignty and equality of rights of federal subjects, for analyzing and identifying some directions for improving the organization of state power.

The historical method is often applied to political science in terms of the possibility of using the past positive experience in solving current problems. The phenomena of reality must be viewed as a whole, in their sequence, the historical conditions that generated them and the effects they gave rise to.

Accordingly, our study is an explanatory research following more of a qualitative approach for making a detail description, diagnosis and explanation of federalism and its effects. This method was selected due to the reason that the type of data that have been collected and the nature of the research in itself was a qualitatively explanatory type. In other words, the study was objectively intended to identify and portray the effect of the systems established in the examined countries rather than making any experimental analysis.

The method it is a way of explaining the world (the evolution of events, phenomena, and the emergence of real facts). This explanation is made by using the method of inference, which seeks to establish individual, yet unknown, truths through the previously known individual truths. We note that, as in history we only deal with particular truths, individualized over time, they have less application both the method of deduction (widely used in law), which proceeds from a general premise, and the method of induction, by which we come from private truths to general ideas. This means is very effectively in the research process.

1.4. Conclusions for Chapter 1

This compartment of the thesis is focused on studying the theoretical and methodological peculiarities of the scientific approach of the contemporary federalism. The analysis of the main bibliographic sources in the field allowed us to conclude the following:

1. The experience of federalism in the world provides a rich material for reflection in order to highlight the best practices and extract the positive elements in the event of their implementation in the political practice.
2. The study of important bibliographic sources allowed us to make a description of the situation in the field and to remark the interest of various political scientists for this research theme.
3. This diversity of investigations can be classified into two main research directions. Some researchers make theoretical and practical investigations to the arguments of the advantages of federalism and support the idea that federalism and democracy are inconceivable one element out of another. Other researchers try to justify the disadvantages of federalization processes and think that the federalism is capable of fortifying and diminishing the potential of democracy.
4. The doctrine of federalism is the one that supports and favours the process of integration of different states. Currently, according to this vision, the federalism in the contemporary world is (under certain circumstances) the basis of social-political stability.
5. The federalism as a political model is flexible and democratic, able to resolve the political problems between the central and local authorities, in a country of many cultures and nationalities.
6. The federal state is established in two different ways: either by turning a central state into a federal state to respond democratically to the national, geographic, economic and historical reality or by unionizing different regions.
7. Despite the attention paid to the issue of federalism remain a number of unsolved issues. In this context, addressing the issue of functionality of federalism could reveal a number of relevant features of the phenomenon, generating some viable solutions to overcome existing crises.
8. The historical method, the systemic approach, the comparative analysis, the normative - value method are the main research methods that will serve to solve this problem and to achieve the aim and objectives of this thesis. The method of systemic analysis will be applied

to investigate the particularities of federal processes, the comparative analysis - for the research of contemporary federalist models, the normative - value method and the historical method - for researching federal relations in contemporary states, for studying the issues of sovereignty and equality of rights of federal subjects, for analyzing and identifying some directions for improving the organization of state power.

2. THE CHALLENGES OF FEDERALISM IN CONTEMPORARY MIDDLE EAST

In this chapter of the thesis, divided into five paragraphs, are presented the results of the research of federal relationships in contemporary states of the Middle East. Due to the normative-value method, the political phenomenon was investigated from the point of view of its compliance with certain social norms and values. Also, the method of system analysis was applied to achieve the following objectives: to identify some issues of sovereignty and equality of rights of federal subjects; to determine the particularities of the federal integration processes in the some states of the Middle East; to identify some directions for improving the organization of state power.

Another important objective of this compartment of thesis is to come up with a analyze the particularities of federal integration processes based on the political changes in Middle East and how to find a realistic solutions and how to facilitate political transformation against each other by formulating strategies to cope up with the complexity of the political transformation. Using the categories actors, issues, structures, processes, once again, allows a more comprehensive and systematic analysis of the stumbling blocks providing resources when formulating strategic solutions.

The term „Middle East” is commonly used in geopolitical affairs and diplomatic exchanges to some countries, but to date there is no agreement to determine the boundaries of this geographical area, neither on territories nor on the populations who should be included in this area [2, p. 370].

Our work studies the political process in the Middle East, by which is meant the region that includes a number of states, namely: the countries of North Africa (Mauritania, Morocco, Algeria, Tunisia, Libya, Egypt), the so-called „Levant” (Israel, Jordan, Syria, Lebanon), countries of the Arabian Peninsula (Oman, Yemen, Bahrain, United Arab Emirates, Qatar, Saudi Arabia, Kuwait, Iraq). In general, this corresponds to the classical ideas about the boundaries of the region.

Of all these countries, we have decided to focus our attention on only a few (UAE, Iraq, Iraqi Kurdistan, Syria) which in our view presents the most relevant experience for the phenomenon of federalization in the Middle East. These countries will form the basis of analysis in accordance with the need to reconcile the abstract connotation of federalism with reality, which is found in concrete political practice.

2.1. Middle East in the context of federalism issues

The Middle East occupies an increasingly significant place in the system of international relations. Compared to the period of the Cold War, the impact of the events taking place there on world development has become more noticeable and more serious in its consequences. The current role of the region is dictated by the difficult and painful period of the folding of the new world order, overcoming the asymmetry creating an extremely unstable balance of power in the world.

The Middle East has become a gravitational field of attraction for conflicts that affects not only regional states, but also global powers.

It is important to note that federalism is one of the key concepts that should be considered when analyzing the political situation in the Middle East in recent decades: „The ghost of federalism roams the Middle East” [302]. On the political horizon, more and more federalization projects appear, in which their external and internal authors see an opportunity to get out of the cloaca of general conflict, into which more and more countries and regions are being drawn.

By addressing the topic of federalism in the Middle East, „we could clarify the situation in an area where clearly old models failed, or they are applied without taking into account new realities. This is typically work in progress” [89, p. 1].

It is impossible to deny that the current situation in the Arab world and around it is very dramatic. On the one hand, national states here no longer have the same degree of legitimacy. Moreover, such a loss of legitimacy (albeit to varying degrees) is felt not only within these states themselves, but also in relation to them from the outside - especially in the light of the modern evolution of the system of international relations, when major power centers no longer seriously consider the sovereignty of national states [238, p. 67].

Arab states are once again under stress, so much so that some already broke under pressure, others are teetering on the edge (post-Qaddafi Libya and Yemen), and still others are just barely hanging on through barbaric crackdown (Bahrain and Syria) [73, p. 100].

Under these conditions, federalism manifests itself as an attractive project. That is why it is intrinsically linked to democracy itself. Federalism can strengthen democracy by allowing for a more accountable government that is nearer its citizens

Based on the principles of federalism, certain political and legal criteria of a federal structure are formed: 1. the same territory and population are simultaneously under the jurisdiction of two levels of government; 2. each level of authority has its own competence; 3.

none of the levels of government has the right to abolish another; 4. At the federal level, it is mandatory to provide regional interests; 5. Provides for a mediation institution for resolving disputes between regional and regional authorities. It is a fact that: 1. the resolution of conflicts between levels of government takes place in the public sphere, and not in an administrative way; 2. formally unrelated, but almost always present satellite of a real federation is a democratic political regime; 3. society is the main “customer” of the federalist project [219, p. 149].

Resulting from this interest, in the 1990s, „growing constitutional dynamism was observed in Arab countries” [227].

Federalism in the Middle East is a loaded word. It is contradictory and misunderstood. Reasons for the Middle Easternization of federalism as a route for secession have not been studied enough. One can venture a mixture of interlocked explanations. Some are power-related and contextual.

Plans of building on federalism to acquire independence come from a deep misunderstanding of the concept of federalism as a constitutional arrangement.

Federalism is a new word and practice in Arab politics [146, p. 91]. The concept of „federalism”, until recently largely seen as a taboo in Islamist and Arab nationalist discourse, has since 2003 made an astonishing impact the region, in particular in Iraq. But other key countries also possess internal tensions similar to those that have prompted demands for federalism in Iraq. Policy-making in unstable federations or failing states, such as South Sudan, is seen as a zero-sum Game” [21, p. 11]

Federalism is also poorly understood on a conceptual level. Some of the misunderstanding derives from divergent political interests: Middle Eastern advocates of federalism paper over or hide their separatist yearning by using the word. They consider themselves as a “people” entitled to self-determination, meaning independence, and use federalism to cloud the discussion. This is typical of Kurds in the four Middle Eastern countries in which large Kurdish communities live: Iraq, Iran, Syria and Turkey.

Because of the long-standing threats posed by powerful central governments, various Kurdish leaders have tended to avoid the call for secession by advocating federalism. In any case, in the national levels and inside the Iraqi society and among the groups, „coalitions and various trends concerning federalism there are different views and there is not a particular coherence and coordination among them” [94, p. 497].

Contemporary debates in Libya, Syria, Yemen underline this need for flexible solutions in a world of ever more complex conflict; there can be no 'one size fits all' approach to federalism in post-conflict societies.

In the Middle East, resistance to federalism mostly stems from government opposition to political change, sharing of power, and the reality of minority rule. „Unfortunately, calls for federalism are often viewed in the Middle East as a conspiracy against regime stability and sovereignty and as a gateway to a new Sykes-Picot carving up national borders. But federalism can work” [293].

The crisis of institutions and the dispersion of sovereignty had another unexpected result. The territorial integrity of the states of the region and their territorial-administrative structure have been called into question, and this applies not only to countries such as Libya, Syria, or Yemen, the impossibility of maintaining unity of which is often stated directly, but also of such well-off prosperous states.

Democratization is the key word for understanding current processes. Federalism without democracy, both at the center and in the regions, is inconceivable. A country could be democratic without being federal, but a country cannot be federal without being democratic. In the Middle East, none of the formally federal states are democratic. Sudan's federalism collapsed into two separate states in 2011, and South Sudan quickly became mired in a brutal replica of the rule in Khartoum [3]. Federated Emirates in the United Arab Emirates (UAE) mirror the national system based in Abu Dhabi as the capital, but national rule in Abu Dhabi is not democratic in the most basic sense of people electing their rulers freely, so the UAE fails federalism's first test. And Iraq, which became officially a federal state in 2005, continues to suffer from difficulties.

In the absence of democratization success, the success of the reforms remains questionable. Authors work in the field explains:

1. The concept of federalism is confused in the Middle East, where many of its advocates wrongly use it as a substitute for secession.
2. Democracy is a condition *sine qua non* for federalism to work.
3. A serious Middle Eastern agenda for federalism requires a leap of faith [89].

In the cases of Yemen, Syria and Libya, the regularly voiced idea of federalization hides the attempts of local authorities and Western experts to come up with a model of preserving statehood in a situation of weakening or collapsing institutions (or, in the case of Libya, the destruction of the system of personal power that masked the lack of institutions). The Iraqi experience has shown that such a strategy has quite definite limits - the unity of a loose

federation depends on finding a consensus among regional elites regarding the separation of access to the country's resources, and, of course, on the interests of third countries. In case of violation of interregional balance or changes in the international situation, the system is extremely vulnerable. However, in other cases, it is usually not about federalization as such, but about decentralization or other forms of implementation of elements of federalism into the system of governance of countries [300].

Historically found to be complex and diverse, Yemen, Libya, Syria have always been prone to federalization because of the extreme heterogeneity of their political space, devoid of the unity of culture, religion, language, ethnic substrate [121; 161, 291, 251, 299, 302]. But this need for a combination of self-government and divided government inherent in federalism has not been met for decades, since the intensive festivity of the newborn states, which immediately spread to postcolonial societies, has resolutely forced federal projects into the background. In other words, federalism, even if bad, is very necessary for the Arab world, but the embodiment of its principles still lies outside the realm of real politics.

In Lebanon, it is actually a question of hidden federalization, aimed at balancing the interests of localized ethno-confessional groups [88]. The Lebanese experience was largely borrowed by the Americans in building a new Iraqi statehood.

Obviously, in all cases, without exception, federalist tendencies can be viewed in two directly opposite ways. On the one hand, as a desire to improve the political system, to create more subtle management mechanisms and thereby increase the inclusiveness of political power. On the other hand, federalist initiatives can be viewed as an attempt by the central authorities to preserve the unity of the country, finding a consensus with regional (often foreign ethnic or foreign religious) elites. In the case of Iraq, this is particularly pronounced.

Is the fact, in all cases, without exception, the federalist tendencies observed, in particular, in the countries of the Middle East, can be considered „two directly opposite images” [241, pp. 24-25]. On the one hand, as the desire to improve the political system, to create more subtle governance mechanisms and, thereby, to increase the inclusiveness of political power. Strengthening the election of local authorities and expanding the powers of local councils in the administrative and financial spheres, the government not only involves the regions in administrative processes, but - at least in theory - stimulates the development of civil society and democracy in the country. It is clear that the formal norms of the constitution reflect rather the aspirations of the active part of society at the time of the adoption of the fundamental law than the political reality. Nevertheless, even a formal expansion of the space of democracy can

already be considered a positive step. On the other hand, federalist initiatives can be seen as an attempt by the central government to preserve the unity of the country by finding a consensus with regional (often hetero-ethnic or other confessional) elites. In the case of Iraq, this trend is particularly pronounced.

Thus, the abandonment of the Sykes-Picot system essentially means recognizing the weakening of the model of statehood that developed in the region during the 20th century under the influence of European ideas and, accordingly, the recognition that another model of political power comes into its place [241, p. 26], taking into account the specifics of the region.

With the region's long history of federalized systems and the dramatic failure of so many centralized states, federalism is worth considering as a transformative solution to the various challenges faced by countries of the Middle East [300].

2.2. Particularities of federal integration processes in United Arab Emirates

It is considered that the most stable model of federalism in the Islamic world „is applied in the United Arab Emirates” [220, p. 117], „this system has generally worked well” [93, p. 9], UAE „represents the only working federation in the Middle East” [89, p. 24].

Unlike any other Middle Eastern state, the United Arab Emirates is a federation, „consisting of seven tribally-based emirates that controls the southeastern portion of the Arabian peninsula south of Bahrain and Qatar” [280, p. 25]. United Arab Emirates is a unique example of absolutist monarchy with a federal system. Without of democracy (or with few elements of democracy) federalism functioning in the UAE. Nevertheless, the UAE works well as a federal state. UAE combines traditional methods of regional interests with the „import of institutions” of Western democracies. Federalism has a pronounced elite and class character. „Patriarchal-authoritarian relations in the UAE society make the described system effective”, notes specialists [220, p. 119]. Over the several decades of the development of the federation, conflicts did not arise.

The UAE path towards federalism is relevant. The UAE had an uneasy launch, but has since developed into an economically successful showpiece of federalism in the Middle East.

During the British withdrawal from Gulf in January 1968, the big potential power vacuum in the area was seen. Nixon administration had to face the Soviet Union, China, and the war in Vietnam and he was not interested in Gulf more. To put an end to the regional crisis, the US had to push both Iran and Saudi Arabia to keep safety in region. Nixon and Kissinger were

interested to rise the oil prices between 1969 and 1972 gave the Saudi Arabia and Iran the responsibility to serve the stability in Gulf. It was a critical policy decision, overlooked by most scholars [106]. On the other hand, the United Kingdom decided to keep its interests in Gulf by the creation of UAE and to keep its policy independent away from US.

By trying to maintain its empire on the cheap, Britain turned into an arms supplier supreme. But offering and selling arms does not a foreign policy make, leaving Britain in the long run with less influence in regional affairs. This was true also for the US, whose arms sales were to prove no realistic alternative to foreign policy.

Obviously, the US hid under the Iranian security blanket for almost a decade. Given the weakness of the regime and the Shah's nonsensical dreams of turning Iran into one of the top five industrial and military powers in the world, the policy was cavalierly irresponsible [106]. With the announcement by the UK in the 1968 that it would withdraw from the Arab Gulf and Persian Sea area by 1971, Shaikh Zayed (Zaid) became a founder of the United Arab Emirates. While the withdrawal of the British military presence from all the Gulf States, including Iran and Saudi Arabia, to reconsider their defense requirement, the January 1968 announcement meant that Bahrain, Qatar and the Trucial States would soon have to conduct all their external relations themselves. In some of these states educational and development projects as well as much of the day-to-day administration and internal security was run directly or indirectly with British Government assistance.

At the time of the surprise announcement of the British intention to withdraw, few of the states appreciated the formidable task of establishing at home viable governmental machinery, while at the same time finding the right balance in regional and global power politics. The British announcement, as many observers noted, had set off immediate competition for pre-eminence between the states of the region [87, p. 187].

The political changes in the UK have led to the immediate reaction to withdraw from Gulf and its affections. The security's issue was a real problem for all the area and Rulers. It behaved to the immediate reaction to the British announcement was disbelief because of recent British assurances to the contrary, followed by apprehension when the truth became clear. The resultant state of mind among the Rulers certainly encouraged them to draw more closely together, aided by some strong lobbying on the part of the British Foreign Office. However, some diplomats were cynical because they had seen the recent failure of the British-engineered South Arabian Federation.

The Ruler of Bahrain, Shaikh 'Isa bin Salman Al Khalifa, was the first of the Rulers to

state publicly that the establishment of a federation between the Gulf Emirates was „a national issue which we will decide and which will not be decided by anyone for us”. He made official visits to Saudi Arabia and Kuwait during January and February 1968 to discuss the future of the Gulf, while the Kuwait Minister of Foreign Affairs, Shaikh Sabah al Ahmad al Jabir Al Sabah, demonstrated his country’s support for Gulf-wide co-operation by visiting all the Lower Gulf States at the end of January.

During that period, all those seven emirates were very poor economically since 1820. They were under UK influence and its economy depended upon pearl and fishing. But after Japanese experts discovered the cultured pearls in 1930s, the economy of these emirates became worse. As unexpected at this point, the first oil company teams came to carry out geological surveys. Sheikh Zaid bin Nahyan was not only appointed to lead them in desert, but was appointed to govern Al Ain in 1946 and traveled to Europe United States, Switzerland, Lebanon, Iraq, Egypt, Syria, India, Iran, and Pakistan to participate in the oil dispute. But, the discovering of oil in Abu Dhabi in 1958 was a new transformation in economy and the life of people began to improve including infrastructure. And the commercial field has been dependent on offshore Umm Shaif. Even Sheikh Shakhbut gave control of Abu Dhabi to his brother (Sheik Zaid) in 1966.

The successful period of growth and development began under Sheikh Zaid who was given priority to build basic housing facilities, schools, health services, and the construction of an airport, a sea port, roads, and a bridge to link Abu Dhabi with other parts of country.

Sheik Zaid did not hesitate to call for a federation in 1968. He was sure of the flourishing of Abu Dhabi. At the same time he was convinced in that how to build a strong cooperation with all his neighbors and as result of his strategic vision he succeeded to persuade his tribal emirates in his project to meet the benefit of establishing the United Arab Emirates and his first step was to meet with the ruler of Dubai, Sheik Rashid bin Al Maktoum.

When the two meetings failed on the 19th of February 1968 at Samih to redrawn the border disputes, the project of Federation of nine emirates (Abu Dhabi, Ajman, Bahrain, Dubai, Fujairah, Ras al-Khaimah, Sharjah, Qatar and Umm al-Quwain) collapsed. In fact, Bahrain and Qatar wanted a full independence. But, a federation of six emirates (Abu Dhabi, Ajman, Dubai, Fujairah, Sharjah, Umm al-Quwain) formed the United Arab Emirates [UAE] in 1971 and Sheikh Zayed was elected president and Sheikh Rashid elected vice-president. After then, Ras Al Khaimah decided to join the above mentioned federation in 1972. This quick response and willingness to co-operate, no matter how grave some of their differences had been, was partly

due to the fact that before the British announcement British officials had been encouraging the idea of forming a federation.

Here one can not neglect the truth that the British announcement British officials had been encouraging the idea of forming a federation. Even the Trucial States Council meetings (in 1952) which took place at the invitation of the UK political Agent resident in Dubai under Supervision of the political Resident in Gulf.

The meeting of the nine Rulers in February 1968 in Dubai was organized neither by the Trucial States Council nor by a British sponsored constitutional conference. The invitation was extended by the Rulers of Dubai and Abu Dhabi, who each had their own reasons for wanting to expand the scope of the meeting and hopefully of the federation itself, beyond the circle of the seven Trucial States. Thus it was probably the idea of Shaikh Rashid of Dubai to include Qatar, which was then ruled by his son-in-law, Shaikh Ahmad, who had helped generously with loans and grants for development projects in Dubai; on the other hand Abu Dhabi had always had close relations with Bahrain, whose currency, the Bahrain Dinar, it had used from 1966 to 19 May 1973; also the Government of Bahrain had literally provided teachers and civil servants for the expanding Abu Dhabi administration [35].

Sheikh Zayed`s concepts from theory into reality have resulted by announcing the formation of Federation:he began to bring his plans, ideas and visions from words to actions. He was the first statesman in the Gulf to call for this union. He began to put his plans for unification into action. His first step was to establish preliminary contacts with Sheikh Rashid bin Said Al Maktoom, Ruler of Dubai. The two Rulers held an historic meeting in Samih on the 18th February, 1968 and announced the formation of federation between the two emirates as the nucleus for a wider union. They also invited the remaining five emirates on the coast of Oman to join this federation and called on Bahrain and Qatar to meet them so as to discuss the future of the region and to approve a common action for its future security.

One week after the signature by the two rulers of their bilateral agreement, a meeting was held attended by the seven rulers of the emirates as well as the Rulers of Bahrain and Qatar. On the 27th February 1968 a new agreement was proclaimed for the establishment of a federation between the nine emirates (Abu Dhabi, Dubai, Sharjah, Ras Al Khaimah, Ajman, Umm Al Quwain, Fujirah, Bahrain and Qatar). This agreement, however, was short lived. Sheikh Zayed tried over the next three years to bring together the diverging viewpoints between its signatories. His great aim was to build, develop the United Arab Emirates with the best technological and scientific elements one land for Science, Education, Technology, Developing and Civilization

and added Learning is like a light, which illuminates the future and the man's life because it is endless: „We have to strive to keep it. The ignorant man is the one who believes that he has learned and finished his studies, but it is mature man who is never finished learning. We all live our life in learning” – was a memorable statement of Sheikh Zaid bin Nehyan.

In spite of this step, which was an historical achievement for future of Federation it was inadequate as an instrument for welding the nine sheikhdoms into a political organism functioning as one federal State or union. It was not a constitution but more the expression of an intention. There was no provision for a cabinet of ministers, either in the draft or in the agreement. The legislative power was reserved to the Supreme Council, consisting of the nine Rulers.

The Supreme Council was to draw up a constitution, to formulate the policies of the State, to legislate federal laws required in this connection and to prepare an annual budget. The executive body of the federation was to be the „federal Council”. In this draft this Council was intended to resemble a parliament, and three councils concerned with defense, economy and culture were to report to it. In the agreement, the role of the federal Council was considerably reduced, and it was to operate under the close supervision of the Supreme Council. The composition of the Federal Council was to be left to be decided by law [105].

The part of the agreement, entitled „General Rules”, addressed itself first to the need to co-operate in defending individual Emirates and the State as a whole external aggression; secondly to the Supreme Federal Court, whose function were specified only in the draft; thirdly to the need for the Supreme Council to decide on its permanent headquarters; fourthly to the preservation to each Emirate of the right to manage its own internal, non-federal affairs; and finally to a provision that the Supreme Council could amend the agreement particularly if the amendment tends to make ties among the member Emirates stronger. As proposed in the draft, it was decided that the agreement should come into force on 30 April 1968 and remain in force until superseded by a permanent charter.

Frauke Heard-Bey reached to the following conclusion: „that the success of the federal system in the United Arab Emirates due credit to the following conditions: the nature of the political system and federal flexible; the performance of administrative and professional successful federal state institutions; political integration of social and cultural institutions in regulations of the federal system; pursue a policy and a culture of internationalism through acculturation with all cultures and languages of non-Arab; the country's leadership supporting for the renaissance of civil society and the imposition of the rule of law; pursue a policy of

economic openness, cultural, trade and exchange of experiences with the outside world etc.” [59].

Synthesizing events happened and logic and their significance might be noted the following:

1. The signed of the Dubai agreement on 27 February 1968 by all the nine Rulers was immediately welcomed by Kuwait and favorably greeted by many other governments. Saudi Arabia, after an official visit by the Ruler of Qatar, stated on 3 April that it welcomed the federation, and made an offer of economic aid. But Iran as used to, the other State with territorial claims vis-à-vis a member of the federation, broke its silence only on 1 April, stating that it „reserves all its rights in the Persian Gulf and will never tolerate this historic inequity and injustice” [68, p. 182]. The British Government „cannot relinquish and give away land which according to history was taken from Iran by force” [60, p. 345].

2. Moreover, it appears that some of the participants of the meeting, particularly the Rulers of the smaller Emirates, began to have second thoughts. Thus 30 March 1968, the date for agreement to come into force, came and went without the Supreme Council meeting and without any further explanation. Leaving open the question as to the practical function of the fledgling federation. There was, however, a great deal of discussion among some Rulers and their aids at that time.

3. Rulers of States were for strong of federation, may be some wished it to be loose; others were for strong central authority, other saw the federation as the vehicle for the evolution of democratic representation. Shall be deemed that apart from the novelty of the UAE in the Peninsula as an experiment in power-sharing, „it was notable in formalizing the necessary adjustments in relative status between the Rulers of the various sheikhdoms” [280]. The UAE was also important „in driving home the realization that the individual Rulers and their mini-states could not go their separate ways but needed to cooperate in the larger political entity provided by the UAE” [108, p. 394].

4. The discussions were very serious and there were differences between them, so that the advisers decided to leave many subjects until adoption of a constitution of federation. Qatar particularly strongly advocated forging ahead with establishing the various organs necessary for the state to function; it insisted that fourteen new items were included in the agenda, ranging from the selection of the first President of the federation to the unification of the currencies and a discussion of the establishment of ministries [117; 124]. The drafting of the permanent constitution were discussed at this meeting and it was one of the most important things.

5. The Constitution, adopted in 1971, was transformed in 1996 [236] from temporary to permanent. The most difficulty in the federal experience of the UAE consists in „finding the correct balance between the federal powers and the power of individual Emirates” [89, p. 23]; it was agreed that, although the major issues should be resolved by the Federation, each Emirate can legislate at its own level until this issue would be covered by the jurisdiction of the UAE federal legislation.

6. Certain scholars and politicians in the UAE insist on highlighting the case of UAE federalism as a model for the other states in the region: thus, Minister Anwar Gargash said that federalism's flexibility and potential, „serves as a better alternative than Iraq's separation, especially after looking at the UAE's experience” [281]. In fact, it is a common opinion that political dialogue would be necessary to address concerns, fulfill ambitions and create a stronger partnership, and protecting a democratic process is beneficial to a region suffering from division and fragmentation.

2.3. Iraq in the context of federalism problems

The process of the liberation of Iraq and the elimination of the totalitarian political system and its political, social and civic institutions opened the door wide to a new structure to deal with Iraq in all its aspects and in particular the combination of nationalism and to diverse cultural and an open federal political system. Within this context is the issue of federalism in Iraq, a matter of substance and essential to resolve the problem with the composition of Iraqi national and cultural variety.

Federalism as a solution for Iraq was predicted earlier, after the collapse of the Soviet Union and pan-Arabism. Later, former US Vice-President Joe Biden wrote a piece for The Washington Post, peddling the idea of creating „functioning federalism” in Iraq [287].

The idea of a federalist system was promoted by the United States and supported by Iraqi opposition groups when planning for a post-Saddam Iraq. Federalism was seen as an appropriate way to guarantee the rights of minorities, to prevent the return of dictatorship and keep the country together. The 2005 Constitution reflects the specifics of Iraqi federalism, aimed at providing large powers to provinces, including the Kurdistan region, and increasing political participation, involving the population in political life.

In connection with these circumstances, many questions arise, in particular, the nature of Iraqi federalism, the answers to the Kurdish regional aspirations, the status of Kirkuk, the degree

of influence of the external factor, the specifics of the development of the oil industry, the division of incomes and the necessary amendments to the Constitution - all these issues are waiting to be resolved.

To answer at these various issues it has to stop on the several themes. The liberation of Iraq and to build a federal, pluralistic and democratic society did not constitute the first case in totalitarian political systems change through intervention. Space, have preceded other cases in history, and in our times, especially in recent years Europe has seen war from NATO, led by United States against the former Yugoslavia totalitarian political system, who has committed crimes of ethnic cleansing against ethnic groups and used violence against human rights.

And Asia as well as Middle East has seen a similar American-led war also against the religious fanatic in Afghanistan and Iraq make both Afghanistan and Iraq into an arena of violence against human rights.

As we already referred that it was confirmed throughout the nineteenth and twentieth centuries of any national liberation movement fighting for freedom to ask USA for support (the Kurdish leader Mustafa Barzani, and later his son, the recent president of Iraqi Kurdistan, Masud Barzani, have requested support from USA). Amazingly, now that America has decided voluntarily to liberate the peoples of former Yugoslavia, Afghanistan, Iraq, East Timor, South Sudan, and conducting the negotiation between Palestinian-Israeli through the commitment made at the General Assembly of the United Nations to set up independent Palestinian state and USA and EU both are supporting the federation as well as the Iraqi Kurdistan referendum on 25 September 2017. the peace-treaty between tow kurdish parties were done under leadership of USA.

The Iraqi experience has made the successful experience and significant federal because richness and plurality of national and cultural civilization of Iraq and its extensions in the neighboring countries, and also because of the importance of the geographical location of Iraq, which is situated in an area, which located on the top concerns of the United States of America, Europe and Japan.

The support of these countries to Iraqi people against ex-dictator Saddam Hussein an his totalitarian political system and support now is in the trend of integration with the rest of the civilized world by building civil institutions and democracy and the election of governing bodies and parliamentary elections, which played its part in the establishment of the executive authorities, and the independence of the judiciary and political freedoms and cultural rights, free

media, and the rights of nationalities, which included in the permanent constitution and the laws.

As with regard to the new world order, of course, the global system of political plurality will be to fit the realistic and pragmatic policy.

The diagnosis of USA and European side of the nature of totalitarian political systems and to be invited to carry out the political and civil reforms by political and economic pressures and through a peaceful transition to democracy and pluralism and the removal of one-party system and change the constitution and laws in line with the institutions of civil society and the situation here, the scientific and political analysis will not be against these principles and objectives, which meet the benefit of democracy and civil rights.

According to Ambassador Burhan Jaf, „eighty percent of the Iraqis have chosen the road towards federalism. It is time the opponent group should accept this. Federalism does not equal separatism, it means a state that makes way for different identities, and for (3 or 4) regions carrying their own authorities. The Shiites do understand this” [274].

The Iraqi situation in the salvation of the totalitarian political system through external support by United States still faces many challenges, notably the issue of sectarianism and conflict areas between the federal authority in Baghdad and the federal authority in Hawler (Erbil), in particular the normalization of the situation in Kirkuk as well as the issue of distribution of wealth and power.

This task, which have failed by previous Iraqi governments to find the solution for outstanding conflict on Kurdish question, which led Iraq to spend a potential human and material since independence. Not the importance of resolving these issues lies in resolving the issue of Iraqi national internal, but it is including the regional and external dimension that the challenge facing the allied nations and the principles of human rights and civil society institutions. „Everyone knows that the stability and re-building of Iraq is a problem of global proportions”. And „the KRG’s consistent support for the new federation has been essential in the re-making of Iraq... The KRG’s model is certainly one for the other regions of Iraq to emulate” [50, p. 24].

But, one should not neglect the reality and fact that the federal system and policy in Baghdad is not only failed to integrate with federal system inside the central territory of Iraq, but moreover it could not integrate with the local trends to federalism in Kurdistan too [136]. Since throughout that imposing a systematic economic embargo against Kurdistan population and including the cutting of national budget.

Thus federalism since 2014 was understood as „a tool for manage conflict and associated risks” [34]. The success of the Iraq's federal experience will be to achieve peace and a suitable

national ground for the development of civil society institutions, as well as peaceful coexistence among the different components of Iraqi society. Most researchers [6; 31; 36; 94; 218, etc.] thought as the Iraqi experience (Iraqi federalism) is an large-scale social experiment.

Therefore, the change in the Iraqi case means:

- Removal of the political system of the totalitarian one-party-system and the monopoly of one nation and one minority of the political, civilian and military institutions.
- The construction of a democratic federalism and institutionalized in an integrated manner will not be easily and no doubt, there are some obstacles and difficulties for the future.
- There will not be the correct situation in the desired democratic Iraq without a new Middle East based on modern basis and modernizing of teaching, education and treatment of religious extremist tendencies and repair systems of political totalitarianism to democratic and civil institutions and equitable distribution of wealth and accelerate the development and construction and reducing the manufacture and import of weapons of mass destruction and prohibition of nuclear weapons.
- The perpetuation of direct transactions to facilitate the process of peaceful and democratic change in support of federalism open to Iraq under the Washington Convention, having the European and American administration's interest in the success of the federal system in the Middle East, especially the Iraqi federal system, including Kurdistan.

For Iraq, the situation is unequivocal. Not by chance there is a variety of interpretations of the situation. Some researchers emphasize the weakness of its central government and claim that the reconstruction of the Iraqi state in a federation brakes for this very reason [256], while others, on the contrary, claim that federalism would rather have slowed down the country's disintegration [34].

Vulnerabilities that affect the federation's functionality come from a number of reasons, including sectarian religious systems. Among other feebleness are: historical conflicts based on secular culture; the practice of religious fanatic based on the systems of violence; the fact that Baghdad's state policy is not independent as Iraq's national policy: it is still dominated by Shiite policy in Tehran [39, p. IX]. Iraq is one of those typical countries where „national unity” is lacking: is a country in which ethnicity plays a crucial role in politics [91]. National unity is lacking because of the many dimensions of Iraqi disunity - sociologically and historically between Arabs and Kurds, and within Arabs, between Shi'is and Sunnis [88, p. 11].

Scientists converge in the opinion that political stability and peace could not be ensured in federal Iraq without taking into account the following basic milestones: 1. Ensure respect for

democratic freedoms such as freedom of opinion, expression, thoughts, assembling, belief, peaceful congregation and the likes. 2. Ensure respect for transfer of power by peaceful means through the free and democratic elections. 3. Respect for the principle of multi-political parties and for peaceful political opposition. 4. Emphasize the separation of powers among the legislative, executive and judicial branches of government. 5. Separation of state and religion. 6. Maintain the independence of the judicial branch of government. 7. Separate the military establishment from politics and party affiliation. 8. Establish High federal constitutional court in charge of overseeing the application of law or the breach of law in light of the rule of law. 9. Grant equal rights for women to that of man in rights and responsibilities, also secure the maintenance of child's, handicapped and elderly rights. 10. Ensure freedom of religious belief. Institute the principle of religious, ethnic and intellect tolerance. Respect for human rights in accordance to the international charter for human rights and other international declarations [265].

Iraq lately faces a whole gamut of problems associated with post-war recovery and state-rebuilding compounded by age old mistrust and suspicion. The situation in Iraq resembles a huge experiment in which social scientists try to observe the consequences of actions taken across an entire country. In this context are justified the emerging questions: „Can Western ideas take root and flourish in non-western societies? Can constitutionalism take hold and work in a traditional religious and deeply divided society? Is Iraqi federalism a solution to the country's severe disunity or a temporary fix?” [34].

However, the reality is „much more complex” [77, p. iv]. In recent years the Iraqi political system „is unstable” [6, p. 12]. There are more and more signs about Iraq's „fluid political environment” [73, p. 102]. And recent developments point to the fact that the circumstances could degenerate until the system enters a phase of collapse that many observers could not imagine. The rivalry over who controls the state or the largest share of it has continued and escalated because of competition within the central government and between the central government and regional and provincial authorities. The parties to this conflict resort to mobilizing support through ethnic or sectarian narratives and institutions, and this generates further social fragmentation. Meanwhile, tensions are increasing between those who want to consolidate power in the hands of a central executive branch and those who want to further decentralize power [6, p. 12].

In reality, the Constitution „defines Iraq as a federal state, but no consensus exists about the nature and scope of this federalism” [6, p. 13]. It is true, some of the legal analyses of Iraq's

constitution „ascribe these deficiencies to inexpert or hasty drafting... Certainly, much of the international commentary misses the central point about the constitutional drafting process in Iraq: radical regionalization was deliberate” [96, p. 4].

The various researchers are increasingly inclined to believe that an Iraqi Federation „is unlikely to be successful:Iraq does not meet any of the criteria for the likelihood of a successful federation” [277]. Trying a federated middle ground in Iraq would probably not work. The formation of a successful federation is much more likely with a preexisting congenial and tolerant political culture [42, p. 193] and with the common vision and mutual trust required for shared institutions. Furthermore, according to Clement Dodd, „Federations made from the top down, where there is change from a unitary state, are less stable than those that are made from the bottom upwards: there is likely to be more enthusiasm for the new configuration in the latter than in the former case” [276].

In other words, liberal federated government is better created by the bubbling up of desire from the people rather than by a foreign power’s imposition from above on a reluctant populace - as in the case of Iraq.

Any attempt to form or impose a federal system without the prerequisite dire considerations and conditions amounts to much wasted time and energy on a system that will ultimately fail. In this view, if the Kurds can use the threat of secession to gain major concessions and a very peripheralized federal power structure, they will ultimately seek a strong confederation, bringing an end to the hesitated federal experiment of Baghdad.

The Federal Constitution, under authority of the Federal Supreme Court, guarantees the rights and prerogatives of the federal republics, respecting religions, beliefs and religious practices, freedoms and personal opinions, equality between women and men, protection of children, health, food security and education for all. This means that in case of a federal Iraq or any part of it, it is not permissible for citizens to impose a certain ideology on the citizens that violates democratic principles and freedoms. Religion is the individual's faith in a supreme creative power and it has nothing to do with the policy of state [150, pp. 202-210].

Unlike the interim constitution, this document could no longer be said to be inconsistent with the Iraqi realities. One of the main features of the constitution is the provision on the federal structure of Iraq. The structure of the federal system is as follows: the country is divided into regions, provinces that are not part of the regions, and local administrations. The introduction of the principle of federalism was a fundamentally new step in the constitutional structure of the country: at all stages of the previous historical development, Iraq was a unitary state. This time

the introduction of the principle of federalism in the constitution meant, first of all, recognition of the fact of the sovereignty of Kurdistan, which actually existed on this territory for more than ten years.

Some principles of federalism applied in the Iraqi state are the following:

1. The federal state is based on federalism and it is a political philosophy based on the democracy and the distribution of state powers horizontally, geographically between the federal republics that comprise it, and vertically between the federal authority, the highest and the powers of the federal republics, according to an agreed federal constitution that defines the federal powers (Central) and the powers of the Federal Republics. Thus, the federal state and its republics are in contrast to the central government and the dictatorial rule, which is likely to dominate all the central authorities in the provinces and even the municipal ones. In other words, the government in the federal state is closer to the people because of the distribution of the state authorities vertically and horizontally. Within this philosophy, different models of the federal state can be visualized according to historical and geographical data.
2. Federal powers are specifically mentioned in the federal constitution. In general, as in most or all of the federal states, these powers are limited to foreign relations, national defense, monetary policy, investment of the most important natural resources - including oil and gas for Iraq - and distribute its wealth between the federal republics, in accordance with the Constitution and under the control of the legislature or the judiciary. There are federal and other security authorities for states and federal republics. In addition, powers are vested in the federal republics, including security, education, health and communications, municipal affairs, economy, ages, commerce, agriculture, industry, and judiciary in the region. Models can be slightly different from this.
3. The powers of the federal state are the legislature (the parliament) and the executive (central government) and the judiciary (the federal supreme court), which are autonomous authorities to protect democracy. They are directly elected by the people in all the federal republics. In the constitutionally stable and clear manner in the composition of the federal authorities to exercise central powers, which closes the door to any dictatorship or any central government exercises powers even in the regions and regions and provinces.
4. The Federal Constitution, under the authority of the Federal Supreme Court, guarantees the rights and prerogatives of the federal republics, respecting religions, beliefs and religious practices, freedoms and personal opinions, equality of women with men, protection of children, health and food security and education for all.

5. For the future of Iraq, the capital Baghdad and its suburbs could become a central federal district (as Washington). The city of Mosul may be converted to another federal district due to its multicity national and religious society provided that all elements contribute to the city's rule.

6. Then, on the one hand, the federal republics of the federal state have wide powers, and on the other hand bears their own powers in their own territory, and their participation in the formation of the federal state and the contribution of exercising their powers according to the following equation: in the exercise of its powers plus democracy at all levels and ensure them constitutionally and legally [150, pp. 210-222].

7. Based on the statements of the Iraqi democratic opposition and as noted above, we find that the constitution of the federal Iraqi state is based on the following two basic principles: a) the elimination of national, religious and sectarian discrimination among individuals and respect for religious, political, intellectual, civil and human rights for all citizens; b) the federal state of Iraq is based on the option of association between the Arab and Kurdish peoples of Iraq and their right to self-determination and recognition of the rights of nationalities that determine the reality of the Iraqi people. These provisions must have an official form as a historical document and a written agreement signed by the President of the Parliament of the Kurdistan Federal Republic and the President of the Iraqi Arab Republic Parliament and by the President of the Federal Parliament, the text being part of the federal constitution and the federal constitutions.

The Iraqi federal state and its federal Kurdish republic should contribute as much as possible for democratization of these countries and make attempts to resolve the Kurdish national issue in Turkey, Iran and Syria in a democratic manner that guarantees the Kurdish people's national, cultural and national rights. The League of Arab States should also reform itself so that its decisions will not remain mere words but actions or evade its responsibilities.

According to prof. Nagham M. Saleh from Baghdad University „The Constitution has envisioned a solution to the Iraqi dilemmas of federalism as a mechanism to prevent a return dictatorship, strict centralization of governance, a way of sharing wealth, and governance. If not dealing with these issues in a civilizational and civil manner may lead to the failure to reach a national agreement. The outbreak of civil war resulting in the division of Iraq as a final solution. It seems that the federal system in Iraq is not intended to be a federation as well grew up. It is like the federal unions in the world, which strengthen the country and maintain its unity and integrity. A mixed federation combining federalism and confederation. Federalism to produce a highly decentralized state whose work is limited to foreign affairs, defense and politics, monetary, economic and financial“ [120, p. 49]. In his vision, the Constitution also gives the

right to every region or province the constituents of a state with a kind of sovereignty through the establishment of armed forces or the issuance of currency and determine its financial and other features of the state, and the changing the paragraphs of Constitution is impossible. „And the obligation and the constitutional recognition of Kurdistan is confirmed, but the process of forming other regions left to the Assembly National. In order to non-return to central and central administrative power, which is not widely supported, all groups should make Dialogue, consultation and openness to reach the best federal formula, whether federal or geographic provinces or territories and be accompanied by democracy, freedom, basic rights and duties and a referendum on the assumed formula. In order to prevent the concentration of power in the center of the state, careful steps can be taken to grant these provinces with additional powers, gradually and with the organization of such units on the basis of the principle of decentralization to federalism. That is, to begin to grant these provinces the power to form provincial councils and appoint Governor“ [120, pp. 67-68].

But prof. Fauziya Karam has the other vision on this issue: „There is no doubt that federalism is an option to run the system of government and the state, but it is not necessarily the best. There is always no federal version of federalism that can be considered the best in the federal system. Over time, federalism has to have a sense of identity with the country as a whole as well as societies. Federalism is appropriate for some states, not all, and it is a form of democratic governance“. As well as to developing countries or a transition period and looking for a form of democracy that is applicable, considere the researcher. „Federal democracies require the availability of conditions, elements and characteristics, including cultural and political awareness, democracy and respect for the rule of law and the rights of minorities and the element of common identity, and therefore a number of Federal systems failed, especially at the beginning of their existence. Most of their people had little or no experience of democracy. A short history as a country where everyone is involved or a weak sense of the common identity“ [76, pp. 146-147].

It is believed that the prospects for federalism in Iraq are determined establishing asymmetric federalism, in which the Arab the provinces of Iraq will enjoy far less autonomy than Kurdish region [231, p. 140]. Various scholars [51; 78; 88; 126; 302, etc.] have suggested different ways of achieving congruence of the government, territorial distribution and mobilization of political forces in Iraq in their search for providing the appropriate framework for a stable, democratic and „united“ Iraq.

Until recently, the predominant political debate in Iraq has been between two priorities: (1) reconstituting a strong federal and unity government, keeping a sense of federal identity, fighting the foreign agenda of dismemberment, and (importantly) ensuring the prompt removal of the foreign occupation forces; and (2) legalizing, via federalism, the formation of spheres of influence, where separation would calm violence. It was at least a debate that stayed within the bounds of common human decency; it was a rational debate.

Now, in the circumstances that have come about, the predominant debate is a different one. The federalist position is the same. But imperceptibly, the nationalist position has been drowned out, and the federal system as a new one is an alternative to Kurds and Shiites. The US position has been that legitimate nationalism doesn't exist.

The key questions that emerge from this series of complex political deadlocks, experts note, „are whether the modern nation of Iraq can sustain a unified state under a central government elected via nation-wide elections; whether it will devolve into a federated system with increased regional autonomy; whether current authoritarian tendencies will see the re-emergence of a fully fledged dictatorship; or whether Iraq will disintegrate altogether under the weight of secession, contestations, division and violence” [66, p. 13]. Whatever the future holds, the current state of Iraq's troubled politics speaks volumes about the merits or otherwise of imposing a top-down model of democracy [52].

To strengthen and justify the idea of federalism, it takes a lot of effort. The current form of Iraqi federalism „needs to be modified to encourage more efficient and effective governance and economic development” [289, p. 7]. The process „cannot be instant” [101, p. 46]. But the goal is clear: „the imperative of functioning federalism shifted from winning the war to winning the peace” [267].

2.4. Kurdistan on the path of federalization

The Iraqi Federation was conceived as a step by the domestic actors to mitigate the rivalries between the Kurds and the Arabs and, on the other hand, it was imposed by the external forces. That has made Iraqi federalism „a hybrid type where coming-together” and „holding-together” considerations are combined” [34, p. 50]. The idea that federalism is used to „hold together” diverse populations, or letting them „come together”, considers politologiste Alphonse Stepan [130, p. 22], is closely related to the notion of ethnofederalism.

Most experts believe that federalism offers „a roadmap for how the country could salvage its territorial integrity and bring about a sustainable political arrangement that could protect against future conflict” [267], being „only acceptable solution” [7, p. 40], „a natural political solution to the quagmires in Iraq”. This would allow, they consider them, the power of the central government to be shared with regions and communities. Sub-national groups, which feel left out of politics and economic development, would have a stake and a voice in the nation. Baghdad has to admit that people look mainly at their provincial governments and should empower governments to provide the services their citizens need and to represent those citizens in the capital. There is a need for a provincial federal system, as already enshrined in the Iraqi Constitution and Law, but it is often ignored in practice. In theory, the provinces will be combined on the basis of the Kurdish model and will benefit from autonomous status [293]. However, Iraqi Kurdistan today seems to be only one of elements of a new wave, which raises questions about new approaches of international law [257, p. 21].

Since the spring of 2003, „the *sui generis* entity of Iraqi Kurdistan has been gradually transforming itself into a more defined entity, „a federated region within the framework of the Iraqi state” [257, p. 29]. After the Iraq liberation operation in 2003, the Kurdistan Region and Iraq „stepped into a new era of cooperation with Iraq and the international community” [147, p. 5]. In the fight against IS, Washington made a bid on the Kurds of Northern Iraq. In turn, Iraqi Kurds have planned to use cooperation with America in creating their own independent state [232, p. 95].

It is found, and there is reason for these statements that the Kurds of Iraq have differed from Kurds elsewhere. They have been better organized both to conduct armed and political struggle and to nurture and maintain their constituency [102].

Between the independence demanded by the Kurds („Kurdish dream” [286, p. 282]) and the desire to keep a state centralized by the Sunni population, federalism appeared in 2005 as being the best of the worst possible solutions. After attempting a strong central government that proved to be a failure, it was considered the best solution that would bring the various Iraqi groups into a unified country in a federal system of governance.

It is clear that the creation of the Iraqi State, by the union of three former Ottoman vilayets (provinces) of Bassorah, Baghdad And Mosul (Iraqi Kurdistan), „had as the condition the recognition of such autonomy for the Kurdish people” [131, p. 185].

In the political agenda, federalism was seen as a solution, not as a problem. Mostly converging opinions reflected the position: federalism means uniting Iraq and not partitioning

Iraq. It is unfortunate that people have misrepresented federalism as a problem. The debates therefore are not so much the rejection of the federation project of Iraq as fear of a split in smaller state units resulting in an unequal division of natural gas and oil reserves.

With the fall of the regime of Saddam Hussein on April 9, 2003, a new fight for the Kurds begins: „the constitutional fight” [257, p. 39]. The constitution, adopted in 2005, proclaimed Iraq as a federal state. At the same time, during the period of drafting the constitution there was only one region recognized as federal - Kurdistan; under the constitution, further regions will be formed as a result of the free will of the provinces. This step contained the potential to negotiate all the ongoing problems and conflicts between Baghdad and Erbil in the context of the Iraqi federal constitution.

The leading political parties in Iraqi Kurdistan - the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK) - have proclaimed a course towards the realization of the Kurdish people's right to self-determination in the framework of the new democratic federal Iraq.

Table 2.1.

Parties represented in Kurdistan Region Parliament (more 2 seats, in 2018)

Party	Leader	Seats	Political position
KDP - Kurdistan Democratic Party	Masoud Barzani	45	Big tent
PUK - Patriotic Union of Kurdistan	Kosrat Rasul Ali	21	Big tent
Gorran - Movement for Change	Omar Said Ali	12	Centre-left
New Generation Movement	Shaswar Abdulwahid	8	Big tent
KCP- Kurdistan Islamic Group	Ali Bapir	7	Right-wing
KIU - Kurdistan Islamic Union	Salahadin Bahaadin	6	Tight-wing

Source: <http://www.rubincenter.org>.

Kurdish leaders have developed a minimum program (consolidating the already existing achievements of the Kurds by legitimizing the autonomous status of Iraqi Kurdistan) and a maximum program (achieving broad autonomy; expanding the borders of Kurdish autonomy, primarily through Kirkuk - in the framework of federal Iraq; participation in the distribution oil revenues, etc.).

What happened in Kurdistan was due to the following factors: the Kurdish government has dependen on the civil society and civil institutions; the federal systems became a basic of all the political, cultural, economical, educational etc. organisation and authorities; according to the federal constitution of Kurdistan all the different religions as well as cultural groups are respected and protected and they are equal in law as citizens.

The Kurdish nationhood project was constructed with the perspective that the Kurds as a nation, could qualify for but is deprived of, achieving nation-state status. Based on the Kurdish

project, Kurdistan and Iraq consist of two homelands: the Arab part of Iraq and Iraqi Kurdistan [110, p. 488]. In this context it is important the observation made by Michael Gunter that „the kurds have managed to maintain their sense of belonging to one nation that is, the continuing will to be a nation” [56, p. 59].

As a result of these conditions, Iraq was still increasingly unable to keep up with the complex changing structure, needs, and demands of the Arab Society. As well known, the persistence of the State-centered (1960-2003) structure of the polity has become too centralized, restrictive, authoritarian and dictatorship under Baath Regime. Hence, neither individual, nor group expectations and demands are fully understood nor met by the central and dictator-authority (Baath State). The detachment of the „Centralism and Dictatorism” led Kurdish national liberation Movement under national Leader Mustafa Barzani the great not only to the estrangement of Baath State but also forced him to announce the legal fight against centralism and dictatorship [131].

The centralist system looks upon the emergence of new social and political power centers or alternative policy proposals as extraordinary, subversive, and even deviant. The fact that the Baath regime 1960-2003 and its social and political process were met callously or simply suppressed causes violence in the Iraqi society, (including Kurds and Arab).

Baath Regime could not understand that the root of this ethnic problem lies the process of Kurdish and Arab Nation-building which progressed not from the nation towards the creation of the state, but rather evolved as a process of building a nation with the initiative of the existing state apparatus and bureaucracy. In the Baath Regime (Iraqi regime) the state preceded the nation [148, pp. 6-8].

As we already referred this do not neglect if we believe that the political Baath or the central authority took on the task of defining Shii's-arab-nation; Shii-arabisation-nation in name of Security, stability and law etc. and „Islam” as well as the qualities of a „Shii-Arab” and „Muslim”. Once these qualities were determined, they became the arsenal of the nationalist and secularist standardization. This intense effort of the last years has been partly successful. However, it is becoming clearer this process is flawed because it emanates from a fictive reality rather than existing realities of the plural federal or united society / country.

For bearer, the recent Iraqi federal and united republic has to be sure that Iraq was, is and will be not a nation-state. It was, is and will be a composition political union (on a federal basis) of diverse nationalities, ethnic and religious groups. The Baath State was founded as a nation-

state, which created a special tension between the tutelary central and dictator-authority in Baghdad and the multi-democratic-peacekeeping in Kurdistan.

It is important to remember that the Iraqi Republic was founded on 1958 (in fact) and one of Iraq's major problems emanates from what we attribute to the nation of nationhood, fundamental concept for political and ethnic process.

At the time of the declaration of the Baath republic 1963 (especially) the pluralistic nature of the population and the multi-cultural-national and ethnic polity richness of the Iraqi society (Kurds, Arab, Assyrians) inherited from the Iraqi republic under Free Officers; by leadership of Abdulkarim Qasim, who agreed with Kurdish national Leader Mustafa Barzani Iraq for Kurds and Arab and decided to resolve the outstanding conflict of Kirkuk diplomatically. Even Iraqi Government accepted to give 25% from Kirkuk's oil-resources to Kurdistan. Even, his ethnic, cultural, religious, and linguistic heritage, the „Nation” was deemed to be the political union of all groups living in Iraq. This understanding could have created a pluralistic political structure out of a plural demography in which the nascent pluralist political organization would inevitably be democratic. The urgent need to create a common political culture as the basic of the envisaged nation prompted the ruling Baath to adopt the policy of uniformity (liquidating cultural and ethnic differences). The preference led the Baath state (State of Nation) to acculturation of the „Nation” with the qualities of the majority, namely Arabness; Arabisation and Sunni as Branch of Islam. So that, the infrastructure of the Iraqi Baath policy met the reality that Baath Policy has repeated itself under Al-Maliki and is continuing under Al-Abaadi through his systematic economic embargo against Kurdistan since 2014.

Obviously, the Iraqi federal government under Al-Abadi has pushed the Kurdish people to decide in favor of referendum on 25 September 2017 and its expressing a desire for the will of a nation. This is what Kurdistan people did.

Table 2.2.

Results of Iraqi Kurdistan independence referendum, 27 September 2017

Choice	Votes	%
Registered voters and turnout	4,581,255	72,16
✓ Yes	2,861,471	92,73
✗ No	224,464	7,27
Valid votes	3,085,935	93,35
Invalid or blank votes	219,990	6,65
Total votes	3,305,925	100,00

Source: http://www.khec.krd/pdf/173082892017_english%202.pdf.

Whenever there were negotiations about future relations between the Kurdistan Region and Baghdad, the response was that this (the view articulated by the Kurdish side) did not necessarily reflect the will of all the Kurds so it was necessary to know what the Kurdish people want. 92,73 % voted „yes” in favor of independence. Politicians, supporters of Kurdistan's independence, welcomed these results: „When a nation expresses its desire for the way of life they want to have and to secure and guarantee the future of their children, that is what matters above all else. The referendum was a peaceful and civilized exercise in democracy. I don't think the Kurdish people should be held responsible or punished for saying how they want to live”, said Masrour Barzani, Chancellor of Kurdistan security [285]. At the same time, it was emphasized that the results of the referendum would not automatically lead to a unilateral declaration of Kurdish independence: this was just a vote.

However, the referendum which, it was believed in certain political circles, was held prematurely („is not a propitious time to declare KRG independence” [56, p. 58]) and, indeed, has aroused contradictory reactions, served nevertheless two purposes: it provided support for the Kurdish people to the political elites of Iraqi Kurdistan and improved their positions in further negotiations with Baghdad. Most participants agreed that the emergence of an independent Kurdistan on the map of the Middle East is unprofitable neither to regional nor to world players, as it will lead to further fragmentation and destabilization of the region. Efforts to successfully carry out the federalization of Iraq and a peaceful solution to the conflict, at that time, seemed preferable to all parties.

Of course, success can only be ensured by mutual reciprocal movement. Experts' views converge to the idea that the Arab population need to make concessions to Kurds, abandoning their centrally-oriented policy and demonstrating willingness to establish a devolutionary system across Iraq. And the Kurds, in their turn, must also make concessions to Arabs by renouncing secessionist aspirations in favor of maintaining the integrity of a functional federation of Iraq. „The element vital to ethnic conflict resolution is commitment. The commitments of Arabs to implement federalism and of Kurds to adhere to its rules are crucial to make the potential federation workable and long-lasting” [286, p. 321].

It can be said that the in Kurdistan policy exists two categories: peaceful diplomacy and tolerance policy to negotiate on both level: internal and externally. Internal category presupposes tolerance in political action. The tolerance term defined as a peaceful mean is differ from aggression, violence, discrimination and war that gives plenty capacity to cope with diversity and democratic means and enough distance to solutions and peace. This means that the tolerance

term includes acceptance of the very things one disagrees with, disapproves of or against it or dislikes. This tolerance policy of Kurdistan has averted the internal or civil war between Erbil and Baghdad, while Baghdad was violating the federal constitution by announcing the clear war to recapture the oil-city of Kirkuk using the military power and violence.

Regarding the external category, should be noted that Erbil did not cut its diplomatic relations internationally but stayed in touch with United States, some European countries and even with Baghdad too. Even the USA and European Countries were not against peremptorily the above-mentioned referendum, which took place in 2017. Only their concerns were mainly on one point that they believed that the referendum could negatively impact the fight against the Islamic State (IS).

It seems that the realistic and tolerance policy and peaceful diplomatic movement internationally by Kurdistan could persuade the world community to support its policy and keep Kurdistan in safe and strong on one hand to enforce Baghdad to deal with Erbil again and to persuade Baghdad that the people who voted are still part of Iraq and the United States is ensured, and convinced Baghdad, that the results of the referendum would not automatically lead to a unilateral declaration of independence and it was just a democratic and peaceful vote not more. These diplomatic movement internationally has successfully reached and moved the frozen policy internationally as well as nationally in Baghdad.

Pursuant to political, local and international changes and reality became the Iraqi Kurdish state automatically a real federalism and could manage his national, political, economic, cultural, diplomatic and international issues. So that, the Kurdish Unity within Iraqi federal republic could be defined as federalism with elements of confederalism with the central government in Baghdad.

If changes to the constitution relies on the unanimity of all the component unites, they the confederation of states has not yet transformed itself into a federal system. On the other hand, if only the federal authority is required for changes to the national constitution, then the system is unitary. This means, it is hard to distinguish because unitary and federal systems vary widely: in unitary systems, there exist indestructible local political unites (guaranteed autonomy or efficient local administration), just as there are temporary political unites in federal systems. The indestructibility refers to forces from outside rather than from within a political unit. Indestructibility of unites is relative: historically, most formed from above Canada, USA and United Kingdom is an example of federalism from below. But, that the above Kurdish state situation has a special, historical and ethnic case. In case of Iraqi Kurdistan, the federal /

confederal system (federal system officially, but confederal in structure) appears as a real and a creative solution for above-mentioned situation [142].

The possible strategy in this case is based on the awareness of the following ideas:

- a) Kurds and Arab of Iraqi federal Unity and the citizens of Kirkuk are members of two united states. The root cause of the existing misunderstandings is not the multi-society in Kirkuk (majority are Kurds and it belong historically, ethnically and geographically to Kurdistan), but the official federal institutions, parties and ideologies in Baghdad;
- b) the official practices institutions have lost the effectiveness;
- c) Iraqi governments under Al-Maliki so far have reflected an unresponsive attitude to the existence of Kurdish people in Kirkuk and other ethnic and political realities;
- d) pursuant to Iraqi Constitution, Article 140 and the nature of Policy in Baghdad and reality in Kirkuk the could be the expeditious implementation of the following legal and institutional infrastructure: to put into practice the requirements of all the selected constitution and Article 140 and basic laws and principles signed by all the Iraqi parties (Kurds and Arab), to rapidly adopt more laws concerning the election system in Kirkuk, and political parties, and freedom of expression and assembly, in order to widen the base of democracy and to open the way for popular will to influence the decision-making mechanisms, to prepare a new constitution safeguarding such laws based on the principles of pluralism and participatory democracy, to make the concept of local federal government in Kirkuk a reality and to try to solve soon as soon possible the outstanding conflict and to practice the legislation in force with the will and initiative of the local people, to create systems in accordance with referendum's result and decision, the Kirkuk region could legally join Kurdistan or Iraq in context of the federal constitution as referred precede.

The most political scholars often converge in the opinion that „while the study of federalism has in many respects reached an advanced stage today; there nevertheless remains a troubling absence of agreement as to the precise meaning of the concept” [4, p. 71]. In any case, it is obvious that an essential premise for the creation of a federation is a strong desire to have a union. „The will to have a union and to be under a single independent government for some purposes is really the basis of Federation, mentions Anur C. Capur, the author of the book „Principles of Political Science”. - It means that the federating units must to be inspired and bound together by a sense of oneness. With a desire to objective it politically. Unless they

become a community of interests, sharing each other's weal and woe, their cohesion into a new state is extremely difficult" [24, pp. 407-408].

Given that experts argue that federalism is a „sophisticated division and sharing of power between a central government and its constituent parts" [57, p.126] and given the specific circumstances, some commentators state that Kurdish autonomy in Iraq at the moment is „the prototype of the state and the de facto independent from the central government" [244, p. 108], since 2005 the Iraqi Kurdistan is a „federated region within an invisible federation" [256, p. 88]. What is clear, however, is that the Iraqi Kurds are setting up a *de facto* independent state.

Searches for the optimal path continue. It is not at all easy to balance convergent and divergent interests. To create a balance between Kurdish public expectations on the one hand, and the US and surrounding countries' hostility to Kurdish secession on the other, Kurdish politicians - the researchers explain - have employed dual strategies. „One has involved negotiating with the Shiites and Sunnis over the reconstruction of the Iraqi state and fostering consensus for a system which is preferable for the Kurds; this has also entailed supporting the US efforts in Iraq as well as constant public statements confirming their obligation to Iraq's integrity.

The other strategy asserts that the current level of semi-independence within the new Iraq is non-negotiable. Furthermore, they have sought to consolidate Kurdish gains, legalise their status, assert Kurdish influence over Kirkuk, and reunify Kurdish forces and administration. The second policy has enabled Kurds to develop their own region of the country in ways that will consolidate their *de facto* independence... Secession from Iraq is a popular Kurdish demand and their support for federalism is one step towards that goal" [111, p. 415]. We note that scientists recognize in this case the precariousness of the line separating federalism from secession [302]. The case of Iraq, in fact, illustrates the well-known „paradox of federalism" [9, p. 2; 44, p. 128; 268]: federalism „seems to both facilitate and prevent secessionist conflict" [8], despite having relevant features that would inhibit separatism, federalism also has „secession-inducing factors" [44, p. 6].

Although federalism is included in Iraq's constitution and is established in northern Iraq, establishing a comprehensive and systematic federalism in the country takes great deals of time. In other word, the consolidation of federalism in Iraq is impossible unless ambiguities on this issue are removed. For example, federalism in the Iraqi Kurdistan region has exceeded standard notion of federalism. Independent flag, military units, as well as relations with regional countries are characteristics of an autonomous government rather than a federative one. Before consolidation

of federalism in Shiite regions, mechanism of this system of government in western provinces, mostly Sunni-populated, should also be determined.

It seems they were right those who argue that „most likely, the White House and the Pentagon will promote a plan to reformat Iraq from a federation into a confederation, a union of sovereignly independent states, where Kurdistan ... will become the supporting partner ally USA” [304].

Any attempt to form or impose a federal system without the prerequisite dire considerations and conditions amounts to much wasted time and energy on a system that will ultimately fail. In this view, the Kurds can „gain major concessions and a very peripheralized federal power structure” [151], anyway, „an acceptable level of autonomy” [286, p. 321] is possible under the federal system.

2.5. The political transformations in the Middle East: Syria as an exemple

The contemporary federalism puts many questions in the face of political realities. The example of Syria could be conclusive in this respect. Therefore, federalism is very connected and available for a country like Syria that has a multi-identity. So that the federal model is a real solution for it. Such kind of solution meets the benefit of the religious distinction and conflict between Sunnis and Shiites, which became a real religious and political problem for it.

Syria is facing the serious difficulties in overcoming its systemic problems. As a result popular demands are addressed inadequately, tardily or are simply suppressed [148, pp. 2-3]. Therefore of these conditions, Syria is increasingly unable to keep up with the complex changing structure, needs, and demands of the Syrian society.

However, creating a nation based on pluralist principles out of a poor, backward, uneducated and cosmopolitan populace was not realized by the political elite of the time [149, pp. 222-224].

In addition, the persistence of the state-cantered structure of the policy has become too centralized, restrictive, and authoritarian. Hence, neither individual, nor group expectations and demands (including cultural freedoms) are fully understood or met by the central authority (the state). The detachment of the „centre” has led to the estrangement of society from the state. As a result, this has had an adverse effect on the political unity and social solidarity.

Furthermore, there is an established belief that „Whatever the state does give, or decides is good; neither its motive nor the consequence of its needs can be questioned”. The state is

sacred (this statement was in the preamble of the old Syrian constitution). Its actions cannot be criticized. Its mistakes cannot be questioned and corrected. The perception of any popular demand or objection government policies represents an unjustified rebellion, under served demand, or outright subversion.

The fact that the social expectations are met callously or simply suppressed, causes violence in society: the social fabric is seriously damaged when both the official method of problem-solving and the method of conveying popular demands to the central authority are both violent. Violence „from above and from below” reinforces and legitimizes each other.

At the root of this society's problem lies the process of nation-building which progressed not from the nation towards the creation of the state, but rather evolved as a process of building a nation with the initiative of the existing state apparatus and bureaucracy. Following the Syrian example, the state preceded the nation [148].

The forerunner of the Republic of Turkey, the Baath state, is not a nation-state. It is a cosmopolitan political union of diverse nationalities, ethnic and religious groups. The Republic of Syria was founded as a nation-state. However, the already existing state and the powerful bureaucracy took on the mission of creating a new concept of nationhood, which was created and shaped by the state. The state's role as the creator, rather than the coordinator, still persists. This phenomenon renders the state omnipotent and omnipresent vis-à-vis the society. While a culturally rich and diverse society needs to develop both in size and complexity, the authoritarian state structure that was created to meet the needs of the early 1945 remained very much loyal to its policy of uniformity over unity, which resulted in an increasingly incompatible relationship between state and society.

One of Syria's major political problems emanates from what we confer to the notion of nationhood, a fundamental concept in political culture. At the time of the declaration of the republic, the pluralistic nature of the population and the multi-cultural richness of society inherited from the past were accepted by various parts of people. Disregarding their ethnic, cultural, religious, and linguistic heritage, the „nation” was deemed to be the political union of all groups living in Syria. This understanding could have created a pluralistic political organization that should inevitably be democratic. However, creating a nation based on pluralist principles out of a poor, backward, uneducated and cosmopolitan population was not accomplished by the political elite of the time [10].

The urgent need to create a common political culture as the basis of the envisaged nation prompted the ruling elite to adopt the policy of uniformity (liquidating the cultural differences)

rather than unity (respecting and reconciling the differences). The preference led the republican elite to the acculturation of the „nation” with the qualities of the majority, namely Arabism and Elawis- sunni, even Haneti branch of Islam.

Based on the decision to standardize the population, the political elite or the central authority took on the task of defining “Arabisation” and “Islam” as well as the qualities of an “Arab” and “Muslim”. Once these qualities were determined, they became the arsenal of a nationalist and secularist standardization. This intense effort of the last seventy odd years has been partly successful.

However, it is becoming clearer that this process is flawed because it emanates from a fictive reality rather than the existing realities of the country/society. The failure to eliminate imbalances in life-styles due to differential development of regions; the widening of inequalities among social strata; the perception and treatment of cultural differences as deviant (this policy exhibited itself as an exclusionist attitude against non-ethnic Arab and non-Muslims and non-Sunnis among the Muslims) were combined with underdevelopment, unemployment and the insensitivity and inefficiency of the state, thereby giving rise to the criticism of the system.

Successive military interventions, the first of which was staged in 1963, and the authoritarian laws could not stop the increasing opposition which from time to time took on a violent character. Violence, on the other hand, served as a dirty shawl concealing corruption and moral decadence.

Had the armed struggle been a conflict between security forces and Kurdish democratic movement, then the society would not have been much affected by it, and the matter would not be regarded as a national security issue. The consequence of this confrontation was widespread economic and serious inflation.

Furthermore, the Syrian civil war in which 450000 victims are estimated to have been slaughtered [283] and uprooted more than 11 million, sparking a refugee crisis throughout Europe and the bloody struggle going on for more years has long ago become more than a mere conflict between two armed groups. It causes strike between the Syrian and Kurdish citizens of this country and damages social solidarity. On the other hand, this problem, which cannot be, or rather, is not solved domestically, has become a regional and even international phenomenon, which creates opportunities for outside intervention. This very fact triggers the need to find an even more urgent solution. The social and political dimension of the conflict needs to be taken into consideration and the roots of the conflict need to be examined [137, pp. 12-16].

Primarily and most importantly, the parties in the conflict should meet independently of

the official institutions who are the creators of the conflict. These parties should work together to define the problem and formulate solutions. Their common assessment must be translated into policy proposals and presented to the public, the real problem(s). It is with this vision and aim that we, the citizens of Syria and Kurdish origin of the Republic of Syria, got together motivated by the belief that watching the enfeeblement of our society, like a patient with internal bleeding, is partaking in the historical irresponsibility. We discussed our mutual problem(s) at length in environments clear of external political influences.

To sum up, a great majority of the Kurds are as loyal to the Modern Syria without Assad and Baath regime as any other citizens, but they want their Kurdishness to be respected. Unlike democratic and civilized countries, Kurds feel rejected and victimized as the state and the political institutions resist the needs of the Kurds. The feeling of being victimized and the feeling of wounded self-perception (identity) are the basis of society problems. It is impossible to establish stability and solidarity in a society which includes a major group or people who feel politically excluded or victimized, even if such people are of the same race or religion with the majority. The two pillars of stability are justice and equality. Social peace and stability can be achieved only through a democratic state organization and a constitutionally based rule of law which guarantees equality for all social groups. Poverty and underdevelopment, while aggravating the situation, are not the primary source of the problem. Citizenship and ethnic, religious, and cultural identity should not be confused. Citizenship is a legal phenomenon, which includes existing diversities in society [59]. Official authorities should not intervene in these domains because any intervention would make the state a proponent of one side as it already has. This harms the social solidarity.

Freeing the private or cultural domain from the intervention of the political domain/institutions is presumed in a democratic society which preserves the political equality. These conditions must be met if the feeling of „pluralist nationhood” is to be cultivated. A reductionist nationalism based on the ethnic identity of the majority or a privileged minority cannot ensure stability. It carries, in itself, the seeds of exclusion and segregation. Then what is to be done is obvious: institutionalizing respect for all ethnic and religious values and strengthening democratic institutions which safeguard cultural diversities and political freedoms are necessary steps.

Is required the expeditious implementation of the several legal and institutional aspects: to put into practice the requirements of all international agreement on human rights and basic freedom signed by (successive) government(s); to put into practice the steps of localism; local

administration in Kurdish region in Syria; to prepare the new democratic Constitution based on tolerance, safeguarding such laws based on the principles of multi-culturalism, pluralism, and participatory democracy; to rapidly adopt more liberal laws concerning the election system, the political parties, and the freedom of expression and assembly, in order to widen the base of democracy (this will influence the decision-making mechanisms; to create systems for government accountability including the establishment of an ombuds to oversee whether administrations at all levels work in accordance with the law and are harmonized with their designated responsibilities; to establish regional development administrations in which local representatives, elected by regional councils and a body of experts carefully selected by the central government, for work together; to extend the constitutional guarantee of the country's cultural richness including the rights of other cultural groups; to safeguard their traditional values. To this end, the Syrian Army, the Kurdish and the Syrian Free Army have to stop their attacks and war against each other giving a real chance for a peaceful solution.

The Syrian people (including Syrian opposition) under UN is more powerful than to fear the Federal System in Syria that will be the real support for modern policy in Middle East (in Fields of Economy as well as politics) which could enforce the democratic role and policy in Syria and the Middle East.

The republican regime has restored sovereignty to the people. However, due to inadequate democratization of the regime, the impact of people over the decisions concerning their own welfare has been minimal. The most important reasons behind the bottleneck in the system are that the state has never really transferred the power to the people.

Despite official doubts, the democratization of the regime is possible through the creation of a pluralist structures without hampering the unity of the state. However, neither individual politicians nor political parties take responsibility for the achievement of this outcome. Social as well as political conflict continues because of their opportunistic and irresponsible attitude.

The people of Syria would have been able to solve their internal problems much more easily, we believe that, if the political parties had not supported political factionalism and raised change. The people wish to live together and have the common-sense to produce practical solutions to achieve this end through mutual consensus. Quarrels, lack of understanding, insensitivity, and resistance to popular demands stem from existing political structures and authoritarian mentality.

The presence of Kurds in Syria i.e. „the Kurdish reality”, was unfortunately discovered after considerable bloodshed. Nevertheless, the recognition of the Kurdish reality represents an

achievement in itself. When we talk about recognition, we take into account that the acknowledgement of the existence of cultural group (people), which includes millions of people. The Kurds have been and are one of the main elements of the Syrian Republic. They lay claim to unique cultural as well as political characteristics and are sensitive about preserving them. Such acknowledgment of cultural distinctiveness is based not only on a scientific observation, but also on political realities. The Kurds want official/legal acknowledgment of their existence as a unique cultural group (people). They would like this acknowledgment to extend beyond oral commitments to include legal warranties, having effect on the daily life including the free exercise of their cultural identity. The Kurds do not want these rights in order to distance themselves from the state or to divide Syria.

„The Syrian conflict has significantly contributed to the growth of national identity and the desire for self-determination of both the Syrian and Turkish Kurds” [229, p. 54]. The United States and a number of other states actively contribute to this. Thus, the international coalition led by the United States, striking Syria in the fight against the „Islamic state”, provided adequate support to the actions of the Kurdish armed units in the northern and northeastern provinces, thereby strengthening the prerequisites for creating Kurdish statehood.

The Kurds in the north of Syria have independently declared their own “federal” regime in areas under their forces’ control. Kurdish autonomy in Syria is a reality that all regional players will have to reckon with, whether they like it or not. Therefore, the form of government of Syria will change. „But here, at least in the foreseeable interval, one of the guarantees may be that the Kurds themselves adhere to the principle of autonomy as part of Syria” [251, p. 164].

In spite of all what happened in last years of civil war, there are some people and groups that still dream to rebuild the central Syria and neglect the actual situation, which makes it too complicated to reach this. It means, the Kurds, Drüz, Christians, Arabs, Sunnis and Alawites do not accept more than one ethnic group or sectarian group to dominate over them and to threaten their interests.

Also, it is better for super powers like United States, Russia that all the Syrian groups are present in a new Syria. In particular, the Syrian central government lost around 85% of its total territory, which has been controlled by the opposition. Therefore, the International law as well as the Syrian national law is clogged to go back reuniting it again. This means, there is a new reality in Syria. In this case, United Nations have the status to decide over the sovereignty of Syria, and the future of Syria stays in Moscow and Washington and London [270].

The analysis of political realities raises a question: the Syrian opposition and Assad's regime, declared that they are against the Kurdish federation in Syria, and is it possible that both opposition and Assad-regime unify together against the Kurds in future. The situation is difficult because of the reasons below: the religious conflict between Islamic groups: Alawi- shiites and Sunnites is more complicated to unify against Kurds; the peaceful future of Syria depends on the federal system; the super power which lead practically the war against ISIS under USA and Russia are for a decentral political solution based on the local administrations; the all territory of Syria is under control of USA and Russia.

Indeed, both of Baath regime and the opposition in Syria have a same vision or opposing and refusing the Kurdish issues. Both of them are looking for a strong central Syria just for people with Arabic background. If this happens, it could make serious challenges for a new Syria and its future or internal unity.

This transformation of radicalism against minorities in Syria could be reality in the future. Nevertheless, self-determination has been planned in Washington, Moscow and Geneva and it seems that the Russia and the US agreement could have a resolution. Of course, the issue of self-determination is going on as the super countries are progressing in decision-making and it will be made step by step to meet Kurdish interests and their goals during this transformation period [297].

The strategic interest of USA and Russia is the access to land as well as border regions. Also they deal with the question of engaging local administration. From this starting point the US, Russia and the related countries should seek to join together to guarantee a Syria in which they are also able to move freely. Through the federal model which gives the local governments' ability to share powers and wealth. This could be a real guarantee against the sectarian as well as racist movements in Syria. „Federalization is a necessary stage in the transformation of state administration, which will allow to resist centralization of power and dictatorship” [254]. In Syria, a high degree of federalism is also the only answer, with autonomous entities falling under the umbrella of a weak nation state; a transition to a federal system would recognize the status quo [293].

In fact, the present situation is different from all last periods. The reality still is that Syria does not exist in an adequate sense. The borders of both countries (Iraq and Syria) are destroyed and the fate of Syria and Iraq is not more in the hands of Arabs, Persians, Kurds and Turks. It is in the hands of USA, Russia and Europe. Presumably, the negotiations between Iran and Turkey could not change this fact or influence the balance between Syrian and Iraqi territory.

KRG, the KDP and PUK declared their support to the federation of the Western Kurdistan in Syria. For a Kurdish union in western Kurdistan (*rojawa*) to be one, there are some practical steps to be done. Thus, USA and Russia has put the Kurdish region under their control practically. If the Assad's security forces are removed from this region, the US and its allies such as Germany, England and France should take more responsibility of the Kurdish region in Syria. This new situation will enforce the government in Damascus to deal with the reality that they are obligated to recognize the minorities existence.

This transformation will enhance the process of democracy and civil dialog within the community. Surely, it will ensure the return of Syrian Kurdish *peshmerga* under the US and Russian Leadership. This transformation will open new doors so that all the political parties could meet for a political dialog. It is true, as noted by researcher Ruslana Grosu, „it is difficult to believe that Syria's security situation will improve rapidly, with the likelihood that the intensity of domestic war will drop with the inclusion of other political, religious or economic stakes in the political game” [185, p. 113].

The question of peace and decision-making in Syria depend on the super countries. Experts are right to see: „in the Middle East, large extra-regional actors, promoters of power politics and domination, continue to play a decisive role in establishing the balance of forces in this geopolitical area” [185, p. 112]. And this really offers them certain opportunities to strengthen their geopolitical influence. Today, the question of peace depends on United States and Russia and its resolutions. Therefore, the Syrian opposition and Assad regime could negotiate for 5-10 years, and they might be able to meet the bureaucratic transactions etc. So, until the US and Russia have not decided on their package and guaranteed their interest, the solution finding process will take a long time. But the Geneva talks will be finished, when the demands and interest of USA and Russia are stated finally.

It is known, the federalization of Syria is a scenario to end the Syrian Civil War. In the broadest sense, it means turning the highly centralized Syrian Arab Republic into a federal republic with autonomous subdivisions. Many powers and actors involved in the Syrian Civil War have entertained the idea of „federal division”, not least among them Russia, the United States, and United Nations representatives [295]. Politicians point out: implementation of an Dayton style accord in Syria and introduction of some form of a federal solution in Syria (...) may indeed be the right way forward or the only way forward in the end of all this” [297].

It is obvious, a broad coalition of Kurdish political forces in Syria that will not allow the use of intra-Kurdish differences and will provide broad international support for a united Kurdish

autonomy. It is probably necessary, experts find out [234, p. 191], to revise the terms of cooperation of various Kurdish parties, as well as to encourage the contacts of Syrian Kurds with the United States, Russia and the leading EU countries, whose contribution to the settlement was and will remain significant.

Are the super countries ready to build a federal system for all Syria? According to political sciences (if targeting the condition of the multi-ethnic people of Syria), the real federal system and self-determination depend on the transformer's integrity which ensures a Syrian union, will put an end to civil war, prevent splitting the country and stop the dirty bloody war. First of all, the super powers like USA and Russia protect their national interests and all regional and international efforts should meet their benefits. In any way, the Russian Federation will not allow to lose the Alawi's region and the USA and its allies like France, England and Germany will not let the Suni and Kurdish regions one their own. The only realistic system would be a federal one, but the confederal system is also possible.

Conclusions for Chapter 2

This compartment of the thesis, divided into 5 paragraphs, is focused on the research of federal relationships in contemporary states in Middle East. So, in this Chapter have been achieved the following objectives: to identify some issues of sovereignty and equality of rights of federal subjects against the states of the Middle East; to determine the particularities of the federal integration processes of the Middle East states; to identify some directions for improving the organization of state power. All this allowed us to formulate the following conclusions:

1. Depending on the co-ownership between the federal state and federal subjects (federal states), federalism may be dualistic or cooperative. Dualistic federalism requires a balance between the federal state and the federation subjects, the latter being endowed with a certain competence, and the relations between them based on the principle of internal non-interference. Cooperative federalism is based on the idea of bilateral co-operation between the federation and the federation subjects, with a fair division of attributions between the federation and its subjects.
2. Analyzing the federal structure of the states, we find that it is not determined by the territorial area, by the density or the number of inhabitants, by the existence of several nationalities, by the political regime or by the government, but by the unification or deregulation of several states to achieve common interests which could be seen as a successful functionality in context of the political agreement and cooperation between all Emirates in UAE.

3. According to the theory of tolerance policy we do believe that the tolerance policy as a part of democratic culture gives an opportunity to negotiate or to give and to take. This means that the tolerance policy, democratic means and federal system are a related process to meet the benefit of peaceful and democratic socio-political transformation without violence and confrontation inside one country or multi-ethnic society. Moreover, the category of tolerance policy could be defined as a peaceful mean is different from aggression, violence, discrimination and war that gives plenty capacity to cope with diversity and democratic means and enough distance to solutions and peace. This means that the Tolerance term includes acceptance of the very things one disagrees with, disapproves of or against it or dislikes.

4. The topic of federalism and democracy is one of the most important terms lately, with particular attention to the Middle East. The federalization of Iraq has resisted international and national control and is an acceptable form of governance for the nation: it can be assumed that it will have positive effects for the democratization of the states of the Middle East

5. There is no doubt with the evolution of the concept of the political system through the federal's institutions and regulations of the process in the administration of society and developing of the state structure on the one hand and the emergence of new problems and contradictions of the new objects on the other hand, the scientists and experts in political science, the federal competent institutions, regional and minorities' affairs in Europe and the United Arab Emirates, Libya, Iraq and Iraqi Kurdistan to carry out new researches and studies and more expanded.

3. THE PROBLEMS OF FUNCTIONALITY OF FEDERALISM

This compartment of the thesis, divided into 3 paragraphs, is focused on defining the factors of Federalism functionality within the current international system. For this purpose, here are presented the results of the comparative analysis of contemporary federalist models, were investigated the principles of contemporary federalism and the main issues of federalism in the states of the post-soviet space. Also, has been investigated the problem of efficient organization of the European Union, were identified the particularities of European federalism and presented four basic models: the American and the German model of federalization and the French model (known as the centralized model). In this context, were concluded the following: the experiences of federal states suggest a set of general principles that guarantee the evolution of the federation; the federal states are founded on common values and human rights; the concept of European federalism means the mutual dependence between federalism and democracy.

In paragraphs 2 and 3 of this chapter were achieved two other main objectives: to determine the principles of contemporary federalism; to study the problem of federalism related to the political realities of post-Soviet states. In this context was mentioned that the federal political system came as a result of arduous struggle. This system is currently a political reference, democratic and civilized policy to solve the problems of countries with a combination of cultural and ethnic variety.

3.1. Directions for improving the organization of state power in the federalist states

Federalism is often determined through the delineation of the subjects of jurisdiction and authority between the federal center and the subjects of the federation. „One of the attributes of the usual definition of federalism, V. Ostrom writes, is a system of government in which authority is exercised simultaneously by the national government and the state or county government. The central point of this definition is the two-level governance structure” [247, pp. 20-21]. Or, as D. Elazar remarked, „federalism in its most limited form is usually defined as dealing with the division and distribution of power, but even in this limited form it implies commitment to the concept of justice, which argues, among other things, that the distribution of powers is necessary and preferably. On the other hand, federalism in the broadest sense appears

as a form of justice - emphasizing the freedom and participation of citizens in governance - but one that is inevitably linked to the distribution of powers" [41, p. 84].

D. Elazar himself considers the definition of federalism to be the simplest: self-government plus shared management, for example, management, divided into two levels - federal and regional. With this definition, federalism includes some kind of contractual relationship of a supposedly permanent nature, which involves the division of powers, bypasses the issue of sovereignty and supplements, but does not seek to replace or diminish the previously existing organic links where they continue to exist [41, p. 12].

Federal government or system may have distinct powers at various levels authorized or delegated to it by its member states. The structure of federal governments commonly vary. There are more levels of government that exist within an established territory and govern through common institutions with overlapping or shared powers as prescribed by a constitution.

The singling out of the principle of delimitation of the subjects of reference and powers in one form or another forms the core of many definitions of federalism proposed by foreign political scientists. Thus, W. Riker describes a federal state as a political system in which „government activities are divided between regional governments and the central government in such a way that each of the governments carries out activities in which it takes the final decision" [114]. William Riker referred to federalism as a „bargain" between provincial and central elites to provide a defense against a perceived external or internal threat. Certain researchers have attempted to explicitly model the bargaining that give rise to the creation of federal institutions but these models generally incorporate the assumption that differences among the provinces play little or no role in the bargaining outcome. In the framework presented here, by contrast, the heterogeneity of provincial units determines whether and how provinces bargain collectively with the center, and this, in turn, determines whether the center can exploit rivalries among provinces to recentralize power [151, p. 102]. His proposition about decentralized political parties is summed up in: „The essence of federalism ... is the political feature: (1) the political bargain that creates it and (2) the distribution of power in political parties which shapes the federal structure in its maturity. Everything else about federalism is accident: the demarcation of areas of competence between central and constituent governments, the operation of intergovernmental relations, the division of financial resources, etc." [114, p. 141]. In this kind Preston King proposes instead a new definition of federation: federation a to be distinguished „solely by the fact that its central government incorporates regional units into its decision procedure in some constitutionally entrenched basis" [79, p. 77].

The federation makes sense when those who decided to create its regions, even if in a very small space, located and naturally very similar (Switzerland, Austria or Germany) have different legal and state traditions of their organization. Then, by concluding an alliance (foedus - hence our word federation), they are striving to preserve their authoritative property and continue to exist autonomously in those spheres of life that they preferred not to entrust to the union [298].

The federation, as a form of government, emerges in response to the underlying shape of society. Political scientists look on important proposition namely „that federalism represents not only an ideology but also a state of society, almost its underlying nature, a set of problems that needs to be answered in a particular way. In this sense it is, and always will be, primary to a federation, which represents some form of institutional arrangement called to reflect these realities” [25, p. 113].

One of the main goals of the modern state-building process is the formation of mechanisms for mutual control between the branches of state power, both on horizontal and vertical levels. The universally recognized criterion of the federal system is the distribution of state power between the federation and its subjects. As practice shows, it promotes the development of democratic principles throughout the entire system of public administration, which is of fundamental importance in the context of the reforms being implemented, since the existence of a system of separation of powers ensures on the one hand the unity and integrity of the state, on the other hand, the relative independence of the territorial units, allowing to take into account the full range of differences in regional conditions (but such kind of entire system of public administration in context of the fundamental reforms is not enough to cover the differences and peculiarities in regional conditions - cases of Syria; Yemen etc.).

Since federalism as a political phenomenon carries a rather high conflict potential, successful implementation requires the existence of developed democratic institutions, democratic political culture, strong national parties and well thought out dispute resolution mechanisms. Under conditions of transforming regimes, it is a rather unstable form of government.

Federalism is always the result of political compromise, which entails the presence of constant tensions between political actors, perceiving a discrepancy between the imposition of common values and standards by the central government and the jealous protection of their power by the subjects of the federation.

Talking about the political side of federalism is important to note that modern federalism reflects not only the form of the state system, but, improving and developing it turns into a way of organizing political power or a factor that largely determines the political system in the state. First of all, it (the mechanism) regulates the relations of equilibrium (on the basis of the principle of separation of power) between all available power centers in the state. With its help, there is a realization of the delineation of powers between branches of power, without which not only a federal state can function normally, but also any other.

The need for federal relations in the management process arises when the government faces a huge number of diverse problems that need to be resolved at different levels and which are not addressed in the usual ways, especially in the category of states where there are minority (ethnic, territorial, religious etc.). This is due to the fact that federalism should be viewed not only as a principle of interrelation between society and the state, but also a self-sufficient way of management. It is expressed in the following: firstly, federalism can be used as a sufficiently flexible means to find ways to reconcile the heterogeneous parts of the whole (for example, between the federation and its subjects, etc.); secondly, the federal system more than other systems, contributes to the discovery of new ways of cooperation both horizontally and vertically in public administration; thirdly, federalism provides much more opportunities for ordinary citizens to participate in governance (in a federative state, each level of government - central, territorial and local - is provided by its legislative, executive and judicial authorities, in the formation of which a significant part of active citizens participates); fourth, the principles of federalism - balance, coordination of actions, autonomy (in the latter principle, it is necessary to single out such an aspect as the right to independently adopt laws regulating relations in this autonomy, but interdependent by federal law, which makes it possible, on the one hand, to preserve one's independence, On the other, constantly fueling their forces in the organizing center - the federal center), contribute to a clearer distribution of functions and competencies among federated units. In this sense, perhaps, only he is able to distribute or disperse the power so that there is no possibility or temptation of its usurpation by any one structure of society.

McWinney, investigating federal systems existing in the world, singled out such an important feature that distinguishes one system from another, as the actual localization of points of political pressure in making decisions. According to this feature, the researcher divided the federal systems into monistic and pluralistic. At the heart of their differences lie the main trends in the development of federal relations - centripetal and / or centrifugal. Former are characterized by the overcoming of centripetal tendencies, since the domination of the center exerts a clear

advantage over the parts. For the second, centrifugal tendencies, which steadily lead to very definite forms of self-government and public cooperation, and also distrust of any pressure from the center, are noteworthy [90, p. 63].

The transfer to another national context of the model of federalism that claims universality or its inherent political institutions seems to be unproductive: the differences between the compared national objects may be too great and knowledge of them is imperfect. However, the world experience in the functioning of federated systems of unequal degree of „maturity” shows that the practice of applying certain federal procedures and institutions in one country can be very relevant for another one that follows the path of federalization, as well as certain political institutions and principles (for example, the party system and system of representation) are necessary for a stable federation, and in this sense they are considered quite universal.

The costs of a federative form of government may be too great, since a minority protected by constitutional guarantees (for example, a subject of the federation) is able to impose on the majority (federation) an unacceptable political course for the nation as a whole or carry out undemocratic policies in the controlled territory.

As the experience of classical federations shows, in order to maintain a federal form of government, it is necessary to have extrapolitical conditions, including „a federal political culture”, relative cultural homogeneity and equality of economic conditions. Obviously, such favorable conditions accompanying the transition to democratic federal politics do not exist in full in any society. This circumstance, however, does not make the experience and guidelines proposed by classical federalism less urgent for countries that have begun building their statehood on federative principles.

Democratization and federalization are considered as interdependent and mutually complementary phenomena; At the same time, these are relatively autonomous factors of institutional changes, since their specialization is sufficiently substantive, namely, the system of institutions that, in the first case, ensure the widest possible participation of citizens in the administration of power and, in the second case, on the basis of decentralization (devolution) Power authorities at different levels of the political-management system. It could be possible that the processes of federalization may develop for some time in the absence of any significant manifestations of the democratic process (this is typical for the initial stage of creating a federation „from above”). In case of UAE and Iraq, if the authorities decide from above.

Moreover, the processes of federalization may be accompanied by some strengthening of authoritarian tendencies in the Center and in the constituent entities of the federation and even by the rejection of a number of democratic achievements (examples: a series of military coups in the Latin American federations throughout the 20th century). Nevertheless, federalization, not supported by democratization, regardless of the reasons for its conduct (for example, as a reaction to the strengthening of nationalism and separatism, as a result of the institutional failure at the Center, etc.) grows, as a rule, into various "quasifederal" forms, which by themselves can become a serious obstacle to the consolidation of democracy. Conversely, if democratization and federalization processes are synchronized in a democratic society, complementing and strengthening each other, then the political system is more quickly transformed into a system of conciliation that can reconcile competing interests.

It should be noted that the degree of autonomy granted to federated units determines the „quality” of federalism and affects its ability to resolve conflicts more or less successfully. The historical experience, for example, of countries such as the United States and Switzerland, which have not experienced the absolutization of power in any form, shows that the more autonomy is provided to parts of the federation (in this case to states or cantons), the stronger, more capable state.

Modern federalism performs two major functions: decentralizes power through its vertical division and integrates territorial communities. At the same time, particular importance is given to integration links and to the interaction issues between the center and the regions”.

Arend Lipjhart, the author of notable works about the state of democracy, notes, with reference to this binary concept (federalism/unitarism): the first variable of the federal-unitary (divided-power) dimension: federalism and decentralization versus unitary and centralized government. It is appropriate to give this first-place honor to the subject of federalism because it can be considered the most typical and drastic method of dividing power: it divides power between entire levels of government. In fact, as a term in political science, “division of power” is normally used as a synonym for federalism [84, p. 174]. The majority of federalism experts assume, that the fundamental reason of guaranteeing a division of power is to ensure that a substantial portion of power will be exercised at the regional level or, that the purpose of noncentralization of power is decentralization of power. In vision of Arend Lipjhart, these two elements are conceptually distinct, but they should both be regarded as primary characteristics of federalism.

Table 3.1. Degrees of federalism and decentralization in thirty-six democracies, 1945–2010

<i>Federal and decentralized [5.0]</i>		
Australia		
Canada		
Germany		
Switzerland		
United States		
Belgium (after 1993)		
<i>Federal and centralized [4.0]</i>		
Argentina [4.5]		
Austria [4.5]		
India [4.5]		
<i>Semifederal [3.0]</i>		
Israel		
Netherlands		
Spain		
Belgium [3.5] (before 1993)		
<i>Unitary and decentralized [2.0]</i>		
Denmark		
Finland		
Japan		
Norway		
Sweden		
United Kingdom (after 1998)		
<i>Unitary and centralized [1.0]</i>		
Bahamas	Jamaica	France [1.3]
Botswana	Luxembourg	Italy [1.3]
Barbados	Malta	Korea [1.5]
Costa Rica	Mauritius	Trinidad [1.3]
Greece	New Zealand	United Kingdom [1.2] (before 1998)
Iceland	Portugal	
Ireland	Uruguay	

Apud: Arend Lipjphart. Patterns of democracy [84, p. 178]

Federalism, explains in thus complex analyses Arend Lijphart, tends to be used in two kinds of countries: relatively large countries and plural societies. The largest countries in terms of population, India and the United States, are both federations; the least populous federation is Switzerland. The federal with plural societies are Belgium, Canada, India, and Switzerland. In these plural societies, federalism performs the special function of giving autonomy to ethnic

minorities. To analyze this function of federalism it is useful to distinguish between „congruent and incongruent federalism” [84, pp. 183-185]. Congruent federations are composed of territorial units with a social and cultural character that is similar in each of the units and in the federation as a whole. In a perfectly congruent federal system, the component units are “miniature reflections of the important aspects of the whole federal system” [84, p. 183]. Developing the idea on which A. Lijphart insists, the researchers mention that ethnically based federalism (a form of incongruent federalism) is a way to prevent ethnic conflict and promote the unity of a multi-ethnic state [67, p. 211].

Of course, the role of federalism in the modern conditions of integration processes development, the development of State-specifics is difficult to overestimate. Federalism is the way to solve many problems of domestic policy. Processes of modernization is a changing form of a unitary form of government into the federal one and the formation of federalism are linked to political risks, which requires a developed evidence-based theory of federalism and perfection of modeling methods of political practices. The concepts of federalism are individual parties to this political phenomenon. An institutional approach to evaluate federalism as a complex structured institution, which includes a multilevel governance, federated relationships, political and legal framework, resources, power and communication subsystem (public administration, public administration, federal political culture, political technology) are needed. The lack of the concept „federalism” has led to the selection of many models that actually should be evaluated as a model and analysis of selected properties of federalism in specific governmental practices. This suggests that the theory of federalism requires further development and improvement. The clear concept of federalism, developed theory of federalism is necessary not only for the development of political science, but the complex situation in the world, to address the real problems of political life. Every State needs a good prognosis cases development, especially federal, where in terms of federalism, power practice are extremely complex for the organization and functioning of public authorities, federal relations, resource allocation, etc.

One of the features of federalism is its constant dynamics, that is, a constant search for an optimal balance between centrifugal and centripetal tendencies. It is remarkable that in different socio-cultural and political contexts the application of the same federal principles can lead to different results [27; 52; 58; 92].

A pessimistic view of the potential of federalism in the prevention and resolution of ethnic conflicts is justified if we regard it as a „pure” form of territorial government, rejecting the need to adapt it to the specific society in which it is called upon to function. Then in most

federations, where the administrative-territorial division reflects the poly-ethnic character of the population to a greater or lesser degree, someone really can only talk about quasi-federalism or about real unitarism. This is due to the fact that in modern political science, as, indeed, in political practice, the American idea of federalism dominates. However, the American model was formed in specific historical conditions and was based on the ideology of individualism and assimilation. American society was considered a priori as intended to carry out cultural homogenization. This is due to the fact that in the history of American constitutional law, the only legitimate approach to minorities was to consider their members „as abstract individuals the same as all others”. The historically tension between the „federation" and the „nation", which dates back to the end of the 18th century from the time of the formation of American statehood, makes it impossible for the central government to recognize minorities as political units, since recognition of this will imply their status as a quasi-nation, Not compatible with the idea of a „melting pot".

With federalism is consistent only the type of nationalism that is formulated through a treaty or the agreement of the community of individuals and then formulated in the corresponding constitutional documents that delimit the spheres that are divisible to the federal system, on the one hand, and the units that enter it, on the other [41, p. 115].

It is clear; there is no universal form of federalism. Each case is a combination of common and specific characteristics. For example, in Canada, one federation subject - Quebec - was the initiator of most attempts to revise the system of public administration. At the same time, in Québec itself, as in other regions, there are problems with minorities that challenge the right of the provincial authorities to manage this part of the territory without their active consent to it. Federalism is a whole series of institutional practices that include a balance in the distribution of power between the center and the regions. That is why it is wrong to use any one particular model to assess what is happening in another country context.

Federalism is not only not the most desirable option for a particular group, but it is also an intrinsic discrepancy between the imposition of common values and standards by the central government and the jealous protection of its powers by the subjects of the federation. This contradiction is far from new.

On the one hand, federalism offers a fixed, reliable territorial solution to the inter-group conflict. On the other hand, many groups are not sufficiently concentrated, and the potential imbalance of the center and periphery is so great that it should repel the federalist decision. The secret here, apparently, lies in the fact that federalism contains the promise of maintaining

pluralism in a world in which, under the influence of globalization forces, the tendencies towards homogenization are amplified. Back in the 1960s this idea was clearly formulated by K. Wheare: „One of the most acute problems in today's world is the preservation of diversity, where it deserves to be preserved, or where it can not be destroyed, even if it is even And it would be advisable to do, and at the same time introduce some kind of unity that would prevent conflict and facilitate cooperation” [160, p. 35]. Federalism is one way to meet both of these needs.

In general, the federalist solution of problems in society has the following advantages:guarantees minorities a certain share of state power;increases the chances of ethnic minorities to maintain their own culture;helps to find a compromise on the division of power, thereby preventing or suspending the demand for secession;facilitates the political integration of ethnic groups; strengthens the constitutional foundations of statehood.

In the same time, resistance to the implementation of federal projects, primarily due to the need for redistribution of resources, which inevitably affects the interests of those who are deprived of their part. As a result, there are fears that: majority leaders may lose the support of their constituents; autonomy or the creation of an appropriate subject of the federation is only an intermediate step on the road to secession; as a result of national-state „registration” of an ethnic group that differs in its cultural and religious values from the majority, the fundamental values of a given state may be compromised; the newly formed national-territorial unit will be economically and administratively not effective, which will inevitably affect the overall situation in the country; there will be unforeseen consequences of such a reform of the state; federalism can push other groups to mobilize to gain autonomy; the introduction of the principles of federalism will not help ensure the coexistence of different ethnic communities.

3.2. The comparative analysis of contemporary federalist models

The phenomenon of federalism encompasses many phenomena and processes of the modern world and can be interpreted quite differently. Under the federalism understand the technology of separation of powers; political doctrine of man; ideology; the type of social relations that influences the institutional structure of the state; a way to solve ethno-political and ethnocultural problems, conflict resolution, respect for human rights, peoples, territories, etc. It seems that only given the whole set of relevantnotions we can get closer to understanding the phenomenon that is designated in science as a cumulative concept of „federalism”.The model

involves an example that contains the „essential characteristics on which the construction of a state takes place” [224, p. 159].

As for models of federalism, their classification is most appropriate, based on the cultural characteristics and geopolitical properties of the state. This principle of classification of models of federalism explains the reason for the diversity of forms of the federal structure of the state: it becomes clear that not all states that are characterized by a federal form of government, apply the same principles of federation. In addition, not every state is capable of becoming a federation, and this form of government can be perceived by one people as a value, a boon, and another as arbitrariness. „Studying primarily geopolitical and cultural characteristics, it is possible to draw conclusions that how to more effectively organize the formation of the state in the process of federalization; how more rationally, based on cultural, ethnic, economic prerequisites, select the number of subjects and divide the territory; how much authority and freedom are able to be realized by certain subjects in the exercise of their competence” [224, p. 162]. These competences and the division of powers are defined by the Constitution. In general, „the federal state only exercises powers that are explicitly attributed to it. The other competences are either reserved to the federated States or competing and exercised in common by the federal state and the federated states” [128, p. 26].

Federal systems generally have two spheres of government, national and regional (states or provinces), with several power centers operating in a political entity according to the constitutional definition, determining arrangements for division of powers [49]. The division of powers between the federal state and the federated entities varies greatly from one country to another. The evolution of modern political realities has led to increased cooperation.

Alfred Stepan noted that federalism in its North American understanding reflects the specific qualities and values that characterize American society, but are not suitable for other societies, especially when it comes to multinational, ethnically confessional and heterogeneous societies [130]. Following the conclusions of A. Stepan, we note that he connects federalism with liberal democratic principles, recognizing that polycentrism of public authority and political activity of society are an integral part of federalism. Federalism, in his opinion, should be interpreted more broadly and taking into account the variability of the political, socio-economic and cultural context. Otherwise, the possibilities of implementing its models in various, different from American, societies are being significantly narrowed.

In the last decades, there has been much talk about federalism in relation to the realities of the European Union. It is often said that the European Union started as an economic project.

Although the statement is correct, it is still too often a political project. The seeds were sown in the interwar period when the issue of federalism ceased to be just an intellectual debate and becoming an important point on the political agenda. With the end of the Second World War the need for a site capable of preventing wars between states has become imperative. The intellectuals and the politicians have advanced different views on the peacekeeping process on the continent. In this sense, Federalism was one of the proposed options.

Unfortunately, the historical circumstances have show that national sovereignty was highly prized in Europe, and the likelihood that European states would be willing to share sovereign powers was very low. Under the Treaty of Rome (1957), the economic part of the European project has made continuous progress, while politically, the idea of a European federal union and a common defense system was launched for the future. However, the federal ambitions of the founders are now underway.

Numerous federalist movements in Western Europe were formed during the inter and post-war period: the European Union (1938), the Federalist Union (1938), the European Federalist Movement (1943), the European Union (1940s) which was incorporated into the European International Movement (in the early 1950s) and the Union of European Federalists (1947).

After the Second World War, in October 1946, European federalists and American federalists established a federal organization known today as the World Federalist Movement. Then, in the early 1950s, the Union of European Federalists launched the European campaign for a European Assembly directly elected by the citizens. Behind this campaign were important federalist names: Altiero Spinelli (Secretary General of the European Federalist Movement), Paul-Henri Spaak (President of the Europe Movement), Alcide de Gasperi, etc. So, twenty years later, the European Parliament will become an institution elected by direct vote.

The Maastricht Treaty brought other changes to the functioning of the European supranational institutions. At the insistence of the British, the principle of subsidiarity was included in the Treaty. The principle of subsidiarity is used in European terminology in the sense that decisions directly affecting citizens are to be taken at their closest level. This requires a clear stratification of powers and competencies, so that for example those problems that can be solved at a community level need not be taken at regional level, and problems that can be resolved regionally should not be taken at national or European level. The principle of subsidiarity is one of the major principles of European federalist thinking. It was also included in the draft European Constitution.

The European Constitutional Treaty was prepared by the European Convention for the Future of Europe and was considered by the activists as a chance to re-energize the campaign for a political Europe that has begun with the creation of the European Union. In 2001, the Heads of State and Government of the Member States have decided that a European Convention should be agreed to draw up a new „chartered rules” for the better functioning of a Late European Union. They took this decision because the enlargement from 15 to 25 Member States meant that the existing rules needed adjustment to ensure the Union's functioning. As a result of this decision, known as the Laeken Declaration (2001), the European Convention was drafted. She had 105 members from national parliaments, the European Parliament and the governments of the Member States.

The European federalists welcomed this process, which involved a high degree of civic involvement and Representativeness. Following the model of the Philadelphia Convention prior to the creation of the United States of America, the European federalists initiated a series of „Federalist Letters” addressed to the European Constitutional Convention in which they demanded vision and courage by implementing the ambitious reforms needed for the future of the European Union. They proposed a „Federalist Plan for the Convention”, calling on the Convention to produce a draft European Federal Constitution. It reminded of the „Virginia Plan” that transformed the United States from a confederation into a federation.

This plan concerned all areas where the European Union was not too democratic, efficient or transparent. In this sense, the „Federalist Plan” proposed to the European Convention to adopt the following points: the final text of the document should be a single document incorporating all the previous treaties and including the European Charter of Fundamental Rights; the European Commission should be transformed into a European government called the European Parliament; the codecision process between the European Parliament and the Council of Ministers should become a rule in all areas of activity; all decisions in the Council of Ministers must be taken by majority, and debates should be public. However, as a result of a strong opposition to federalism, the name „federation” is not left in the final document.

At the same time, as observed, „in the European Union, the process of disintegration became more and more noticeable, in contrast to the well-known integration processes. We are talking about the desire of some administrative-territorial units of the EU member states to gain independence and separate from the states of which they are a part” [225, p. 30].

European Union is composed of independent states, most of which are nation-states. These states are indeed increasingly becoming „functionally federal”. Were there to be a

prolonged recession (or a depression), however, and were some EU member states to experience very high unemployment rates in comparison to others, member states could vote to dismantle some of the economic federal structures of the federation that were perceived as being „politically dysfunctional”. Unlike most classic federations, such as the United States, the European Union will most likely continue to be marked by the presumption of freedom of exit [130]. That opinion is why doubts persist: „a distinctive feature of the EU’s development has been the inability to reach agreement on a federal pact. EU integration takes place in a setting of already established national democracies; they will not easily be swayed to allow themselves to be superseded by a European state. The question that was left unanswered was: does that mean that the EU is unfit for federalism, or do the distinctive features of the EU’s coming together bring up challenges that federal theory does not have ready-made answers for?” [48, p. 427].

Currently the idea of an efficient organization of the European Union is on the agenda of the various discussions of the specialists in the field of political sciences. In this context, the researchers mention four basic models: the American and Swiss federalist model, the German model of federalization and the French model, also known as the centralized model.

The centralized model. Presented as a counterpoint, the centralized model as developed in France cannot serve as an example or even a reference to the European Union. Indeed, the projection of this model would lead to the formation of a European nation-state in which the States and nations of Europe would be more unified. While the centralized structure, although in the process of regionalization, cannot serve as a model for the European Union, France has contributed decisively to defining the democratic substance of the Union: human rights, notions of liberty, equality, sovereignty, principles which are at the basis of the democratic state. These are essential contributions to the foundation of the European Union. But these essential notions flourished in a unitary political system, safe from the one and indivisible sovereignty and within the framework of a pyramidal order and uniform norms. The democratic and unitary nation-state was strengthened at the end of the Second World War by a greater concentration of power in the executive and in its administrative apparatus which also corresponded to the broadening of the fields of intervention of State especially in the economic field (nationalization, political, economic and social) [40]. These few features that marked the French political culture make it possible to take the measure of the boldness and the exceptional vision of the French rulers who launched the revolutionary idea of a European Federation against the current of the French tradition. Even today, this tradition distorts the perception of the European Union despite the evolution of the French political system towards fewer interventions and more regionalization.

The increased role of local authorities in cities and the process of regionalization combined with the effects of European integration are transforming this political system. From now on, political discourse tends to convey the ideas of shared sovereignty, the differentiation or the common exercise of regal powers, the respect of national identities within the Union, which are fundamental notions of federalism.

The German model of federalization. The German federal model appears more adapted to certain conditions of the European Union. The power is distributed between the *Bund* (federation) and *Länder* (member states), each enjoying a partial and sometimes shared sovereignty. In this division of tasks, a number of sectors are reserved to the federal state: the foreign affairs, the defense, the finances, and the transportation and immigration problems. For their part, the *Länder* have powers reserved especially in the fields of education and culture but are also competent in many matters until the *Bund* has exercised its right to legislate. The *Bund* also has the power to adopt „framework laws” on which the *Länder* are called upon to legislate. With the exception of its own fields of activity, the Federal State relies on the administrations of the *Länder* for the enforcement of federal laws, which thus have a certain margin of choice as to their application by the citizens. This aspect of German but also Swiss federalism is designated by the terms „executive federalism” [156]. However, the autonomy of the *Länder* is also manifested in the form of the power to levy new taxes [282].

Another aspect of the German model often attracts the attention of analysts as well as European Union actors: the dual participation of the Bundestag and the Bundesrat at the federal level, which is one of the distinctive features of the systems federal. However unlike the equal representation of Member States in the US Senate or the Cantons the Council of States in Switzerland, the distribution of seats in the Bundesrat takes into account the variable size of the *Länder* (4 *Länder* have 6 seats each, a 5 *Länder* seats 4 and 4 of 3 seats of the total of 69). This is an example often cited in reference to the weighting of votes in the Council of the European Union. As in this one, each Land takes a unique position. As judicial functions, the jurisprudence of the Supreme Court ensures, like the jurisprudence of the Court of Justice, a general harmony between the decisions of the courts of the *Länder*.

In the course of its operation, the system developed, as in the case of Switzerland, cooperation between the *Bund* and the *Länder* and between the *Länder*. These networks of agreements form the framework of a „co-operative federalism” which, although in a different context, is found within the European Union. By analogy with German and Swiss practices, the European Union system has sometimes been described as „cooperative federalism”. The

application of this term raises several questions. Is there a basis for using the same concept in different systems? And secondly, can we legitimately assign a general scope to an important aspect of a same system? Can be qualified the whole system of Cooperation by the term „intergovernmental federalism”? This concept removes the reality of cooperative federalism whose networks include also the governments of the Länder or Cantons, many socio- economic, cultural and academic actors.

Germany, it is known, is a nation before being a state. This is a nation that, despite the relative diversity of the Länder is no shortage of social, cultural and linguistic homogeneity at the base, despite some dissonance caused by reunification. On the other hand, the disparities are strongly accused in Switzerland as well as within the Union: the diversity of languages and cultures, social, economic and political structures, as well as lifestyles and behaviors added to the overall dimension, make the model of German federalism, despite its rich experience and contributions, cannot be proposed as a model for the Union [128].

Experts believe that today it is already possible to speak of the state structure of the Federal Republic of Germany as „working federalism” in which negotiations (negotiation democracy) play an important role in order to coordinate the interests and positions of the federal center and the lands [253, p. 70]. At the same time, it is characterized by a clear delineation of competences and powers, as well as equality of lands in relations with the federal center. The Federal Republic of Germany has become a classic symmetric federation, the entire course of development of which confirms the idea of how great, if not crucial, is the „soil” on which federalism is „planted”. Long-established regional traditions combined with consistency at all levels of society in supporting democracy enabled the federal institutions to settle down and working well.

The American model of federalization. In the case of a good EU organization, it is good to take advantage of the US experience as well. Especially at the beginning, at least, the United States served as a point of reference. They have an indisputable advantage due to some aspects such as size, large market - despite the interstate trade clause and some relics of barriers - mass production, the Federal Reserve System, the role of services, of science and of technology. However, marked differences are equally significant: the absence of a long history of conflicts between states and the diversity of languages and cultures, structures and traditions from one state to another. After having practiced for a long time the method of melting pot by means of assimilation, the United States is today confronted with problems of a multicultural society marked by economic-cultural disparities. The significance of the experience of presidential

federalism and its bicameralism (a differentiated rhythm and unequal weight between the Senate and the House of Representatives), with a strong personalization of power and an accentuated separation of executive and legislative powers, of the leading role of the United States in globalization. Despite their constitution inherited from the eighteenth century, the United States demonstrates its ability to adapt to the technological revolution and the society of communication, as well as the development of a new and more efficient economy. The tendency towards the centralization of federal power has been reversed under the influence of the new liberal economy and the deregulation by causing a certain disengagement from the federal government: the Federated States therefore had to assume greater responsibilities in the fields of economic development, social protection of health, the environment and education. At the same time, initiatives and creativity, notably in the technological field, have brought together the public authorities, universities and businesses, have given new dynamism to the economy while increasing the socio- economic disparities that often cover linguistic and ethnic cleavages. The question is posed how to reconcile the technological and economic explosion with the demands of the political and social balance. The American model is in many respects opposed to the European social model.

The American political life appears to be dominated by the search for balance between federal and state powers as well as between the executive, legislative and judicial branches. It bears the mark of the desire to preserve the system of checks and balances, seeking to separate the functions and ensure the autonomy of the institutions that are responsible. The President with significant powers is not in charge of the Congress budget. The latter has the legislative power which is counterbalanced by the right of veto presidential. It follows that there is a need for a continuous negotiation practice, which is to be found in the various German and Swiss federal states.

Two other aspects should be highlighted: the role of the Supreme Court and the network of commissions and federal agencies. The Supreme Court exercises constitutional control over the activity of legislative powers and has a decisive influence on the institutions and on the balance of power. In this respect, the European Court of Justice tends to exert a similar influence on the Community system. The Supreme Court's jurisprudence contributes to the harmonization of law and influences the evolution of American society by addressing issues such as the rights of colored populations. By comparison the European Court of Justice has created a Community legal order and has often contributed to the development of competences within the framework of the Treaties, leaving to a large extent the problems of society at the highest courts of the

Member States. However, by incorporating fundamental rights and other areas into the Amsterdam Treaty, the Member States have broadened the scope of the Court of Justice's decision [128].

The experience of the independent commissions with regulatory powers and of the Federal Administrative Agencies should be taken into account in order to devolve the functions of the European Commission or of the European Parliament. A whole series of Independent Commissions covers the following areas: trade between Member States, monetary system, competition, transport, energy, exchange, communications, and professional relationships. Intended to regulate and control the sectors of economic life independently, these Commissions have become autonomous structures of the Congress but also the preferred target of pressure groups in the corresponding sectors. About thirty, the Federal Administrative Agencies are executive bodies in various fields. It is a functional way of decentralization in which the Union is progressively engaged and for which the American experience can be valuable. However, specialists in the field argue that „the most democratic countries that have adopted federal systems have chosen not to follow the US model” [130, p. 21].

The Swiss model of federalization. „All those interested in the federal idea and how it can be put into practice look to Switzerland in search of inspiration” [29, p. 163]. The experience of Swiss federalism appears closer to the process of European integration. Like the European Union, Switzerland is multinational, multilingual and multi-confessional. This structural diversity, coupled with partisan divisions, explains the existence of a collegial government whose stability is anchored in the separation of powers but at the same time rebalanced by the use of the referendum and of the initiative. The system is based on a high degree of trust and on the assiduous search for consensus. This research is illustrated by extensive consultation of experts and interest groups during which are developed legislative proposals. It is an evident parallel between the Swiss practice and community practice. For these reasons, Switzerland has sometimes been proposed as a model for the European Union.

Switzerland has 26 Cantons or Federated States, the approximate number of EU Member States after enlargement. The bicameral Parliament is made up of a National Council composed of 200 elected representatives representing the people, whose number of deputies per canton is proportional to its population and a Council of States composed of 46 members (2 elected by Canton). The composition of the Federal Government (Federal Council) has raised a problem, which recalls the problem of the number of members of the European Commission after enlargement. The fundamental difference lies in Switzerland's slow integration process, which

has consolidated the mutual trust on which the seven-member Federal Council is based. The seven members represent the various regions and linguistic communities, but also the main political groups (2 Socialists, 2 Radicals, 2 Christian Democrats and 1 Democrat from the center). Elected by Parliament, the Federal Council has two Romans, one Fribourgeois (bilingual canton) and four German-speakers. These proportions are not fixed and, if the presence of the Grand Cantons is desired (Geneva, Vaud, Zurich or Berne), it is variable and does not exclude the election of a personality from a small canton. However, that number *seven* reflects the high degree of trust and cohesion, but which is far from that of the European Union. Hence, the difficulty of accepting a Commission whose membership is lower than that of the Member States.

As for foreign policy, the histories but also the different identities of the Cantons have produced differences, if not oppositions, between their external policies. In these circumstances, caught between the great continental powers and his desire to live in peace, Switzerland has opted for neutrality. On a much larger scale, the European Union, whose member states have traditional ties with the countries of Africa, Latin America and Asia, could in theory be attracted by the Swiss solution. But the international responsibilities of its members, its economic weight in the world and its political potential make it impossible to choose neutrality and force it to assume its responsibility in the world.

Therefore, the analysis of the four models allows us to affirm the following: the federative institutions present a common set of characteristics, according to common principles and according to heterogeneous realities. Thus in Germany the autonomy of the members is complemented by their participation in a Senate or a Council of States and a Bundesrat which, unlike an equal representation of 2 senators or advisers to the States, is not composed of elected representatives but members of the governments of the Länder or their plenipotentiaries, in a weighting which is not unlike the weighting of votes in the Council of Ministers. In both cases, each State or Land can only use the votes allocated to it. This rule emphasizes the indivisibility of votes by country or by Land which forms an entity. As to the representation of the entire electorate in the House of Representatives, the National Council or the Bundestag, this representative institution as well as the electoral system, reflect the national cohesion, the partisan divide and the importance of the Länder. In Switzerland and the European Union, with the exception of the United Kingdom, the proportional electoral system also promotes diversity by encouraging the representation of small parties and various minority political currents.

Among the common functions, we can mention the role of the executives as promoters of the norms and values. Through their promotion action, the executives seek to maintain their role as a leader who listens to the aspirations of citizens and of public opinion, of associations as political forces. They ensure from a partisan perspective (in Germany) or multiparty (in Switzerland) the cohesion and a certain coherence of the diversified and decentralized groups that constitute the Federations. Thus, cohesion asserts itself in the representation of the Federations, which is a pronounced dimension of identity and independence in external relations. Among the exclusive powers of the Federation, most are autonomous government functions with the assistance and control of the representative institutions. In case we are talking about control either in the form of approval or censorship and through the budget. In the American, Swiss or German examples, federalism combines identity on the external plane and unity in diversity at the local level, which is reinforced by the assertion of regional identities, the increased role of cities and regional capitals as well as the safeguarding and promotion of regional cultures (for example: minor languages).

The different forms of central government correspond to the differences of societies, traditions and political cultures. The American presidential system responds to the need to provide general direction and unity in a large geographically diverse space. This explains the aggregation function of the two major political parties in the moment of the presidential election, which gives a popular legitimacy to the President, personalizes his power and reinforces his visibility inside and outside. Its decision-making capacity and its preeminence are reinforced by the merger of its functions as head of state and head of government in the exercise of which he is assisted by secretaries of state. If in the European Union the idea of a direct election by universal suffrage was to be adopted, it could be carried out preferably in the form of a duplication of presidential and government functions, taking into account the parliamentary tradition of the governments of member states. The rooting of the parliamentary system even in the quasi-presidential French system leaves no doubt. As a result of universal suffrage, the President coexists with the government of the parliamentary majority invested by the national assembly and responsible to it. During the revision of the term of office of the President from 7 to 5 years, guarantees were given that this reform would not lead to either a presidential system or a system of assembly government. The experience of the French executive would be valuable for the Union if the choice was to be made for a President elected by the European citizens.

The German government model is also strongly influenced by the Chancellor's leadership role. Only member of the government elected by Parliament and solely responsible before him, the Chancellor constitutes the cabinet, and chooses the ministers and their assignment of duties.

This system is based on an imperfect bipartitism which, while Chancellor to one of the two great groups usually ends up in governments formed by a large party with the support of one of the two small parties, liberal or green. In general, the governments have great stability. In this context, taking into account the traditions of the Member States, we remark that the form of the German government within a nation with strong cohesion is less appropriate and more difficult to transpose into a future government of the Union.

In a way, the Swiss collegial government shows the highest degree of compatibility with the parameters of the European Union. The Federal Council of seven members, who form a sort of directory, is no longer in a position to fulfill all the functions of a modern government. However, in the future, this group of seven could come closer to a formula, which would allow them to limit themselves to the exercise of senior positions and to the definition of general guidelines, while relying on an efficient government structure. Despite the traditional conservatism, a reform is needed which, moreover, cannot be avoided the day when Switzerland will towards accession to the Union. The second more profound difference is due to the fact that the Federal Council is irremovable for the duration of a parliamentary term: it is not responsible to Parliament, which has no power of censorship on its part, and, on the other hand, it remains in place even if the result of a referendum is contrary to its position. This stability has as a counterweight the use of semi-direct democracy. From this point of view, the distance is great from the European Union. On the other hand, the experience of the collegiality of the Federal Council (the advantages and disadvantages of an annual presidency) is already taken into consideration in the European Union, whose successive treaties have strengthened the Commission's presidency. In this sense, it is necessary to mention that, the experience of a multinational and efficient federal administration appears to be a pilot experiment at European level.

In the case of these models of federalism (the American model and Swiss federalist model, the German model of federalization), the executive often conduct the consultation of organizations and social forces. This consultation of the interested parties complements the consultation of the governments of the federal states, Länder or Cantons. Moreover, the weight of each one varies considerably from a federal model to the other, from one domain to another and according to their means of influence. For example, the number of lobbies and lobbyists in

the United States and their intense activities in Washington has led to federal regulation. The federal government and the two chambers hold consultations with groups and experts and are therefore exposed to their influences. In Swiss practice, the consultation of socio- economic associations under the Constitution has developed considerably. References to these experiences are frequent in the Union where the Commission, since the increase of its powers, and the European Parliament, are the privileged targets of socio- economic groups.

As for cooperative federalism, it is present in different institutional contexts and to varying degrees, both in the Community system and in the federal states, in Germany and Switzerland. In these two examples, the cooperative process is only a fragment of a federal system that does not undermine the proper functioning of the whole. In the Community context, on the other hand, the qualitative *cooperative* has another connotation that evokes the process of cooperation as opposed to the process of integration. In this sense, the cooperation between Member States can be strengthened, but it can also lead to blockages. It is well to note in this case that the „intergovernmental” relations between member states in a federal state cannot be confused with intergovernmental relations and processes in a developing community. The term "intergovernmental" means within the framework of the European Union the unanimous decision-making by governments, which, moreover, control the transposition and the application of these decisions in dependence on any direct and automatic effect. It is the return to the traditional intergovernmental organization. In this case, we must take into account another opinion presented by the specialists in the field. Therefore, in their opinion, the intergovernmental elements exist in some institutions, such as the European Council, but the expression *intergovernmental federalism* is not appropriate for the European Union.

On the other hand, the analysis of federal states reveals differences in types of federations: the presidential federalism in the United States, the parliamentary federalism in Germany and the federalism with a collegiate executive in Switzerland. However, these distinct institutional structures exercise a set of functions and apply a set of federative principles. Among the exclusive powers attributed to the federal government are foreign affairs, security and defense, international treaties and trade policy, currency and macroeconomic policy. These powers and the division of powers are defined in the Constitution. So, the federal state exercises only powers that are explicitly attributed to it. The competences are either reserved to the federated States or competed and exercised by the federal State and the federated States.

In European federalism and Switzerland in particular, the category of competing competences is the largest. It includes around 30 competing competences, including the regulation of the certificate of capacity for the liberal professions and the regulation of cinema.

So, the experiences of federal states mark out the evolution of various federative systems and suggest a set of general principles that guarantee both the maintenance and the evolution of the federation. The existence of a dynamic federative basic element implies a balance between the members of the federation. In general, these federal states are founded on common values and human rights, in other words on democratic principles. In this sense, if the concept of European federalism means the mutual dependence between federalism and democracy and the development trend of a decentralized state but based on respect for the rights and values of its citizens.

Federal perspective is frequently interpreted as the dynamic solution of moderate or middle to stop the fragmentation of the country or the State through the construction of federalism as an alternative by depending on the civil institutions, democracy and the justice distribution of wealth and power. In this sense, it means that the federal civil institutions encourage the federal practical and cultural renaissance and civilization, human rights and build a civil and federal society.

Federalism may be the most turned-over subject in political theory, but for good reason. Many political scientists see in the federal system and essentially an engine for the process of reform and change and political renewal in society and state institutions. The proper application of federal principles can stimulate:

- The building of national unity, political, economic and cultural renaissance in the life and civil society.
- The support for the constitutional institutions and an independent judicial and professional in its work.
- Integration and compliance with international standards, the improvement of the international relations and good cooperation with the International organizations.
- Respect for democracy and human rights according to the Geneva Conventions of the United Nations.
- Defense of democracy and human rights in the world.
- Freedom of opinion and expression and freedom of the press and media.

As we already referred, a federation (latin: *foedus, convenient*) is a union comprising a number of partially self-governing states or regions united by a central „federal" government. In

a federation, the self-governing status of the component states is typically constitutionally entrenched and may not be altered by a unilateral decision of the central government. Federation may be multi-ethnic, or cover a large area of territory, although neither is necessarily the case. Federations are most often founded on an original agreement between a number of sovereign states based on mutual concerns or interests.

Also, as mentioned above, federation or federalism is a constitutional power between one general government (that is to have authority over the entire national territory) and a series of sub national governments (that individually have their own independent authority over their own territories, whose sum total represents, almost the whole national territory. Federalism is not fixed - it is a process (as M. Burgess characterized him, taking on C. Friedrich's assertion), that is perpetual negotiation: some issues are not currently recognized, some are soluble, and some are currently insoluble [23, pp. 35-36].

Modern population centers, we are told, are too large and too concentrated to allow for direct decision-making at a grassroots level. In our present, transnational, often highly centralized social system, it is better to enhance representation in the state, to increase the efficiency of bureaucratic institutions we are advised, than to advance utopian „localist" schemes of popular control over political and economic life.

The important difference is that confederalism is a system where the central government is always quite weak whereas in federalism the central government can be quite a bit stronger. The European Union is the best example of the revitalization of the confederal form of governance. A confederation (with which it shares its creation through a treaty and maintenance of the sovereignty of member states), even though it be less than a federal state (but for how long if increasingly numerous powers are transferred to it?) might simultaneously be as powerful and effective as a federal state, while strictly preserving the identity and sovereignty of its constituent parts [82, p. 110].

Political scientists think that federal system that the political system is a natural model to save the minority from the majority [248]. We find this situation clearly in the federal system as the first British federal system emerged and evolved through the declaration and application of the federal system since 1701 as „England (included Wales) with Scotland to become a United Kingdom”.

Evolved and expanded the federal political system in the United Kingdom to include the Republic of Ireland (1922). Also continued as federal political system in Britain to be included the territory of Northern Ireland in 1972 and the withdrawal of British troops from its territory in

1998, as a federal region and independent in its internal management and control its national security.

Without a doubt, that the French Revolution had a major impact on the traditional political systems in Europe, prompting the German Kaiser to announce the federal declaration form as a system for 16 federal states. Federal political system is distributed widely in the United States in 1776 and then in Canada, Australia and New Zealand in 1910 and then expanded to include Spain in 1923 and to include India and Pakistan (1947). The success of the federal system in Europe and America and Central Asia „encouraged United Kingdom to support the federal system in United Arab Emirates in 1971 and was a model culturally and politically for the federal system in the new Iraq” [59].

After all, federal projects can take many different forms that are not always strictly fit into the framework of modern developed democracies. „Ignoring this diversity limits understanding of federalism and impoverishes comparative analysis” [230].

Thus, the system of territorial-state structure based on the principles of federalism, taking into account the advantages and disadvantages, cannot be unambiguously assessed. On the one hand, federalism allows for sufficiently effective controllability of a complexly organized political community, combining the principles of centralized management of a single state territory with decentralized territorial self-government. But, at the same time, the federal system has a high potential for instability, which is primarily due to the potential for conflict in relations between the center and the regions.

The complexity of this problem lies primarily in the fact that aspects of national models of federalism operating in the modern world cannot be reduced to a single denominator: in fact, every single federal state has its own specific features that distinguish it, sometimes significantly, from all other variants of a federal state, and even more confederate.

3.3. The political determination of the principles of contemporary federalism:

Republic of Moldova case

The phenomenon of federalism covers many situations and processes of the modern world and can be interpreted in completely different ways. Federalism is understood as the technology of power sharing; the political doctrine of man; ideology; type of social relations, which affects the institutional structure of the state; a way of solving ethno-political and ethno-cultural problems, resolving conflicts, observing human rights, peoples, territories, etc. It seems

that only a combination of these definitions brings us closer to an understanding of the phenomenon that is designated by the notion of „federalism“.

The expression of the essence of federalism is such principles, such as trust, compromise, consensus, diversity in unity, agreement, cooperation, partnership, tolerance. In the opinion of political scientists, „federalism is directly related to the rights of the individual, since it claims that there is no majority without a minority, thereby protecting the rights of minorities ... it is an effective means of preserving small communities. Genuinely self-governing society and alternative centralization of power and political solidity. The above allows specialists to consider the federation as one of the main types of democratic government” [226, p. 228]. All this allows us to interpret federalism as a kind of democratic government. Thus, democracy and federalism stimulate and strengthen each other and the federal institutions and systems should be elected from people and managed from a related technocrats and to practice the real democratic avoiding the intervene from out.

After a long break, there is a kind „of resuscitation of the federalist idea in the world. The demand for federalism is clearly growing” [243, p. 6]. This was also observed in the post-Soviet space, but from a specific perspective.

For example, in some countries of Central and Eastern Europe, even federalist rhetoric is not always popular and is often viewed by the authorities as a threat to national security. We can talk about a whole set of reasons for the unpopularity of federalism in post-communist countries. Among them is that federalism means additional freedoms for people, ethnic and territorial groups, minorities, etc. But these freedoms must be comprehended and properly applied. It takes time. The reason for the negative attitude towards federalism in post-communist countries is also the nature of its understanding by elites and the masses. Federalism is not a value for mass consciousness and elites use federalism only as a tool for implementing a specific political course. Therefore, often the federalism is presented to the masses as a policy leading to separatism and the collapse of the state. But in fact, the federalism is a real guarantee against separatism and an active mechanism for the unity of multi-ethnic society.

In post-communist countries, national states are given special value. Often in the minds of political elites and the masses, ethnic identity and the national state are directly associated with freedom and democracy.

In countries like Latvia, Estonia, where the emphasis is on „ethnic democracy”, where the rights are exercised primarily of a titular ethnic group, usually with a numerical majority. Dominating ethnic groups and elites expressing the interests of the majority are ready to

democratize all aspects of public and state life, but with the exception of their own privileged position.

Federalism can be used, as a method of settling ethnic conflicts, only in democracies. Pluralistic regimes create for federal institutions and practices the necessary contextual conditions that allow using the potential of federalization.

Federalist ideas are organic for the consolidated democracies of Belgium, Brazil, Britain, and other countries. Among the former communist states, consolidated democracies are quite few. They can not be referred to the so-called „ethnic democracies”. Consequently, the prospects for federalist projects in post-communist countries are primarily related to the development of the process of democratization, the formation of the priority of individual rights over the rights of the ethnos and the state in the values of mass consciousness and political elites.

Of the post-Soviet states, only Russia has tried more or less to follow the principles of federalism in its political practice. Other post-Soviet states prefer not to consider federalism as a means of solving cultural, ethnic, linguistic, territorial, etc. problems. Federalist projects are rejected by the political elites of a number of states of the former USSR, who declare their adherence to democratic values.

It seems that this situation „is caused by the fundamental difference between consolidated democracies and transit democracies” [223, p. 117]. For such countries, the successful implementation of democratization is a paramount task, and it will potentially lead to the formation of federal institutions in the event that federalism is in demand.

Federalism is one of the main factors in the reform of Russia's political system [239]. At the same time, at the present stage, there arises the need to define new priorities and tasks for choosing a political strategy, since federalism, as a form of democratic governance, is the most acceptable for a state with a huge territory and large population, notes the researchers [246].

Paradoxically, the failure of the federal authorities to ensure effective economic regulation has demonstrated a disadvantage for regional autonomy by limiting real opportunities to develop external economic ties. A second paradox reside in the fact that the possession of highly saleable commodities such as oil, gas and diamonds has been subject to central control. This, in turn, created a third paradox: „what made sovereignty work domestically (continued government management of the economy and of political competition) was the opposite of what would make it work externally. In these conditions, the quest for sovereignty proved to be an easy target for recentralization” [269, pp. 2-3].

The relations between the federal center and the regions are influenced by two processes - centralization and decentralization. In Russia, they are expressed in two extreme forms - disintegration and unitarization. Usually these principles are manifested to some extent, however, „the predominance of decentralist features is a prerequisite for the development of the country along the confederative path, and in the case of a preponderance of centralists, a gradual formation of a unitary system takes place” [248, pp. 3-4].

Feature of modern reform „vertical power” - a strict centralization of power at the federal level. This can not be unlimited, so there is a need to balance it with a trend such as decentralization [237, p. 107]. The current policy of „strengthening the vertical of power” in Russia, actively pursued by the country's leadership, can be considered as the „actual defederalization of the country” [223, p. 123]. And this reality is „authoritarian-domineering, not democratic” [298].

The Russian Federation, in essence, does not meet any of the generally accepted federal criteria for a „classical” federation. The USSR inheritor, it was not entirely federal in the Soviet period. In fact, the Soviet state was not truly federal, because „in practice there was a hard-working authoritarian political regime in the USSR” [249]. The USSR and the Russian Federation were not and, in principle, could not be federations, as they were strictly centralized states, excluding any manifestation of independence of regions in solving life support issues. „The center imposed its will on the regions, often disregarding their opinion. Genuine federalism fundamentally excludes such a system of relations” [240, p. 31].

The Russian political scientists come to a conclusion that while federalism in Russia is an external form with a unitary content. Russia is a federation only by name, being „a conventional or, so to speak, symbolic federation” [243]. Hence the situation that „federal institutions, are now in a state of suspended animation” [235]. In any case, experts see in a rather gloomy light the prospects for the development of a real federation in Russia: „With a high degree of probability, we are doomed to the next reproduction of the authoritarian model, if not to the degradation and disintegration of the country's mosaic political space” [301]. And the formation of a new model of Russian federalism is possible, according to political scientists opinion, only as a result of modernization of the system existing federal relations taking into account political and economic realities [233].

Without having solved their own problems, Russia is trying at the same time to influence the countries in the immediate vicinity, in the interests of their own interests. And for this reason Russia's political leadership has aggressively promoted Ukraine's federalization.

Meanwhile, the Russian side „does not abandon the idea of federalization of Ukraine and tries to use ethnic factors in the west and south-west of Ukraine to disseminate autonomous sentiments” [26]. Here, as in other cases, the federalist idea „is exploited in the interests of expanding and strengthening the Russian sphere of influence, whether it be limited and virtual” [235].

In the same sense it is manifested „Crimea syndrome” (federalization) [186] in relation to Moldova. Since 1992 till now, Russia wanted very much to make the Republic of Moldova a „pioneer of federalization” on the ex-Soviet space, only because for this a „reintegration” (in Russian version) with Transnistria was needed, followed by „enclavization” of the Republic of Moldova, as announce many Russian experts close [303]. The role of Russia as the triggering factor of the conflict (transferring it to the geopolitical and not ethno-political, targeting their own interests) was highlighted by various researchers. Therefore, it would be logical to take into account the settlement of the Transnistrian conflict, and we agree with this opinion, „at first instance, on the geopolitical factor rather than on the political-administrative or multiethnic one. At a distance of almost three decades from the declaration of Moldova's independence and the secession of the Transnistrian region, Chisinau still faces the problem of territorial fragmentation in a multitude of national and national identity flaws, and the solutions, surprisingly or not, there were so many” [215, pp. 2-3].

Along the way, a number of projects have been proposed: Moscow Memorandum or „Primakov Plan” (05.08.1997), the federalization project of the OSCE (1-3.07.2003), the Kozak Memorandum (2003), the project Voronin-Sova (2004), The Yushchenko plan (2005) and Dodon project (2013). It is worth noting that within them, the true principles of federalism have been respected.

Among the deepest political cleavages present in the political life of the Republic of Moldova, researcher Pantelimon Varzari highlights „unitarianism vs. federalism” [217, p. 164]. In agreement with these observations, Oleg Casiadi remarked judiciously that the Republic of Moldova „did not know how to formulate clear objectives, preferred the so-called multidirectional policy of balancing between West and East” [171, p. 191].

The insistence with which the idea of federalization for the Republic of Moldova (and today the course of Russian diplomacy continues on the constitution in the conflict region of the federation / confederation of Moldova and Transnistria and actually returning to the Kozak plan [223, p. 122]) was promoted by the Russian Federation – „idea delivered by the Kremlin” [180, p. 198] - makes us realize that the Republic of Moldova has played a role as a dummy (but still a role) in a big political game, and its political elites have come to this game. This is why the

issue of federalization appears with periodicity in the first plan of the political agenda of the Moldovan political elites.

About the federalization of the Republic of Moldova as a solution to the Transnistrian conflict has been discussed since 1997, when the first „plans” for regulating the relations between Moldova and Transnistria (as an equal entity) were started on the OSCE negotiating table [215, p. 2]. When the international debates on finding solutions to the conflict in the eastern territory of the country were launched, the opinions in favor of Moldova's federalization were expressed by several Western experts: „Under the present circumstances (2002, our note – R. S), the choice of a federal solution should also be welcomed as the best option for a multi-national state such as Moldova” [30, p. 1], because, in general, federalization is „a concept with positive connotations, associated with democracy, human rights, etc., especially when it comes to ethnic conflict, how accruing abundantly and aberrantly than” [180, p. 198]. The certain premise of such an option are invoked: Transnistria is (as de facto) currently a small state, non-recognized internationally, but with all distinctive structures and signs specific for a state identity. Here comes the assumption that the federalization's proposal was forced to try to reconcile cultural differences and identity, therefore it is accepted from the beginning in an attempt to preserve the unitary state.

The leaders of the political parties who have come to the fore in various periods in the Republic of Moldova expressed, under various circumstances, the positions of the political formations in relation to the issue in question, most of them showing hostility towards federalization. In the vision of Oleg Serebrian, leader of the Social Liberal Party (2002), „the solution proposed by the Kiev federal plan is „catastrophic” [204, p. 14]. The president of the People's Force Party, Nicolae Chirtoacă, said that federalization of the country „would be a dramatic scenario for the Republic of Moldova” [206].

In a poll aimed at specifying the positions of seven political parties in the Republic of Moldova regarding the priorities of their agendas, despite the fact that at the time of the survey (January 2006) the idea of federalization of the Republic of Moldova was not on the political agenda in Chisinau, the issue of federalism was considered the most important issue [205, pp. 56-57].

With all the criticisms of the idea of federalizing Moldova, the current President of the Republic, topmost exponent of the Party of Socialists, declares that it is the supporter of federalization: „An only solution, in opinion of socialists, is that the pro-statal, pro-Moldovan forces come to the government in the Republic of Moldova, which urgently will seat at the

negotiation table and will identify the political solution of this conflict, which consists in the granting of a special status to the region on the Nistru left-bank. We are now live in a country with all aspects of a federal state and this must not frighten us” [179].

However, the formulation of the idea of federalization has always been accompanied, in the case of external experts, by questions marks: „Conflict settlement through federalization?” [99, p. 90], „conflict resolution for Moldova and Transdnistria through federalization?” [30, p. 1], the hindermost pointing to many deficiencies that make the federalization plan practically unfeasible [30, p. 2].

The launching of the idea of federalization of the Republic of Moldova (at that time backed by the OSCE and others) took place while the present territory of the Republic of Moldova „never, at any time, did not „function” as a federation and most of the new states appeared in the former socialist space at the end of the last century were the result of the disintegration of some (supposed) federations. In the post-communist world, federalism only began in Russia, which had until 1990 a federation status within a federation. None of the 13 republics resulting from the USSR's implosion became a federal state. None of the countries (Hungary, Poland, Romania, Slovakia, Latvia, Estonia, Lithuania, Bulgaria, Czech Republic, Slovenia) that have joined the EU have developed a federal model of state organization” [200, p. 46].

It is very clear that the eventual transition from a unitary to a federalist system is a fundamental change in the relationship between local and central government, between different population groups that leads to an increase of the actual cost of safeguarding national unity changing to a federal system and may encourage centrifugal tendencies and be detrimental to stability. A country switching from a unitary to a federal system or establishing a federal system in a newly democratic setting „should not expect to see immediate, dramatic changes in the quality of governance. Instead, these effects are likely to cumulate over time as the new institutional rules begin to influence expectations and behavior” [52, p. 14].

Admitting that the Republic of Moldova is a plural society (in the sense of A. Lijphart, plural societies - societies that „are sharply divided along religious, ideological, linguistic, cultural, ethnic, or racial lines into virtually separate subsocieties with their own political parties, interest groups, and media of communication” [84, p. 31], get in line with the idea formulated by prof. V. Moraru, that in the construction of a state is very important „to choose correctly the interethnic relations strategy” [263, p. 306]. In the Republic of Moldova, in the first years of great political, social and economic transformations the legislation regarding the national

minorities in the Republic of Moldova was adopted in strict compliance with the human rights and fundamental freedoms without exception to the ethnic origin, language, sex or religion, as they are set in the international legal documents. The next period, however, as certified by the researchers, „was marked by deviations from the requirements and recommendations of the Council of Europe, by admitting internal borders drawn on the ethnic criteria and the beginning the federalization process of Moldova. The character of the legal system to regulate the minority rights as well as the old mentality to perceive those rules were generated the destabilized interethnic relations” [183].

In this context, is justified the remark of the Romanian author N. Țibrigan, which mentions: „federalism, as an institutional experiment, could be a solution for one multiethnic state only if, at the level of the entire society, there would be a political consensus assumed from the bottom of the citizens” [215, p. 4]. The argument that Moldova is a multiethnic state and for this reason it is natural for the federal formula „is not in itself consistent. It is true that the US is also a multiethnic state but not for this reason a federal state”, explain the experts [273, p. 17].

A multi-cultural recognition model (as a cultural autonomy) for Republic of Moldova is often invoked, or many times the problem of federalization in the East of Europe is posed [30]. Reference is made to the German model. But it is not possible, if we consider the real circumstances. It is certain: the history of the Republic of Moldova is completely different and contains no germs of a federal state: „federalization of the Republic of Moldova according to Kozak’s plan – whether it comes from Moscow, or from Berlin – has real geopolitical rationale, but no administrative one” [178]. Analysis of modern federations shows „that in the conflicts settling not the application of models is relevant, but the existence of certain conditions and elements which make it possible the implementation of a federal system”, says experts [283, p. 15].

However, considering the launch of some federalization projects of Moldova in order to solve the Transnistrian conflict it is appropriate to refer to this issue as well. Firstly, explains lawyers [201, p. 9], the Constitution of the Republic of Moldova in Article 1 states: „The Republic of Moldova is a unitary and indivisible state” [175] in the sense that it can not be totally or partially divided into several state units (states) and transformed into a Federal state. In spite of the constitutional provisions, on the basis of political factors, however, there were proposed projects that envisage the resolution of the Transnistrian conflict through the federalization of the Republic of Moldova. In one of them, Spain's model is cited as the most appropriate way to solve the Transnistrian conflict. Such proposals have no basis and can not have one, said Boris Negru. The federalization of the Republic of Moldova, on the one hand, is

not a step towards integrity, and it would further distract the left bank of the Nistru from the rest of the state [198, p. 145].

Since federalization has been proposed as a solution to the separatist conflict in the Republic of Moldova, „debates have spurred on which type of state is more viable in such cases, the unitary or the federal one formed of territorial units that enjoy a certain degree of autonomy? The proponents of federalism have outlined the following opportunity such a project offers: a federation is founded on state efficiency plus political freedom” [272].

According to experts, the federation can be defined by the element of autonomy. Autonomy can also be very well represented within unitary states. It can have different shapes and can be found in very varied configurations. There are ethnic, administrative, cultural, etc. In most cases, autonomy involves decentralization of power, and the decentralization of power does not necessarily imply a federation. But as it points the provisions of art. 142 of the Moldovan Constitution, which states: „The provisions on the sovereign, independent and unitary character of the state, as well as those on the permanent status of the state may be reviewed only with their approval by referendum, with the vote of the majority of the citizens enrolled in the electoral rolls. No revision can be made if it results in the suppression of citizens' fundamental rights and freedoms or their guarantees” [175].

As well known, a federal constitutional arrangement has been actively advocated by domestic and international actors as a way of solving ethnic-political tensions in the country. But one could not neglect the progress in reaching a federal constitutional solution is effected by the varying degree of success in democratizing political life in every federal system. There will be not a successful system based on federalization without a real democracy in context of the sociopolitical transformation in society [15]. Every federal system as a result comes of conflicts, which are existing in reality inside the country. This means that its functionality is related to the real challenges of political, economic, social, cultural transformations.

The challenges come from the fact that Republic of Moldova is a unitary state, including the problematic regions: the Transnistrian region(organized in the unrecognized „Transnistrian Moldovan Republic”) wich was not recognized by the international community, and Gagauz-Yeri territorial-autonomous unit.Gagauzia seems to feel comfortable in the parameters prescribed by the normative framework: the researchers even say: „The establishment of the UTAG should not be treated as the isolation of the Gagauz by the rest of the people of the Republic of Moldova, but as a way of integration with the preservation of the ethno-cultural specificity” [197].

The Transnistrian leadership appears to prefer a symmetric two-state federation. Moldovan officials have stated that a federation of two equal entities is unacceptable. Some smaller minority groups have been advocating more radical solutions. Secession and internationally recognized independence remained the position of the Transnistrian „ultra-left”, a small minority in Transnistria. Unification with Romania was promoted by a group of right-wing, as well as supporters of a „Greater-Romania”. This was a prominent position, especially in the early 1990s. The prospect of unification with Romania plays a significant role in anti-federation rhetoric in Transnistria.

The difference in the nature of the political regimes established on the left and right banks of the Dniester River „has a strong influence on how parties in federalization talks perceive each other and how they approach the issue of federalization” [109, p. 74].

It seemed to Transnistria that the being of neutral state of Moldova could meet the benefit of peaceful transformation inside Moldova including Transnistria because of the special conditions it could be conditioned on the treatment of Moldova and Transnistria as to deal with this issue in „equal subjects” in negotiations. Demonstrating their readiness to discuss the status of the region, „Tiraspol leaders tirelessly promoted various projects aimed at „distributing prerogatives” and creating a „Moldovan confederation”, the real objective of which is the building of an independent state entity” [214, p. 79]. Experts have found: „the confused and controversial notion of „common state”, which was imposed in the proposals, offered the opponents of Chisinau the opportunity to continue to plead for a „union of two sovereign states” [214, p. 81].

The voices in Transnistria call for a policy of autarchy and even provocation and sabotage to force the international community to establish an international protectorate. De facto secession and non-recognized independence for Transnistria describes the status quo. Some suggest that this is the real preference of both the Transnistrian leadership and Moldovan government. Another position is that Chisinau should end attempts to solve the Transnistrian conflict and focus efforts on European integration, and this seems to receive growing support in Moldova. Some forces in Moldova have long argued that Chisinau should not negotiate with the Transnistrian leadership, which is regarded as a criminal regime essentially run by Russia. The growing number of supporters of this position claim that the current stalemate constitutes the principal obstacle to the development of a fully democratic Moldova with a functioning market economy. It has been stated that the federal transformation of Moldova could exclude the possibility of joining the EU because of socio-economical-political reasons.

Another argument for challenging the federal settlement results from the fear that such a solution would, de facto, mean the recognition of Transnistria's independence. The international community, however, supports the territorial integrity of Moldova. Respectively, Transnistria's claims to statehood are generally illusory. And in this case, too it turns out the idea that federalism „seems to be both secessionism constraining and secessionism encouraging arrangements at a time” [34, p. 20].

The attitude of non-acceptance of the idea of federalization finds a justified and reasoned explanation based on the practice of other countries as well. „A federal design that works well in onestate might fail utterly if tried elsewhere” [100, p. 217]. Thus, for example, D. Fisichella, convinced that there are cases when the spirit of federalism is working for disaggregation (which is the opposite of authentic federalism, which is instead a mechanism of aggregation), explains clearly the reasons that militate, in the Italian case, against the adoption of a constitutional plant of federal type. In other historical and social realities - from Switzerland to Germany and to the United States, indicates this author, „federalism, although variously configured, has its own plausibility. This, however, does not apply to every country. Yesterday, because the building of the national state was built with a unitary profile that he had no credible alternative. Today and tomorrow, because institutional coherence of the nation, and therefore its internal cohesion, are absolutely indispensable in the European and global context, if the country wants to impose itself on the international arena. The institutional dissolution of Italy, which is being tried and against which it is necessary to commit, prepare a long lasting decline for the country” [261]. The same words can be applied to the political realities of the Republic of Moldova.

Besides, there are several arguments in support of the fact that „the federalism can not be a solution for Moldova due to the legitimate state imminent deficit, which has always been a part of a pre-existing state entity” [215, p. 2].

Perhaps the most important of these would be the democratic consolidation of the country, as many years ago, the political scientist and politician Oazu Nantoi said: „the European federalist experience can be applied in the conditions of the Republic of Moldova only if, in advance, democratization and demilitarization of the conflict zone will be ensured” [292]. The situation remains in continuation uncertain, but it is certain that „neither in Transnistria, nor in the Republic of Moldova federalization is wanted” [279].

In the scientific field, discussions on the eventual federalization of the Republic of Moldova put forward the issue of national interest (in vision of Victor Juc, the national interest represents „a series of factors that determine the strategic priorities of developing the nation and

the state, shows their essence and significance. This has a primary value and indicates the abilities of suggesting and achieving the directory objectives through both domestic and foreign policy” [70, p. 170]), the role of the geopolitical factor and national security, which have proved to be productive. Thus A. Burian, convinced that „the success of an external policy of a state is determined by the clarity of the formulation of the national interest”, highlights the geopolitical dimension of security, which „implies, first of all, the physical survival of the state, the defense and maintenance of its territorial integrity and sovereignty, the ability to respond appropriate to any real or potential threat from outside” [170, p. 192]. This, in particular, according to V. Saca, in the conditions when the permanent national interest of Moldova „is confronted with the contradiction between the Moldovan and foreign factors, especially the Russian one” [208, p. 226].

It must be noted that the focus of the investigative efforts of Moldovan authors addressing federalist issues to the examination of not only the theoretical aspects, but also to the practical consequences of the application of the federalist idea, especially in the context of the existent conflict in the eastern part of the Republic of Moldova.

Convinced that the Republic of Moldova „should not follow the idea of offering different kinds of special autonomies, based on political or ethnic principles, but to deepen the reform of local public administration in the spirit of assuring respect principles of the European Charter of Local Self-Government” [259, p. 43], some Moldovan authors propose as a solution the more determined regionalization of the country: „It can be concluded that the Transnistrian conflict does not fall into the logical range of issues that can be solved through federalization, with regionalization being a real alternative to federalization [200, p. 47].

Examining the practice of different states is made to argue or deny the idea of federalizing Moldova, Vitali Catană, for example, after examining the principles and regulations characteristic of the states built upon the adoption of the federal structure [272] claims that „the invocation as examples of successful federations and referring to their simple existence does not give any value to federalist arguments and can not convince that the only solution is the federalization of Moldova” [172]. In the same key builds his scientific, balanced and argued approach Igor Boțan, the author of the study „The Federalization of the Republic of Moldova: Opportunities and Risks” [272].

There is still much to be done to do for make the Moldova democratic transformation clear and one can not neglect that there are still some issues need to be analyzed and to make them clear and to give and take in order to strengthen the transformation of democracy and its institution based on the benefit of the state. There are a few variables that, in the case of the

Republic of Moldova, as the specialists see [272] do not fall with the demands of federalization: the way in which federal units are constituted, status of subjects, the vertically division of competences, the delimitation of interests at national and territorial level, distribution and exercise of competences, etc.

These are the circumstances due to which „any federalist solution, experts reasonably conclude, means the end of the European project of the republic” [180, p. 4]. For more analysts, it is clear - any solution to federalisation of the Republic of Moldova could be proposed (even in the form of an „extended autonomy” for Transnistria), none of them has the chance to succeed. The Moldovan social and political system goes on an own path and in spite of challenges, despite the tense and turbulent situations, it is functioning in reality. Criticism of federalization project seems to be judicious.

Conclusions for Chapter 3

This compartment of the thesis is focused on defining the conditions of federalism functionality within the current international system. It is divided into 3 paragraphs that served to achieve the following objectives: to make a comparative analysis of federalism in various regions of the world; to determine the principles of contemporary federalism; to study the problem of federalism related to the political realities of Republic of Moldova. Consequently, the following conclusions were made:

1. Currently the idea of an efficient organization of the states is on the agenda of the various discussions of the specialists in the field of political sciences. In this context, the researchers mention four basic models: the American and Swiss federalist model, the German model of federalization and the French model, also known as the centralized model.
2. The analysis of federal states reveals differences in types of federations: the presidential federalism in the United States, the parliamentary federalism in Germany and the federalism with a collegiate executive in Switzerland.
3. The experiences of federal states mark out the evolution of various federative systems and suggest a set of general principles that guarantee both the maintenance and the evolution of the federation.
4. The existence of a dynamic federative basic element implies a balance between the members of the federation. In general, these federal states are founded on common values and human rights, in other words on democratic principles.

5. The idea of federalism generates the concept of mutual dependence between federalism and democracy (democracy being a sine qua non condition of federalism), as well as the construction of a decentralized state based on respect for the rights and values of its citizens.
6. Federalization as an political model, appropriately applied, contains germs of flexibility and democracy capable of solving political problems between central and local authorities in a country with many cultures and nationalities.
7. The principles and modalities of contemporary federalism are politically determined. The case of Republic of Moldova amply demonstrates this.

GENERAL CONCLUSIONS AND RECOMMENDATIONS

The federalism is one of the principles applied in the practice of relations between the central power and the power exercised in the territories of that state. It is not only a form of state organization, a principle of relations between the centre and its regions, but also a comprehensive concept, a particular vision based on the capacity to discover the development potential of a state in its diversity and which would guarantee the autonomy of the constituent regions. The federalist vision is in search of the possibilities of dialogue, of mutually acceptable solutions, in sharing responsibility. That is why the federalism in the contemporary world constitutes (or could, in certain circumstances) a precondition for social-political stability and can be a tool for making the economy more efficient.

The processes of federalism naturally integrate the general course of things and mark politically changing realities. „For many years there are perceptible major changes in the world we live in” [194, p. 24], notes the researchers preoccupied with understanding this world and discover the trends of social development. In this context the issue of federalism has grown ever more pertinent, ever more pronounced. The advancement of this issue is taking place against the backdrop of aggravation of political and geopolitical situations related to such complex categories as national interests, state system arrangement, the existential problems of states.

In the post-Cold War era, a number of countries have adopted federal features in their constitutional frameworks in order to deal with diversity and the resulting conflicts. These include Belgium (1993), Russia (1993), Bosnia and Herzegovina (1995), Ethiopia (1995), South Africa (1996), the Former Yugoslav Republic of Macedonia (2001), Iraq (2005) and Nepal (2015), amongst others. Furthermore, ongoing debates about federalism, decentralization and the provision of territorial autonomy for certain ethnic groups in countries as diverse as Syria, Myanmar and Libya emphasizes the contemporary relevance of the federal idea.

In the context of the issue addressed, the opportunity to answer the question from the many possible ones is highlighted: federalisation – it is a way to stable democracy and good governance in contemporary societies, divided societies? The attempt to propose a pertinent answer to this interrogation and was the objective of the work.

The central contribution of our research consists in identification of specific elements of the federal processes and the determination of the conditions of the functionality of federalism. The conclusions we reached can be formulated as follows:

1. The experience of federalism in the world provides a rich material for reflection in order to highlight the best practices and extract the positive elements in the event of their implementation in the political practice marked by deficiencies.
2. Federalism gained considerable popularity in the second half of the 20th century and the beginning of the 21st century, which is explained by the attractiveness of successful federal projects, and by objective trends in the development of the modern world (democratization, globalization, the spread of network structures in the economy, information sphere, etc.). Under these conditions, they can be explained the increase in the number of federal states and the expansion of the use of federative principles by states.
3. The subject of federalism in the contemporary world offers the opportunity to examine the given phenomenon, very pronounced in the society, from the point of view of the political sciences, revealing the specifics of democratic processes in the frame of the manifestations of federal relations [144].
4. Political factors are of great importance in the construction and functioning of federal structures [141]. The federalism as a political model is flexible and democratic, able to resolve the political problems between the central and local authorities, in a country of many cultures and nationalities [133]. The contemporary federalism does not only reflect the form of government, but it does so and develops it becomes a way of organizing political power or a factor which in a significant degree determines the political system in the country.
5. The history of the formation and development of many federal states of the world shows that socio-political, economic and natural-geographical factors take a special place among the factors of influence (causes and conditions) on the formation and development of the state system. These circumstances stimulate correspondingly different economic interests of individual regions, which can strengthen or weaken the centripetal and centrifugal tendencies in the organization and functioning of the state [134].
6. The interrelation of federalism as a form of territorial structure / national-territorial structure and democracy, as a political regime, represents a huge potential for the development of democracy by increasing the number of actors involved in the decision-making process, decentralization of power, and the inclusion of social minorities in the political process. Federalism permits diversity. Local governments may deal directly with local problems. The entire nation is not strait jacketed with a uniform policy to which every state and community must conform. State and local governments may be better suited to deal with specific state and local problems [132].

7. The federal structure of the states it is not determined by the territorial area, by the density or the number of inhabitants, by the existence of several nationalities, by the political regime or by the government, but by the unification or deregulation of several states to achieve common interests. The existence of a dynamic federative basic element implies a balance between the members of the federation. In general, these federal states are founded on common values and human rights, in other words on democratic principles.
8. Federalism does not always lead to the achievement of ethno-political consensus in society, but it gives the opportunity to manage ethno-political conflict, preventing its growth before violent conflict. In this respect, an example of those federations for which a high level of democratic development is undoubtedly quite indicative is quite indicative. Federalism helps manage conflicts. Permitting states and communities to pursue their own policies reduces the pressures that would build up if the national government had to decide everything. Federalism permits citizens to decide many things at the state and local levels of government and avoid battling over single national policies to be applied uniformly throughout the country if the national government had to decide everything.
9. The experience of building federalism in some countries of Middle East has shown that federalism is not a universal form of the political structure of the state. A federal state can be viable and effective only if it is based on the long-term interests of all its constituent parts and a system of unshakable political, economic, budgetary, administrative, legal values in society [143].
10. The democratization process in the modern world has led to an increase in the degree of diversification of established types of political regimes in federations. An analysis of the development of modern federal states shows that federal relations can persist, be politically significant and develop in non-democratic and hybrid political regimes. The case of the UAE is relevant in this respect [136; 138; 139; 140].
11. Since federalism as a political phenomenon carries a rather high conflict potential, successful implementation requires the existence of developed democratic institutions, democratic political culture, strong national parties and well thought out dispute resolution mechanisms. Under conditions of transforming regimes, it is a rather unstable form of government [135].
12. The conclusions obtained in the course of the work can be applied in analyzing the processes related to political decision-making at the state level, in preparing institutional reforms and taking into account the risks associated with them.

Respectively, we believe that the objective has been achieved, solving the **important scientific problem** - the complex approach of contemporary federalism, which fact led to the systemic and contrastive analysis of political realities and which allowed the determination of its conditions of functionality in various states of the world, especially in Middle East, but in Republic of Moldova likewise.

According to the conclusions outlined, we propose some **recommendations**:

1. To continue the in-depth study of political practice in the context of the manifestation in society of federalist tendencies.
2. To provide conditions for the involvement of civil society in resolving issues related to political decisions on federalism, to further engage civil society in the debate and application of federal principles. Eventually establish a national Constitutional Consultative Committees in the countries that go the way of federalization.
3. The goverment and its institutions have to enhance the culture of democracy and federalism inside society. By all possible means - educational system, mass media - education in society of political culture, critical consciousness, ability to debate etc.
4. Weigh the federalist solutions well and launch them only when there are.
5. To ensure the full manifestation of the democratization function of the federalism.

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STATEMENT OF RESPONSIBILITY

I, the undersigned **Rafik SULAIMAN**, declare on my own responsibility that the materials presented in the present doctoral thesis are the result of my own research and scientific achievements. I am aware of the fact that, otherwise, I will bear the consequences in accordance with the law in force.

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Signature

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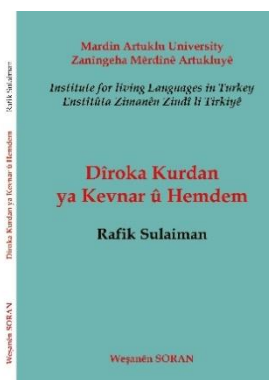
KNOWLEDGE OF THE FOREIGN LANGUAGES

German, English, Arabic, Kurdish, Russian, Turkish

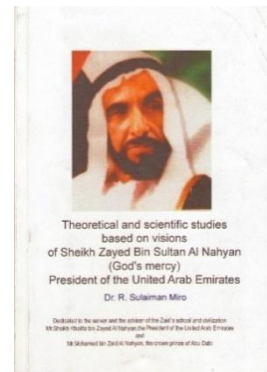
PUBLICATIONS

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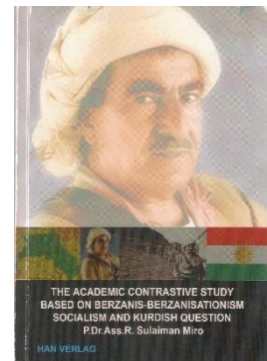
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- 2. Pregătim viitorul, promovând excelența.** - Congres Internațional. – Ediția a XXVII-a. - Academia Oamenilor de Știință din România, Universitatea „Apollonia”. – Iași, România, 2-5 martie 2017. - ***FEDERALISMUL CONTEMPORAN: PROBLEME ȘI CONTROVERSE***
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- 5. Evoluții ale proceselor sociale, politice și economice în contextul integrării europene.** – Conferință științifico-practică internațională. – Institutul de Cercetări Juridice și Politice al Academiei de Științe a Moldovei, INCE al Academiei Române, Universitatea Româno-Americană din București, Institutul de Filosofie al Academiei Naționale de Științe din Belarus. - Chișinău, 12 mai 2016. - ***STRUCTURAREA FEDERALĂ A PUTERII ÎNTRE AVANTAJE ȘI VULNERABILITĂȚI***
- 6. Pregătim viitorul, promovând excelența.** - Congres Internațional. – Ediția a XXVI-a. - Academia Oamenilor de Știință din România, Universitatea „Apollonia”. – Iași, România, 3-5 martie 2016. - ***THE OPPORTUNITIES AND THE LIMITS OF THE FEDERALISM***
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