SEEKING STABILITY AMID DEEP DIVISION: CONSOCIATIONALISM AND CENTRIPETALISM IN COMPARATIVE PERSPECTIVE

by

Allison McCulloch

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Abstract

For the design of power-sharing practices in deeply divided places, there are two main macro-political strategies: consociationalism, developed and defended by Arend Lijphart, and centripetalism, associated with the work of Donald L. Horowitz. In this thesis, I consider the academic debate between advocates of the two approaches and consider the extent to which either model represents a successful tool of ethnic conflict management. Two broad questions are asked: can centripetalism promote political stability in deeply divided places? Can consociationalism? I address these questions by engaging a comparative case analysis of six deeply divided places, three of which have adopted centripetal institutions (Fiji, Sri Lanka, and Nigeria’s Second Republic) and three of which have adopted consociational institutions (Bosnia and Herzegovina, Burundi, and Northern Ireland).

I present three central arguments in the thesis. First, centripetalism should not be recommended as a strategy of conflict management in deeply divided places. Its track record in such places reveals serious weaknesses. Indeed, it has tended to promote instability and exacerbate division rather than promote moderation. Second, consociationalism is better able to promote stability in deeply divided places. Third, consociationalism’s prospects of promoting stability are further enhanced when it is implemented in a revised and expanded form, labelled here as “comprehensive consociation.” This type of power-sharing addresses issues that go beyond concern with just political institutions, such as security sector reform, property restitution, and the return of refugees. These are the type of issues that are most likely to promote political instability if left unresolved. Failure to deal with such issues, I argue, is likely to make it more difficult for elites to agree to share power, or to maintain such arrangements.
Acknowledgements

First and foremost, I would like to thank my supervisor, John McGarry. John has walked, with precision, the line between pushing me to get my work done and knowing when my personal circumstances needed to take precedence. I appreciate his feedback, support, patience, and, above all, his willingness to work his outrageously busy schedule around my sporadic trips to Kingston.

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<td>ALTA</td>
<td>Agricultural Landlord Tenant Board [Fiji]</td>
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<td>AMIB</td>
<td>African Union Mission in Burundi</td>
</tr>
<tr>
<td>ARK</td>
<td>Northern Ireland Social and Political Archive</td>
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<tr>
<td>AV</td>
<td>Alternative Vote</td>
</tr>
<tr>
<td>BiH</td>
<td>Bosnia and Herzegovina</td>
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<td>BINUB</td>
<td>United Nations Integrated Office in Burundi</td>
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<td>CAIN</td>
<td>Conflict Archive on the Internet</td>
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<td>CBC</td>
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<td>First-Past-the-Post</td>
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<tr>
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<td>Gross Domestic Product</td>
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<td>Government of Sri Lanka</td>
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<td>HR</td>
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<td>International Crisis Group</td>
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<td>IDEA</td>
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<td>Internally Displaced Persons</td>
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<td>International Organization</td>
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<td>IRA</td>
<td>Irish Republican Army</td>
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<td>Abbreviation</td>
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<tr>
<td>LTTE</td>
<td>Liberation Tigers of Tamil Eelam [Sri Lanka]</td>
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<tr>
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<td>Mixed Member Proportional</td>
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<td>MPP</td>
<td>Member of Provincial Parliament</td>
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<td>North Atlantic Treaty Organization</td>
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<td>Office of the High Representative</td>
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<td>ONUB</td>
<td>United Nations Operation in Burundi</td>
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<td>OSCE</td>
<td>Organization for Security and Cooperation in Europe</td>
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<td>Post Tsunami Operations Management Structure [Sri Lanka]</td>
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<td>Republic of Fiji Military Forces</td>
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<td>Republika Srpska</td>
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<td>St. Andrew’s Agreement [Northern Ireland]</td>
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<td>SFOR</td>
<td>Stabilization Force [Bosnia &amp; Herzegovina]</td>
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<td>SMP</td>
<td>Single Member Plurality</td>
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<td>UNHCR</td>
<td>United Nations High Commissioner on Refugees</td>
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## List of Political Parties

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<td>ABASA</td>
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<td>ACTC</td>
<td>All Ceylon Tamil Congress [Sri Lanka]</td>
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<td>ANADDE</td>
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<td>Janatha Vimukthi Peramuna [Sri Lanka]</td>
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<td>Rassemblement du Peuple Burundais [Burundi]</td>
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<td>ZLBiH</td>
<td>United List of Bosnia and Herzegovina</td>
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Chapter 1

Power-Sharing, Institutional Design, and Deeply Divided Places

Nearly all the peace accords negotiated in the past fifteen years have included power-sharing in one form or another; indeed, it can be argued, the number of power-sharing “sightings” is increasing.1 As power-sharing gains popularity as a mode of conflict management and its frequency increases, it becomes increasingly important to assess its foundational principles. This is true for two reasons. First, the notion of power-sharing covers different approaches, some of which are inconsistent with each other. These include the two most prominent approaches - the consociational strategy advocated by Arend Lijphart and the centripetal model developed by Donald L. Horowitz.2 There thus exists a need to determine not just if power-sharing is useful, but also which kind of power-sharing.

Secondly, in much the same way that there exist different power-sharing strategies, there are also different types of places to which power-sharing can be applied. These range from the most deadly conflicts to those that are substantially less violent but are nonetheless polarized and to those that may be diverse but not necessarily deeply divided. This suggests a need to inquire not just which sort of power-sharing is useful, but also which sort is useful in which type of place.

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Yet neither consociationalists nor centripetalists give sufficient attention to this distinction in the depth of divisions. As a result, much of the academic literature on conflict management and institutional design for divided societies does not clarify matters, as the research community associated with this area of inquiry is often as divided as the places they study. This is particularly the case between consociationalists, such as Lijphart, and centripetalists, such as Horowitz, who both present claims as to the universal applicability of their respective models. Policymakers are thus constrained by a confusing array of practices from which to choose for a diverse set of divided places.

1.1 Research Questions and Propositions

The central concern of this thesis is with discovering which of the two main power-sharing approaches, consociationalism or centripetalism, is most likely to bring stability to deeply divided places. Both approaches are based on the design of political institutions. The main institutional features of a consociation are a grand coalition executive which is inclusive of the polity’s main segments; segmental autonomy, which can be either territorial or corporate in form; mutual vetoes on matters of vital importance to the segments; and the promotion of the principle of proportionality throughout the public sector, including the electoral system. Centripetal institutions, by contrast, include the adoption of an executive coalition restricted to moderate parties; a model of decentralized government that disperses power to multiple points, but that does not focus on promoting ethnically-based autonomy; and a stress on majoritarian electoral systems which are designed to reward moderates (primarily the Alternative Vote system

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for legislative and presidential elections, but also majoritarianism combined with regional
distribution requirements for presidential elections).  

Each model is marketed by its respective proponents as being of universal applicability
for divided societies, and as constituting the only choices available. Thus, Lijphart claims that in
divided societies, the choice is either “consociational democracy or no democracy at all” while
Horowitz argues that we need only choose between two types of majoritarian democracy, one
that permanently locks minorities out of power (i.e., no democracy at all) or the centripetal model
that makes majorities dependent on minority support. Neither Lijphart nor Horowitz considers
the other’s approach to have any merit in deeply divided areas. Lijphart argues that
centripetalism is unlikely to receive consent from minority groups and, as such, is unlikely to be
adopted anywhere, let alone in the cases of deep division. Horowitz contends that
“consociational methods are inapt to mitigate conflict in severely divided societies [and] are
more likely the product of resolved struggles or of relatively moderate cleavages than they are
measures to resolve struggles and to moderate cleavages.” Centripetalism, he argues, is required
in situations of deep division while consociation may only work in situations of mild to moderate
division.

Both the consociationalist and centripetalist claim to universal applicability cannot be
right. This thesis proposes, therefore, a comparative evaluation of the two strategies with the aim
of showing which approach has most merit in situations of deep division. In so doing, I ask two
central questions: can centripetalism promote political stability in deeply divided places? Can

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consociationalism promote political stability in such places? The focus on deep division is both necessarily concise and appropriate as both Lijphart and Horowitz present their models as suited to cases of deep division. The thesis’s central argument is that centripetalism is unlikely to be effective where divisions are deep, and much less likely to be effective than consociation. This is because the moderate core that is fundamental to centripetal politics is unlikely to be present in deeply divided places in sufficient strength. While consociation is more likely than centripetalism to work where divisions are deep, the thesis argues that it is not a panacea. Some of consociation’s shortcomings can be mitigated, however, if it is defined more expansively than it usually is. Classical consociational theorists restrict their attention to the four political institutional pillars that have already been described. A more expansive approach, which I describe as “comprehensive consociation,” combines agreement on institutional design with policies relating to other aspects of peace processes, including reforms to the security sector, provisions for the return of refugees and for property restitution. Disputes over such issues are prevalent in deeply divided places. Failure to agree on these sorts of issues can make it difficult for elites to agree on power-sharing institutions, or to cooperate within them. While a traditional consociation addresses inter-ethnic relations within a particular state, a comprehensive consociation also addresses relations, where relevant, that extend beyond state boundaries, including ethnic kin in neighbouring states. Where necessary, it also incorporates a role for international actors in the negotiation and implementation of peace accords. The thesis also argues that the feasibility of centripetalism (and consociationalism) is affected not just by the depth of divisions, but by demographic variables including the degree of heterogeneity (i.e., the size and number of segments) and territoriality (i.e., geographic concentration or dispersion) found in a given polity.

While the main argument of the thesis relates to deeply divided places, and the relative merits of centripetalism and consociationalism in such places, I also address the merits of both
approaches in places that are only moderately divided. My thesis suggests that centripetalism is also of limited utility in moderately divided places, as these can manage with conventional majoritarian and integrationist institutions. By integrationist institutions, I am referring to that collection of institutions that promotes the development of a single public identity to which all members of a given polity subscribe; such institutions include the promotion of catch-all political parties that are ideally non-ethnic in form, territorial or fiscal federalism, the separation of powers, and the protection of individual civil liberties. Because integrationist institutions are sufficient in cases of mild or moderate division, centripetalism is not of significant value anywhere, although its adoption is likely to be less damaging in moderately as opposed to deeply divided places. While centripetalism is unnecessary in moderately divided polities, the thesis concludes by showing that the adoption of consociational institutions in such settings would be counterproductive and harmful, creating divisions where they do not exist.

1.2 Case Selection and Research Methods

My thesis represents a qualitative research project that seeks to fuse conceptual and empirical work on power-sharing practices. At its core is a study of six cases: Nigeria under the Second Republic (1979-1983), Sri Lanka, Fiji, Northern Ireland, Bosnia and Herzegovina, and Burundi. The methodology employed here represents a middle way between the large-N statistical method and the N=1 case-study method. The problem with the former is that, while useful for the observation of statistical trends, it does not lend itself to the in-depth qualitative analysis of smaller-N studies. While large-N approaches provide an important benefit in terms of their “analytical clarity, parsimony and theoretical elegance,” this frequently comes at the

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expense of the “richness and depth derived from national or regional case-studies.” Moreover, the higher the number of cases, the more difficult it becomes to achieve conceptual equivalence across cases, which in turn poses problems of operationalization and measurement. To properly engage the question of whether consociation or centripetalism best promotes the pursuit of political stability in situations of deep division, it is necessary to get at the details that inform specific cases. Institutions do not operate in a political vacuum; it is thus vital to have a proper understanding of the context in which they function. This requires a level of description not found in statistical studies. As such, a large-N statistical study would be inappropriate for the research project undertaken here.

The N=1 method, by contrast, has the advantage of in-depth analysis of a single case. It has recently received support from what Andreas Wimmer has called the “new realism” in the field of institutional design. The “new realism” asserts that context must trump generality; scholars and practitioners must adopt a “tailor approach” in which the idiosyncrasies of each case are given primacy. By this account, the search for general lessons is hindered by the seemingly sui generis quality to each particular conflict and by the complexities involved therein. The chief problem with the N=1 approach is that, while strong in descriptive content, it suffers from the problem of weak generalizability in that the broader implications of such studies are often difficult to ascertain. There are exceptions. To cite one example, Lijphart’s path-breaking study of the Netherlands, The Politics of Accommodation, provided an invaluable refinement to pluralist

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theory and served as the platform for the development of consociational theory.\textsuperscript{13} The general rule, however, is that single case-studies are in tension with a central goal of \textit{comparative} politics: they are “unlikely to provide definitive answers.”\textsuperscript{14} What single cases gain in descriptive richness, they frequently lose in wider explanatory power. The use of a single case study approach would constitute a flawed basis for assessing the relative merits of consociationalism and centripetalism, even if the case had experienced both designs. As Lijphart notes, “[a] single case can constitute neither the basis for a valid generalization nor the grounds for disproving an established generalization.”\textsuperscript{15}

This is decidedly the case because, contra the case-by-case method, I argue in this thesis that lessons of conflict management and institutional design can be readily identified and promoted across divided polities. While attention must be paid to the issue of context sensitivity, as each divided polity will present its own unique nexus of conflict-producing cleavages, certain patterns of divisions can nonetheless be discerned. More specifically, “there is no such thing as singularity until one compares one case with another. One will not recognize the specificity of an individual case unless one draws parallels with other instances.”\textsuperscript{16} Context specificity does not preclude general lessons and comparisons; it, in fact, mandates it. Institutional design, then, must be a distinctly comparative enterprise. Consequently, it is important to tread a middle ground between the one-size-fits-all solution and the tailored approach.

\begin{itemize}
\item \textsuperscript{14} Pippa Norris, \textit{Driving Democracy}, p. 40.
\item \textsuperscript{15} Arend Lijphart, “Comparative Politics and the Comparative Method,” \textit{American Political Science Review} 65 (1971), p. 691.
\end{itemize}
The thesis follows the “structured, focused comparison” method of analysis. As outlined by Alexander L. George and Andrew Bennett, this method borrows from the statistical method the practice of asking a set of general questions for each case that are “carefully developed to reflect the research objective and theoretical focus of the inquiry.”\textsuperscript{17} From the single-case study method, it borrows the process of fleshing out the historical details of the case under consideration, but does so on a more limited basis. That is, “the method is ‘focused’ in that it deals with only certain aspects of the historical cases examined,” specifically those aspects that have theoretical relevance.\textsuperscript{18} The selection of six cases of deeply divided places allows me to retain some of the richness and thick description offered by the single case-study method while allowing for a degree of probabilistic generalization to other deeply divided places. The hypothesis that consociational designs lend more stability to deeply divided places than do centripetal designs is best tested by way of focused comparison.

In picking a medium-N approach (six case-studies), my thesis follows Lijphart in his most important work on consociational theory, \textit{Democracy in Plural Societies}, which looked at four cases in Western Europe (Belgium, the Netherlands, Austria, and Switzerland). However, his case-selection can be criticized as overly focused on relatively peaceful, prosperous countries with long traditions of democracy, and therefore of little explanatory value for other parts of the world which do not share these features. My case-selection does not suffer from these disadvantages. It is global in scope, with one case from each of Western Europe (Northern Ireland), Central-East Europe (Bosnia and Herzegovina), the South Pacific (Fiji), and South Asia (Sri Lanka), as well as two from Africa (Burundi, Nigeria). Unlike Lijphart’s work, it covers cases that are developing as well as developed as well as cases that are clearly deeply divided, with many of them violently divided.

\textsuperscript{18} George and Bennett, \textit{Case Studies and Theory Development}, p. 67, p. 70.
Of the thesis’s six cases, four have a bipolar ethnic split (Northern Ireland, Fiji, Sri Lanka, Burundi), one is tripolar (Bosnia and Herzegovina) and one is multipolar (Nigeria). The cases are also temporally diverse. The section on Nigeria covers only its Second Republic, which existed from 1979 to 1983. The section on Northern Ireland covers both the Sunningdale Arrangement of 1973-74 as well as the contemporary period from the 1998 Good Friday Agreement onwards. The section on Sri Lanka focuses particular attention on the contemporary period beginning with the 2005 presidential election, though it briefly considers the historical trajectory from independence to present day. The final three cases cover contemporary designs: Bosnia from 1995, Fiji from 1999, and Burundi since 2000. For the contemporary cases, June 2008 represents the cutoff point for analysis. This geographic and temporal diversity in case selection provides an explicit methodological advantage—it allows me to make causal inferences about the relationship between specific power-sharing institutions and political stability that hold across time and space.

In addition to being deeply divided, and being from different global regions, my cases were selected because they have experienced power-sharing practices of either the consociational or centripetal type. The universe of centripetal cases, however, is limited in scope, with only a handful of cases having adopted such institutions. As such, I was constrained in the process of case selection for my examination of centripetalism. In selecting Nigeria’s Second Republic, Fiji, and Sri Lanka, I have chosen to examine the most prominent examples of centripetalism in cases that are also examples of deep division. Moreover, all three cases figure prominently in Horowitz’s work. He has been particularly inspired by the Nigerian model; calling the institutional arrangement “well designed,” he has recommended the set of institutions adopted in Nigeria for other deeply divided places, specifically for South Africa.19 He has also commended Sri Lanka’s move to a majoritarian-preferential electoral system for its presidential elections,

19 Horowitz, Ethnic Groups, p. 683; A Democratic South Africa, Chapter Six, especially, pp. 206-211.
arguing that such a system would make minority votes as important as majority ones. He has written: “if a presidential system is designed so that the electoral formula encourages moderation and penalizes ethnic exclusivism, as it was in Nigeria and Sri Lanka, the potential for presidential systems to foster accommodation seems considerable.” He played an important role in Fiji’s transition to AV as he was consulted by the Constitutional Review Commission, which went on to adopt his recommendation; he has since suggested that the 1999 election in Fiji demonstrates the willingness of politicians to respond to centripetal logic and moderate their platforms, thereby justifying his position. Because Horowitz has argued that these particular cases all in some way vindicate his theory, they serve as important test cases for the validity of centripetalism as a model of ethnic conflict management.

The consociational universe is substantially larger and as a result there were more cases from which to choose. The case selection process here was motivated by a desire to test difficult cases, i.e., those that are violently and deeply divided rather than just mildly divided. As mentioned, Lijphart presented his defence of consociationalism based on cases of moderate division but has since argued that the model is also beneficial to deeply divided places. To test the soundness of this proposition, it is important to examine cases that are very deeply divided. Burundi, Bosnia and Herzegovina, and Northern Ireland all qualify as examples of deeply divided polities that have adopted consociational institutions. All three cases have also been subjected to skepticism as to their relative successes. By some accounts, Bosnia is a failure. David Chandler argues that the country is merely “faking democracy” while Gerald Knaus and Felix Martin suggest that it represents a return to European colonialism. Horowitz meanwhile suggests that

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21 Horowitz, Ethnic Groups, p. 647.
the results in Bosnia “are hardly of the sort that can be commended.”²⁴ Similarly, Northern Ireland is the subject of heavy criticism. Ruth Dudley Edwards characterizes it as a “sullen, angry, political apartheid” and Rupert Taylor argues that “consociational theory fails to accurately understand and explain the underlying nature of Northern Irish society” and as a result cannot “legitimately proceed to provide the means of resolving the ‘problem.’”²⁵ Meanwhile, much pessimism surrounds the case of Burundi; even Rene Lemarchand, who has highlighted some of the benefits that consociation has brought to Burundi, worries about its long-term viability. “Burundi,” he writes, appears as “a distinctly poor candidate for a successful implementation of consociational rule.”²⁶ These three cases, then, are in no way easy cases for expounding the merits of consociationalism.

The research conducted for this thesis relies on a mix of primary and secondary source materials. The initial stages of research covered the scholarship associated with the two leading theories of power-sharing, consociationalism and centripetalism. This meant, as a first step, careful readings of the respective canons of Arend Lijphart and Donald L. Horowitz, both of whom are widely published and occupy positions of preeminence in the literature on institutional design for divided places. Indeed, consociationalism and centripetalism are inextricably linked to the respective writings of Lijphart and Horowitz. It is for this reason that when discussing the two models, I rely primarily on the institutional formulations as presented by these two scholars. From there, the research moved on to the work of other academic proponents of these two models before branching out into the academic interpretations of the six case studies. The research for the six cases was then supplemented by a number of primary sources. These sources included local

and international media reports (i.e., daily newspaper, weekly and monthly magazines).\textsuperscript{27} It also included government websites, election results, polling data, and, where available, political party election manifestos. I also utilized reports issued by local and international non-governmental organizations (NGOs), think tanks and major international organizations (IOs), including reports issued by the United Nations (e.g., United Nations High Commissioner for Refugees [UNHCR]), the Organization for Security and Cooperation in Europe (OSCE), the European Union (EU), and the Commonwealth. International Crisis Group (ICG), Freedom House and International Institute for Democracy and Electoral Assistance (IDEA) represent the major international think tanks referenced. I also studied a number of reports published by case-specific organizations, as in the Centre for Policy Alternatives and People’s Action for Free and Fair Elections (PAFFREL) in Sri Lanka and the Conflict Archive on the Internet (CAIN) in Northern Ireland.

The majority of the primary research was web-based and easily accessible in English, given that four of the six cases (Nigeria, Sri Lanka, Fiji, Northern Ireland) have English as one of their politically relevant languages. English language data on Bosnia and Herzegovina is also widely available due to presence of several important international agencies in the country. The accessibility of reliable Burundian sources, however, was complicated by the fact that much of the data on the country was available only in French. In this case, I used what English language reports were available and, where necessary, interpreted the French versions.

1.3 Definitions and Assumptions

Three research assumptions inform this thesis, all of which are shared by both Horowitz and Lijphart, though criticized by many others. First, the design of macro-political institutions represents a principal means by which to promote stability and cooperation in divided places.\textsuperscript{27} On the benefits of using daily media sources in focused comparison, see George and Bennett, \textit{Case Studies and Theory Development}, p. 97, p. 108.
That is, the first theoretical assumption on which this thesis is based is that institutions matter.\textsuperscript{28} The design of appropriate political institutions through which conflict can be peacefully channeled is of crucial importance to the politics of divided places. As such places are often characterized by segregated civil societies, political institutions generally act as “the most prominent, and often the only, channel of communication between disparate groups.”\textsuperscript{29} As Ben Reilly and Andrew Reynolds have observed, institutions “must facilitate communication channels between groups who need to talk. If they exclude people from coming to the table, then their conflicts can only be solved through force, not through negotiation and mutual accommodation.”\textsuperscript{30}

If institutions matter for political stability, what exactly does the notion of political stability entail? The concept remains an elusive one in comparative politics. It has been broadly defined as “the regularity of the flow of political exchanges” and has variously been characterized by the absence of violence, the longevity of government and cabinet duration, the legitimacy of the constitutional regime, and the absence of structural change.\textsuperscript{31} Alternatively, it is understood as a multidimensional concept inclusive of system maintenance, civil order, legitimacy and effectiveness. This is the approach followed by Lijphart, who argues that a stable democratic regime is one in which there is a high likelihood of remaining democratic and where there exists a

\textsuperscript{28} By institutions, I mean a set of political arrangements that are both socially constructed and routinely exercised; see Robin Luckham, Anne Marie Goetz, and Mary Kaldor, “Democratic Institutions and Democratic Politics,” in Can Democracy Be Designed? The Politics of Institutional Choice in Conflict-Torn Societies, Sunil Bastian and Robin Luckham, eds. (London: Zed Books, 2003), p. 18.


\textsuperscript{30} Reilly and Reynolds, Electoral Systems and Conflict, p. 4.

low incidence of, or threat of, political violence. In assessing the stability of power-sharing designs, this thesis follows Lijphart in highlighting both system maintenance and civil order.

By contrast, the notion of political instability incorporates the failure to maintain the political system and civil order. Political instability may be said to result when any of the following phenomena occur: the system collapses by way of coup d’état, there is an increase in political violence and/or the outbreak of civil war, and political extremism becomes more electorally rewarding. In this thesis, I also consider cases of what may be called “imposed stability.” A situation of imposed stability may be said to obtain where the conditions of political stability are present but where an exogenous force does the work of maintaining that stability, as through military involvement in the political sphere or through the active involvement of the international community. In such cases, should the exogenous force be removed, the area would likely revert to a situation of political instability.

My argument about the importance of institutions implies the crucial value of elite level politics. As Ulrich Schneckener suggests, the consent of elites “is a conditio sine qua non for achieving an agreement in the first place” and the extent of their participation helps to determine the long-term stability of any agreement. Elite level politics represents a necessary piece of the conflict management puzzle. This position can be contrasted with “bottom-up” approaches that emphasize the reconciliation potential of civil society in the form of networks of engagement and sites of deliberation that bridge the ethnic divide. This “social transformationist” perspective

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32 Lijphart, Democracy in Plural Societies, p. 4.
33 Ulrich Schneckener, “Managing and Settling Ethnic Conflicts,” p. 283; also see Eric Nordlinger, Conflict Regulation in Divided Societies (Cambridge, MA: Harvard University Centre for International Affairs, 1972).
argues that elites in divided society are ethnocentric and that accommodating them through institutions exacerbates divisions. The proper way forward from this perspective is to focus on civil society organizations that seek to transcend division – to foster “those movements that cross-cut social divisions, and challenge and erode the clash of ethno-nationalisms and create new relationships of mutuality through networking and debate.” The social transformationist perspective embraces such policies as integrated schooling and housing initiatives and the promotion of inter-group engagements, as in NGOs, sports clubs, trade unions and business associations. The rationale is that as members of the different groups come together in these associational forms of engagement and also in more “everyday forms of engagements” that cross the divide, they will begin to recognize their commonalities and to enjoy the benefits of cooperation. This thesis argues, however, that bottom-up approaches involving unelected, and often unrepresentative, moderates are no substitute for agreements between authentic, democratically elected leaders of the communities in conflict. Social transformationism is a useful ancillary to such elite-level accommodation, but it cannot replace it.

The second theoretical assumption is that democracy matters. This position is underpinned by an interpretation of democracy that conceptualizes it both as the means by which to gain authentic access to the decision-making process and as an important mechanism by which to peacefully manage conflicts. That is, democracy serves as a forum in which conflicts can be addressed in non-violent fashion and where inclusive participation is fostered. Democratic institutions “allow conflicts to formulate, find expression and be managed in a sustainable way, via institutional outlets such as political parties and representative parliaments, rather than being


suppressed or ignored.”\textsuperscript{38} If democracy is to serve as a means for the mediation and minimization of conflict, it must, this thesis contends, be institutionalized according to the power-sharing principle. Not just any sort of democracy will do; to be effective in deeply divided places, democracy must be of a specific, consensus-building type.

Democratic power-sharing is premised on the notion that some form of joint decision-making represents the best prospect for the political stability of divided places. Rather obviously, as Florian Bieber notes, “power-sharing” encompasses two distinct components—both “power” and “sharing.” This implies a situation in which the power exercised by the state is effective rather than simply symbolic; furthermore power is to be collectively managed. Power-sharing thus entails a political system in which the “authority of state is administered jointly, and not only by one narrow constituency.”\textsuperscript{39} By promoting a collectively managed conception of political power, power-sharing provides authentic access to decision-making channels for groups that, on the basis of simple demography, could be marginalized under a majoritarian system. To be clear, I do not consider power-sharing as a categorical means of successful conflict resolution. That is, I do not promote power-sharing as a panacea. It represents the best means by which to avert conflict and to foster conciliatory practices in divided places but it can be prone to failure. Nevertheless, in seeking political stability amid deep division, facilitating the inclusion and participation of a broad spectrum of the polity remains an invaluable conflict-managing device.

The third assumption is that ethnic and ethnonational identities frequently matter. This does not imply primordialism, the view that particular ethnic communities have existed since time immemorial and that ethnic conflict involves ancient hatreds, although this is how the members of ethnic groups may subjectively view matters. Ethnic communities are constructed over time,

\textsuperscript{38} Reilly, Democracy in Divided Societies, p. 5.
by political and social action, but they are not easily deconstructed, particularly in conditions of deep division and conflict. The salience of ethnicity over alternative forms of identity in such places is an empirical phenomenon that can be directly measured, at least in democracies, through opinion surveys and particularly through election results. Ethnic divisions are not immutable, permanent features of intergroup relations. But contrary to the views of social transformationists, any transcendence of ethnic division is likely to require a power-sharing settlement among ethnic elites.

Polities or spaces may be divided along different criteria, including language, religion or ideology. This thesis deals with those that are deeply divided by ethnicity. The general definition of “divided societies,” as it pertains to the power-sharing literature with which this thesis is concerned, infers a situation in which a society is “ethnically diverse and where ethnicity is a politically salient cleavage around which interests are organised for political purposes, such as elections.”

An ethnically divided polity, then, is one in which ethnic differences serve as the basis for the creation and perpetuation of segments—collections of individuals under ethnically-prescribed banners—counter-posed to other similarly designated segments. When membership in an ethnic segment becomes overtly politicized and relations between segments proceed in antagonistic and potentially violent fashion, a polity can be considered as deeply divided.

I thus define “deep ethnic division” as situations in which the stability and legitimacy of political institutions are precariously maintained in the face of high degrees of segmentation and animosity between ethnic groups. In such places, the types of claims made by groups are frequently inflammatory and extremist, secessionist bids are probable and ethnic violence, small or large scale, is either probable or already occurring. Deep ethnic division can be empirically assessed by the political salience, the social resonance and the conflict intensity that divisions

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40 Reilly, Democracy in Divided Societies, p. 4, original emphasis.
41 Nordlinger, Conflict Regulation in Divided Societies, pp. 6-7.
display. In explicating the role deep division plays in the pursuit of political stability, I pay particular attention to the form of the polity’s party system. This is because the extent to which voters and their representatives perceive ethnic division as politically salient will be manifested in the sort of parties that receive the most electoral support. That is, polities characterized by deep ethnic division can be expected to have ethnic parties dominate the electoral arena.

For the case studies included in this thesis, I seek to identify their party system configuration in order to demonstrate the political salience of ethnicity. I do this by identifying four types of political parties: extremist ethnic parties, moderate ethnic parties, multi-ethnic parties, and non-ethnic parties. It is anticipated that where divisions are deep, the political party system will consist almost exclusively of ethnic parties. More mildly divided places, by contrast, will consist primarily of multiethnic and non-ethnic parties. An important indication of the depth of divisions, then, is the support levels obtained by ethnic parties.

My concern in this thesis, then, is with those party systems that encompass both moderate and extremist ethnic parties and where such parties capture all or most of support among voters. That is, it is possible to speak of the party system in so-called “ethnic” terms, by which I mean that the primary organizational principle for party formation is some conception of ethnicity and the promotion of an ethnic group. This sort of party system configuration suggests the presence of deep ethnic division for two distinct reasons. First, where such parties dominate the party system, voters consider ethnicity a politically salient variable. Even the presence of moderate parties suggests that voters perceive something politically relevant about ethnicity and the need for group protection. Secondly, where the system includes both moderates and extremists, there exists an increased likelihood of instability and conflict. This is because such scenarios frequently lead to outbidding and the rejection of cross-community cooperation.

The ethnic party does not, generally speaking, aspire to a universalistic platform; rather, the purpose of the ethnic party is to secure political and cultural benefits and protections for the
Two criteria inform the identification of a political party as ethnic: the distribution of its support and its relative willingness to make group claims and demands in order to capture that support. This means that the ethnic party must attract majority support from a specific ethnic community and it must be organized to make demands on behalf of that community. At the same time, there may be more than one ethnic party per ethnic group; that is, an ethnic group may split its support between two or more ethnically defined parties. This is the case, for example, with the Sinhalese community in Sri Lanka, where support is primarily divided between the Sri Lanka Freedom Party (SLFP) and the United National Party (UNP). The ethnic party, it is noted, may also attract some support from, and in some circumstances even field candidates from, other ethnic groups. Certainly, both the SLFP and the UNP have been able to attract some limited level of support from the Tamil and Muslim communities in Sri Lanka; though in both cases, the bulk of their support base comes from the Sinhalese community. What matters is that the primary purpose of the ethnic party is the promotion of the group and that its supporters recognize and give their support on this basis of group promotion.

Ethnic parties may take one of two forms: they can be either moderate in their position or they can be extremist. Richard Gunter and Larry Diamond employ the terms “pluralist-nationalist” and “ultra-nationalist,” respectively, but their descriptions also hold for ethnic parties that are not necessarily nationalist in orientation. Pluralist-nationalist (i.e., moderate) parties, they argue, are akin to other mass-based political parties in that they have a mass membership base and collaboration with ancillary groups such as cultural organizations and trade unions. The distinction lies in the configuration of the electoral clientele, which, for the pluralist-nationalist party, would consist of individuals who identify as belonging to a particular group. Such parties are generally judicious in their policy preferences and frequently stress collaboration with

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similarly structured parties that represent other ethnic groups. Moderate parties are willing to engage in cross-community cooperation, often in the form of pre-election coalition partnerships and in terms of their willingness to take account of the concerns and interests of other groups. By contrast, the ultra-nationalist (i.e., extremist) party is “proto-hegemonic in its aspirations”; it places primacy on the group above the individual, encourages the use of force and will frequently have an auxiliary party militia. The extremist ethnic party equates group promotion with “the totality of the common interests.” Ultra-nationalist parties have inflammatory platforms, which overtly denigrate other ethnic groups. These extremist parties eschew cooperation and compromise while attempting to outbid more moderate parties representing the same group.

Where divisions are milder, ethnic parties may compete with parties that are explicitly multiethnic or even potentially nonethnic in orientation. A congress party, for example, may either entail a multiethnic coalition made up of several ethnic parties or it may have a unified party structure that is multiethnic in composition. At the local level, the congress party may resemble the ethnic party in terms of its organizational structure, program and distribution of benefits, but at the national level, “[i]ts electoral appeal is to national unity and integration rather than division, to ethnic sharing and coexistence rather than domination and threat.” More generally, multiethnic parties may be placed along a spectrum, according to both the organizational form (e.g. a singular party structure or a coalition of parties) of the party and to the character and duration of the parties’ allegiance (e.g. coalitions of compromise versus coalitions of commitment). To be considered as multiethnic, a party must “span the major groups in conflict,” both in terms of its distribution of support and in terms of its “relative independence

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45 Horowitz, Ethnic Groups, p. 297.  
47 Horowitz, Ethnic Groups, p. 299.
from group claims and demands.” 48 The identification of parties as nonethnic, meanwhile, is residual and encompasses those parties that are oriented “along any other axis except ethnic differences.” 49 These sorts of parties would be organized along ideological or social class lines, i.e., on a traditional left-right cleavage or be issue-specific as with many Green parties.

Social indicators of division will also inform the political salience of ethnicity. The social and political salience of cleavages generally tends to dovetail. That is, “[t]he features of an ethnically divided society conspire to impede the development of the full range of social relations among ethnic groups, and this affects its organizational structure in and out of politics.” 50 In conditions of heightened political salience, the same divisions that play out in the political arena tend to be manifested in social life. Where cleavages are socially salient, “distinct, isolated, and self-contained population groups” prevail. Lijphart’s early description of the Netherlands conveys the social salience of cleavages: “Social communication across class and religious boundary lines is minimal. Each group has its own ideology and its own political organizations: political parties, labor unions, employers’ associations, farmers’ groups, newspapers, radio and television organizations, and schools.” 51 There would moreover be low levels of inter-marriage and residential intermixing. Groups function as their own independent societies within the larger polity; bonding organizations, which bring together members of the same group, tend to trump bridging forms of social capital that attempt to unite such group differences.

Conflict intensity also influences the political salience of ethnicity. In the study of ethnic conflict, accounts of violence are frequently conflated with accounts of conflicts. 52 Yet, conflict is not always violent in form; conflict should be understood as “a situation in which two or more

48 Horowitz, Ethnic Groups, p. 299.
49 Horowitz, Ethnic Groups, p. 301.
50 Horowitz, Ethnic Groups, p. 293.
actors, who interact with each other, pursue incompatible goals, are aware of this incompatibility, and claim to be justified of their particular course of action." On this definition, violence represents a particular expression of conflict but it remains that conflict can also occur in the absence of violence. Ethnic violence, then, serves as a marker by which to gauge the intensity of the conflict. If violence is severe, then divisions are likely to be deeply entrenched. Violence does not define a conflict but it does suggest the depth of the conflict.

If violence is a particular form of conflict, violence too can be manifested in a variety of ways. There may be political assassinations, ethnically-motivated hate crimes, ethnic riots and pogroms, ethnic cleansing, and in extreme cases, acts of genocide. The number of conflict-related deaths serves as a general indication of levels of violence. Major armed conflicts are those that include more than 1,000 such deaths per year whereas emerging war situations are those in which fighting can be considered as “systematic and sustained” but the number of direct deaths has not surpassed the 1,000-death level. Yet the determination of levels of violence can be rather complicated, since the distinction between places that are violently divided and those that are not is often drawn arbitrarily. Employing measures of violence as the sole indicator of deep division is also problematic since the violent death rate of, for example, many Northern American cities surpasses those of deeply divided places like Northern Ireland, the Middle East or South Africa. Rather the emphasis here should be on levels of political, not simply criminal, violence. Because of this challenge, levels of violence can only function as a partial indicator of deep division.

Finally, it is also important to highlight the important bearing demography has on processes of institutional design. Political demography entails the study of populations, with

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particular emphasis on the political effects of the size, composition and distribution of population groups.\textsuperscript{56} It is concerned with both demographic realities and perceptions of those realities. A polity’s demographic configuration can take multiple forms. The complexity of demography is captured in this quotation from Benjamin Reilly:

Ethnically divided societies tend to be divided in different ways. For example, divided societies can be fragmented into many contending groups (e.g., Papua New Guinea and Tanzania) or balanced between a few similarly sized ones, which can then be broken down into bipolar (e.g., Fiji and Cyprus) or multipolar (e.g., Bosnia) configurations. They can feature dominant majorities (e.g., Sri Lanka) or dominant minorities (e.g., Rwanda). Minorities can be based on indigenous or other homeland societies or on settler diasporas (e.g., Russians in the Baltics). Ethnic groups can be divided by international boundaries between several states (e.g., Kurds) or entirely encapsulated by a single state. Groups can be territorially concentrated or widely dispersed.\textsuperscript{57}

There are consequently at least three demographic issues in need of explication when approaching considerations of institutional design: the number of politically significant groups, their size vis-à-vis the other groups, and their territoriality, understood as their geographic concentration or dispersion. These indicators of demography are closely related. The number of groups can range anywhere from two groups to hundreds of different groups; as Reilly illustrates, a polity may have a bipolar configuration, it may be characterized by extreme fractionalization or it may fall somewhere in between these two extremes. Similarly, the size of groups can show a dramatic range of difference. It is usually the case, however, that to be politically significant, a group should represent a sizable portion of the polity’s overall population. “The group must,” in other words, “have the membership size and, thus, the mobilization potential to influence central state politics in a meaningful way.”\textsuperscript{58}

\textsuperscript{57} Reilly, “The ‘Crucial Case’ of Papua New Guinea,” p.163.
\textsuperscript{58} Marshall and Gurr, \textit{Peace and Conflict 2005}, p. 29.
The extent to which a group represents a majority, a plurality, or a minority of the overall population will contribute both to the sort of claims it will make and to the prospects of reasonable response to such claims. Certainly, the larger the group size, the more likely it is to derive benefits from the system, including enhanced and effective representation in political bodies, the legitimacy to participate in the political arena, access to legal, bureaucratic, and military channels, and more generally, the right to make demands on the political system. This means that “the larger the ethnic group within a state, the less it can be ignored.”

At the same time, the size and number of groups are relative issues. Horowitz discusses the implications of a 60:40 split in which a majority group and its ethnic party would be able to retain power indefinitely. Where a country is divided between Group A with 60 per cent of the population and Group B with 40 per cent with ethnic party representation on both sides, Group B can become permanently excluded from political power. Similarly, a group that constitutes, say, twenty per cent of the overall population would have more political leverage in a situation where it is one of many smaller sized groups than it would in situations where some variation of the majority-minority configuration obtains, as with an 80:20 split. From a strictly numerical perspective, the majority, in this sort of scenario, may have little incentive to compromise with the minority.

This would be even more the case if that group of twenty per cent was spatially distributed throughout the territory. The geographic dispersion of groups makes political mobilization, in general, and secessionist bids, in particular, difficult. Conversely, if groups are territorially concentrated, secession may appear to be a feasible option. Similarly, when groups are territorially concentrated, it may be the case that demands for autonomy within the current

60 Bookman, *Demographic Struggle for Power*, p. 18.
system are given more serious consideration by both majority and minority groups. A group’s territoriality will also be informed by whether international state boundaries separate groups from their ethnic kin in other states, as is the case with the nationalist community in Northern Ireland and with the Bosnian Croats and Bosnian Serbs in Bosnia and Herzegovina. Territoriality is also significant at a more symbolic level; as Wolff argues, “territory possesses certain values in and of itself.” Those values would entail ownership of natural resources, the extension of goods and services, and military and strategic advantages. Territory can give rise to irredentist, secessionist, and autonomist claims that would necessarily need to be addressed in the institutional design.

The primary aim of institutional design in deeply divided places is to find constructive ways to reduce the political salience, social resonance and intensity of conflict and to thereby open the political space for intergroup cooperation and compromise. While many scholars are primarily concerned with the number of groups and other demographic data when proffering conflict-reducing strategies, these tell only a fraction of the story. The demographic configuration of a particular polity does not in itself lead to conflict. That is, there exists an important distinction between the diversity of a society and the depth of its divisions. The diversity or pluralism of a polity is a necessary but not a sufficient condition for conflict. Considerations of the political salience of ethnicity and how that salience is manifested in the political party system should take precedence because they go further in explaining the adoption and maintenance potential of particular institutional designs. There is a need to study the attitudes and interactions of the conflict groups in the polities under consideration, as the emphasis on political salience

63 Steiner, European Democracies, p. 273.
does, if institutional remedies are to be efficacious. Doing so provides both explanatory and prescriptive power to processes of institutional design in specific cases.

1.4 A Note on Terminology

Confusion, at both the conceptual and practical level, is a frequent result of the failure to expressly elaborate the terms and concepts and their implications pertinent to a particular analytical undertaking. A note on terminology is therefore in order. First, when discussing the Horowitzian model of conflict management, this thesis adopts the term “centripetalism.” It is important to clarify this point because there is some debate over what to label Horowitz’s approach. It has, at various times, been called centripetalism, integrative majoritarianism, the integrative approach, and, by Horowitz, the incentives approach. “Centripetalism” is an apt label for Horowitz’s model, given its purposive intent to pull groups towards the middle or centre of the political spectrum. It is a term that has been used by Ben Reilly to describe Horowitz’s work, and recently has become the preferred term of Horowitz himself.\(^\text{64}\) Thus, for the purpose of clarity and consistency, the term “centripetalism” will be used.

Second, this thesis adopts an expansive understanding of the notion of power-sharing and as such includes both consociation and centripetalism within its purview. While some scholars such as Lijphart appear keen to equate only consociation with power-sharing,\(^\text{65}\) it is argued here that this represents an overly restrictive understanding of the term and that other institutional strategies, such as centripetalism, can also be understood as forms of broad-based decision-making. The two models ought to be considered as “conceptual poles in a spectrum of specific


conflict-regulating institutions and practices that promote power-sharing.”

Brendan O’Leary makes a similar point by arguing that power-sharing and consociation are not synonymous.

There are in fact other ways by which to share power, among them, federalism, the separation of powers, temporary coalitions in times of crisis, and not least of all, centripetalism. Consociation should be perceived as a direct form of power-sharing in that it explicitly entails the inclusion and representation of all major groups in government. Centripetalism can be understood as both direct power-sharing, when it involves a coalition of moderate parties from different ethnic communities, and as an indirect form of power-sharing, when it involves presidential executives elected by centripetal electoral mechanisms (the alternative vote or majoritarianism plus regional distribution requirements). Indirect power-sharing is intended to make political decision-making broadly-based, even if the minority’s share of power is found in the guise of political influence on decision-making rather than in political representation. When this thesis refers to power-sharing and the power-sharing debate, it is with reference to the general collection of institutions that facilitate broad-based decision-making between communities and the process of selection among them.

The next point on terminology relates to the very idea of a divided society. While this is the expression overwhelmingly favoured in the literature, the use of the term “society” is an unfortunate and often inaccurate description. In many of those cases referred to as divided societies, the groups in conflict reject precisely a status as members of the same society. Stefan Wolff contends that many deeply divided places are characterized by “the existence of two (or more) separate civil societies strongly aligned with different ethnic groups.” John McGarry more forcefully asserts that the term “divided society” suggests “a single society, which is plural

or divided, when minority nations would prefer to see their state as being comprised of different 
*societies*. That is, the groups do not constitute a society in the strict sense of the word; they feel that they are members of separate societies and that state institutions should reflect that difference in membership. While the groups in question may find themselves within the same state or polity, there is an important distinction in societal belonging. Thus while the terms “divided polities” and “divided places” may appear as less familiar, I argue, that they represent more apt descriptors of the sort of places with which this thesis is concerned. This thesis will thus use the terms “divided polities” and “divided places” instead of the traditional “divided societies.” A divided “polity” is a unit of governance, whether a state, as in Nigeria, or a region of a state, as in Kashmir or South Tyrol. A divided “place” is a piece of territory that may be smaller or larger than a unit of governance, whether a state or region.

### 1.5 The Structure of the Thesis

This thesis advances the argument that centripetal institutions are unlikely to work in deeply divided places, that consociation, while not without its flaws, has more merit, and that a comprehensive form of consociation has advantages over the traditional form. In making this argument, the thesis is organized into three broad sections. Part I, a theoretical discussion of the nature of institutional design for divided places, includes two chapters. This first chapter sets out the research questions and guiding assumptions of the thesis. The second chapter details the debate between consociationalists and centripetalists and expands on the institutional packages of the respective models. The intent of the second chapter is, first, to explicate the similarities and differences of the two designs, and second, to review the intellectual conflict that persists between

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Figure 1-1: Summary of Research Findings

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each model, the lessons are then organized according to the dimensions of the depth of divisions, on the one hand, and demography on the other. I follow this up with a brief discussion of the utility of consociation and centripetalism in situations of ethnic diversity (mild division). Using the example of the Canadian province of Ontario—an ethnically diverse society which recently flirted with shifting towards some consociational-type institutions—I argue that neither model is relevant to places that are diverse but not divided. I show that consociation in such settings may serve to deepen divisions while centripetalism is unnecessary as such places are able to get on with either regular majoritarian or integrationist institutions. In the conclusion, Chapter Six, I discuss the broader implications of the research findings presented in the body of the thesis including some future lines of research.

In the remainder of this thesis, I advance three interrelated claims. Thesis I: *Centripetalism is an ineffective mode of conflict management in deeply divided places.* Centripetalism is inapt to effectively regulate divisions in deeply divided places; it can provide neither the political stability nor the prospect of interethnic peace that such places require. For instance, groups that are deeply polarized are unlikely to have the moderate core integral to the centripetal approach and as such are more likely to insist on, and to cooperate under, a consociational solution. Thesis II: *Consociation is superior to centripetalism and represents a viable method of conflict management in deeply divided places.* Consociation can provide a basis by which deeply divided places can pursue a politics of accommodation. Yet in many cases, consociation alone is insufficient. Thesis III: *Comprehensive consociation has marked advantages over classical consociation in deeply divided places.* What many deeply divided places require is a comprehensive form of consociation that also addresses issues such as security sector reforms, provisions on the return of property and of refugees and perhaps institutional arrangements that extend beyond the state in question. While arguing for comprehensively consociational arrangements in situations of deep division, the thesis argues that this does not
represent a panacea and is itself subject to a number of shortcomings, which are outlined in the thesis.
Chapter 2
Consociationalism, Centripetalism and the Intellectual Conflict

In this thesis, I call for the rejection of the universal prescription of the two main power-sharing models of consociation and centripetalism. While both claim to work in deeply divided places, I argue that centripetalism does not promote political stability in such places. I also argue that consociation has a much better claim in its ability to promote political stability but this is only under the condition that it is adopted in a revised form. Specifically, I reject Donald L. Horowitz’s assertion that what deeply divided places require is a selection of political incentives for moderation that makes majorities dependent on minority support. I also argue for a revision to Arend Lijphart’s claim that for divided places the choice is between “consociational democracy or no democracy at all.”¹ While consociational democracy may be an important conflict-managing tool in situations of deep division, it is best able to promote political stability when it functions as part of a larger comprehensive conflict-managing package. The purpose of this chapter, then, is to lay the conceptual groundwork for this argument. In so doing, I review the institutional characteristics of the two approaches and the resulting intellectual conflict between Lijphart, Horowitz and their respective proponents.

2.1 The Consociational Model

Consociationalism represents one of the leading theories in Comparative Politics. “Few theories,” Rene Lemarchand notes, “have had a more enduring impact on the thinking of analysts

and practitioners of democratic governance than the consociational model.”

This status is largely attributable to Arend Lijphart who has produced a seminal and extensive body of literature on the merits of the approach. Believing that segmental divisions are “not a mere fiction serving the political elite” and that as a result “they have to be accommodated and cannot simply be wished away,” Lijphart sought to establish a framework for accommodation that was both empirical and normative in form. He argued that for deeply divided places, majority rule is akin to majority dictatorship and that instead such places require an emphasis on consensus rather than opposition and on inclusion rather than exclusion.

Lijphart’s model is premised on processes of elite cooperation and assumes that the centrifugal forces found in divided places can be offset by such policies of collaboration among the representatives of the different segments within the polity. This policy of elite cooperation entails four institutional arrangements: a grand coalition in government or cross-community executive power-sharing that is as widely inclusive as possible, segmental autonomy in either territorial or corporate form, proportional representation as both an electoral formula and as a principle for civil service appointments and resource allocation and, finally, mutual vetoes on those issues which affect the vital interests of specific groups. A consociation can thus be viewed as a polity in which at least two communities “peacefully co-exist, with none being institutionally superior to the others, and in which the relevant communities co-operate politically through self-government and shared government.”

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On decisions of common concern, each segment is afforded decision-making capabilities in proportion to its size. On matters of exclusive concern, each segment is allotted full decision-making power. In so doing, consociation is said to advance prospects for the political stability of divided polities.

It can be considered a flexible mode of governance, and, as a result, there exist numerous institutional manifestations. This is particularly true of the grand coalition, which entails the participation of all major segments in the executive decision-making process. The grand coalition is typically associated with the formation of a multiparty cabinet in a parliamentary system. Examples include the Netherlands between 1917 and 1967 and Austria between 1945 and 1966. The Austrian arrangement ensured a delicate balance of Catholic and Socialist representation in cabinet, while in the Netherlands shifting coalitions were more common that had varying levels of participation from the parties representing the four so-called pillars of the Dutch polity (Catholic, Calvinist, socialist and liberal). Lijphart has indicated a clear preference for parliamentary arrangements, which he praises for their collegiality and ability to offset the majoritarianism he views as intrinsic to presidential systems.

Nevertheless, a consociational executive may be found in presidential systems as well, as a coalition of the president and other top officeholders or as multimember presidencies elected on joint or separate platforms. Lebanon during the National Pact era (1943-1975) and Switzerland’s Federal Council exemplify the first example while the Bosnian case illustrates the latter. In Lebanon, Maronite Christians were guaranteed the position of president while a Sunni Muslim would hold the position of prime minister, a Shia Muslim would fill the position of president of the national assembly and a member of the Greek Orthodox community would serve as deputy

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8 Lijphart, Democracy in Plural Societies, p. 32.
speaker. The Swiss Federal Council, in which the composition of the seven positions ensures representation across the difference linguistic and regional groups, would be another example of this sort of arrangement. In Bosnia and Herzegovina, there exists a three-person presidency with one seat reserved for each of the three main groups of Bosniaks, Bosnian Serbs and Bosnian Croats; each member is elected on a separate platform by the members of the community he is to represent.

Some controversy surrounds Lijphart’s use of the term “grand coalition,” particularly his early description of the coalition as a “cartel of elites,” which implies an undemocratic and anti-competitive composition. It is an unfortunate description as it does not do justice to the inclusive and consensus-oriented nature of executive power-sharing. One way to get around this perception of consociation as undemocratic and uncompetitive is to unpack the meaning of executive power-sharing as Brendan O’Leary does when he makes the distinction between complete, concurrent, and weak consociational executives. The complete consociational executive is akin to the grand coalition in that all major groups are represented in the executive, even if that representation is by more than one political party per group. Meanwhile, a concurrent consociation would include all major groups in the executive that have majority support within their respective communities but not necessarily within all political parties. Finally, a weak consociation would have the participation of all segments but with varying levels of party support. O’Leary writes: “an executive is weakly consociational if one or more segment merely gives its plurality assent while other segments give majority or higher levels of support to the government.”

Additionally, the executive may consist of members of different political parties or it may consist of one large party that is itself internally consociational and ensures representation

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from across the segments within its own party structure. It may also be the case that the different segments may receive some form of constitutional protection of their executive status and that all political parties above a specified minimum size in parliament are entitled to membership in the cabinet. In Belgium, for instance, the constitution guarantees that an equal number of Dutch-speakers and French-speakers will comprise the executive, while Cyprus’s short-lived consociation (1960-1963) mandated executive, parliamentary and civil service representation on a seven to three ratio for the Greek and Turkish communities, respectively. Post-apartheid South Africa, meanwhile, serves as an example of the latter arrangement—any party that received five per cent of parliamentary seats was guaranteed participation in cabinet. Likewise, in Fiji any party with at least 10 per cent of the seats may enter cabinet. The key to executive power-sharing is that it includes substantive cross-community participation rather than any specific institutional form.

The assurance of a mutual veto, which can be either informally practiced or formally enshrined in the constitution, also facilitates minority inclusion in the decision-making process. For this reason, Lijphart has labeled it “the ultimate weapon that minorities need to protect their vital interests.” All divided polities face the predicament of getting group representatives to come together in either pre- or post-election coalitions. How those alliances function after the initial coalition-building stage, however, provides insight into how stable and cooperative politics will be. It is not just a matter of getting the representatives together, as the grand coalition does, it is also about how they behave once together. Without the veto, the principle of majority rule can be easily enacted within the power-sharing executive, thereby defeating the very purpose of the

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coalition. For instance, smaller groups may be proportionally represented in the coalition but not have the numerical strength to prevent the passage of legislation detrimental to their vital interests. This came to pass under Burundi’s 1993 power-sharing arrangement—the Tutsi community, at 14 per cent of the population, held roughly that same percentage of seats in the National Assembly. With the passage of legislation on constitutional amendments requiring four-fifths approval, Tutsi parliamentary representation was not high enough to prevent any potential legislation thought damaging to their interests. The veto thus serves as a form of insurance that minority segments have authentic participation in the decision-making process.

Vetoes may be either informally given or constitutionally enshrined and can cover constitutional change, routine legislation, or both. Under its original consociational arrangement, Belgium had both informal and formal veto arrangements; the linguistic groups were guaranteed these powers in the constitution on educational and cultural issues, while veto rights operated only informally between the families spirituelles. In its contemporary manifestation, beginning with constitutional change enacted in 1993, any new constitutional amendment needs two-thirds support as well as support from the main groups. Bosnia serves as another example of the formal institutionalization of mutual vetoes—under the original provisions of the Dayton Peace Accords, all decisions to be taken in the House of Representatives required at least one-third support from each of the three constituent groups.

Proportionality in political representation, civil service appointments and in the allocation of financial resources is another key aspect of consociation intended to facilitate the inclusion of all groups. The proportionality principle should be evident at all levels of government. To ensure parliamentary proportionality, Lijphart argues for an electoral system based on the principle of proportional representation (PR). In a PR system, each political party puts forward a list of

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16 Lijphart, Democracy in Plural Societies, p. 38.
17 Florian Bieber, “Consociationalism—Prerequisite or Hurdle for Democratisation in Bosnia? The Case of Belgium as a Possible Example,” South East Europe Review 2, 3 (1999), p. 88.
candidates in multi-member districts. Voters cast their ballots for their preferred political party and parties receive seats in proportion to their overall share of the popular vote, with the winning candidates taken from the party lists in order of their position on the lists.\textsuperscript{18} The party lists may be either open or closed. An open list allows voters to express their preference not only for a political party but also their preference for specific candidates on the party list whereas a closed list keeps the ranking of candidates in the hands of party leaders.

PR is deemed beneficial from an ethnic conflict management perspective in that it not only facilitates minority representation, but it does so on a relative basis and so allows groups to define themselves politically.\textsuperscript{19} Lijphart specifically advocates the closed-List variant of PR because it encourages the formation of cohesive political parties and strengthens the influence that leaders hold on their parties.\textsuperscript{20} Both of these attributes can provide party leaders greater latitude in their bargaining and compromises with the leaders of other segments, making it easier to reach consensus. It is also thought desirable for its democratic qualities in that it gives freedom of choice to voters; unlike majoritarian-plurality systems that try to manufacture majorities, PR allows people to vote for whom they want, which thereby enhances the prospect of sincere voting.

In addition to the formula used to translate votes into seats, electoral systems also differ in terms of such features as district magnitude and thresholds for representation. District magnitude, which refers to the number of candidates to be elected per riding, can fluctuate widely in PR systems. Though they are necessarily multimember districts, the number of positions can range from two candidates to a nationwide constituency. Low district magnitude as in two-person districts, Lijphart argues, limits the effective participation of small minorities and may thus serve

\begin{itemize}
\item \textsuperscript{18} Benjamin Reilly and Andrew Reynolds, \textit{The International IDEA Handbook of Electoral System Design} (Stockholm: International Institute for Democracy and Electoral Assistance, 2002), p. 60.
\item \textsuperscript{19} Lijphart, \textit{“Self-determination versus Pre-determination,”} p. 281.
\item \textsuperscript{20} Lijphart, \textit{Thinking About Democracy}, p. 79.
\end{itemize}
to increase disproportionality in representation. He therefore recommends larger multimember districts but takes care to note that they should not be so large as to sever the link between constituent and representative.\(^{21}\) Calling district magnitude and electoral thresholds “two sides of the same coin,” in that they both may serve as barriers to representation, Lijphart also notes the variability of such thresholds, which are defined in terms of a minimum percentage of votes won in order to gain parliamentary representation. Low thresholds, as in the 0.67 per cent threshold in the Netherlands, makes it easier for even very small parties to win representation whereas higher limits, like the five per cent requirement in Germany and New Zealand, may pose constraints on smaller parties.\(^{22}\) Both district magnitude and electoral thresholds have implications for the degree of proportionality the electoral system provides; both should thus take into account the percentage of the population minority groups represent and be designed in such a way as to ensure they do not function as barriers to group participation.

The pursuit of electoral proportionality is not restricted to the use of the closed-list PR system but can also be facilitated through the adoption of the Single Transferable Vote (STV) electoral system. STV retains the core logic of PR but adds a preferential dimension in that voters are able to rank the candidates in order of their preference (1, 2, 3, etc). Used in multi-member districts, any candidate that reaches the specified quota of first preferences is immediately elected. If all the seats are not filled on the first count, the candidate with the lowest number of votes is eliminated and his or her votes are redistributed to the remaining candidates for the second count; this process continues until all seats are filled.\(^{23}\) The STV system has been called one of “the most attractive of all electoral systems” given that it retains the proportionality of a


PR system while also allowing for some degree of inter-party cooperation through the exchange of preference votes.24

For consociationalists, proportionality is important in a non-electoral capacity as well. Proportionality is not just a device of electoral consequence but should also infuse all political bodies. The representation of groups on a proportional basis, then, should be found not only in parliament, but also in the executive, in the judiciary, in the civil service, and in the security forces. In some cases, this may take the form of affirmative action policies and the institutionalization of quotas. Burundi, for example, has constitutional provisions on parity of representation of the two main groups, Hutu and Tutsi, in the military while a key component of the arrangement in Northern Ireland is the restructuring of the police force to be more inclusive of both communities there. Bosnia’s judicial system is also organized along the proportionality principle—entity, cantonal and municipal courts are to follow the 1991 census figures in terms of appointments.25 Proportionality, then, should be widespread.

The final consociational institution is segmental autonomy, which Lijphart defines as “rule by the minority over itself in the area of the minority’s exclusive concern.”26 The granting of autonomy to minority segments is intended to facilitate the inclusion of such segments into the broader institutional framework. The idea at work here is that “good social fences make good political neighbours.”27 Through the retention of decision-making capabilities in areas of sole concern complemented by concurrent participation in the larger decision-making process, the different segments are offered a vested interest in the stable operation of the political system and in sustaining interethnic peace. Segmental autonomy may be implemented either territorially or in corporate fashion; that is, segments can be given their own constituent units of the larger state

26 Lijphart, Democracy in Plural Societies, p. 41.
via territorial pluralist arrangements or they can be granted autonomous action in areas that relate to their exclusive domain, such as education and cultural affairs.

In terms of provisions on corporate autonomy, inspiration is drawn from the Law of Cultural Autonomy adopted in Estonia in 1925. The law stipulated that any ethnic group with at least 3,000 registered members could establish its own cultural council, to be elected by the ethnic group, which would have jurisdiction over schooling and other cultural institutions, such as libraries, theatres, and museums. These councils had the authority to issue decrees and raise taxes and were also provided subsidies by the state to ensure that the minority schools were funded at the same level as the Estonian schools.28 A similar arrangement was found under Cyprus’s consociation with the establishment of two separately elected chambers, one for each community, which held legislative power over religious, educational and cultural matters.29 Canada has also granted a degree of autonomy to some linguistic and religious groups in the area of education. For example, where numbers warrant, francophone communities can set up French language schools with the assistance of public funds. Religious groups also receive varying degrees of public assistance for their own schools; in Ontario, for instance, Catholic schools receive equal government funding as compared to public schools. Meanwhile, in Belgium, the establishment of cultural councils for the three main linguistic groups, the Dutch-, French- and German-speakers, preceded and now works alongside principles of territorial federalism; this highlights, as Lijphart describes it, the point that cultural and territorial autonomy are “eminently compatible.”30

Where groups are territorially concentrated, autonomy may also be granted on a geographic or territorial basis. There are a variety of ways in which this idea of territorial pluralism may be

30 Lijphart, *Thinking About Democracy*, p. 70.
institutionalized, including by way of devolution or decentralization in a unitary state, by the establishment of a pluralist federation, by the establishment of a federacy and by way of cross-border territorial arrangements where groups span international borders.31 Northern Ireland may be thought of as an example of devolved territorial pluralism. While the region has institutions of self-rule outside of the Westminster framework, that autonomy can be suspended by the central government, as has been the case at several junctures throughout its conflict. Pluralist federations also provide institutions of self-rule to minority groups on a territorial basis with the main distinction being that such institutions are constitutionally protected and can only be revised by consent of both the central government and the constituent unit. Examples here include Switzerland, where most of the cantons are homogeneous in composition,32 and Canada, where the francophone community is primarily concentrated in the province of Quebec. A federacy also provides the constitutional guarantee of autonomy but only to part of a state; this sort of arrangement is found in the Italian region of South Tyrol and in the relationship between the Åland Islands and Finland.33 Finally, territorial pluralism also encompasses the idea of cross-border linkages for groups whose membership spills across state lines. This institutional form, while limited in practice, may be adopted on its own or alongside any of the other institutions of territorial pluralism. The obvious example here is Northern Ireland where, through one of the more innovative arrangements adopted in the Good Friday Agreement, a number of all-island institutions link the North to the Republic of Ireland.

What draws these forms of territorial autonomy together is that they take the recognition of group difference as their starting point for the design of constituent units. They are intended to empower minority groups and facilitate some degree of self-rule either, in the case of the first

32 Lijphart, Democracy in Plural Societies, pp. 92-93.
three forms, within the group’s existing state or, in the case of the latter institution, across state lines. These forms of territorial pluralism are distinct from institutions of administrative federalism that use internal boundaries to divide groups across constituent units. In these types of administrative federations, the goal is not minority empowerment and self-governance but the limiting of majority dominance and the pursuit of a national identity that glosses over group difference. From a consociational perspective, what matters is that “the boundaries between the component units of the federation must follow the segmental boundaries as much as possible.”

There exists a close connection between consociation, federalism and territorial pluralism. Nevertheless, the terms are not synonymous — federalism can and frequently does exist outside the consociational framework. Lijphart suggests that a federation is only consociational when the federal principle is applied alongside the other three institutions of consociation. He is also quick to point out that territorial federalism is but one means by which to operationalize the principle of segmental autonomy, as the possibility of corporate autonomy makes clear. Indeed, consociational theory has tended to downplay autonomy in general—the principle of proportionality tends to take precedence—but where it does pay attention to ideas of autonomy, it is to the corporate, rather than the territorial, version. This is because, at least in part, corporate autonomy offers a number of important benefits, including the point that such provisions can be voluntary in nature—individuals may chose to identify with a group but they are not forced to be governed by a group of which they do not feel a part.

This last point alludes to an important distinction that must be made in the design, adoption, and implementation of consociational arrangements. Such arrangements may be of

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34 Arend Lijphart, “Consociation and Federation,” p. 505.  
36 Lijphart, Democracy in Plural Societies, pp. 41-44.  
either a self-determined or a pre-determined character. Consociational institutions work best, it is argued, when they allow for the voluntary participation of groups—what McGarry and O’Leary call a liberal consociation—rather than when they predetermine the groups party to the settlement in a corporate consociation. To predetermine groups (i.e., to specify the exact ratio of group representation in state institutions) assumes a static and monolithic conception of group identity; this is a problematic assumption when we consider that group identities are dynamic and transform according to context. A consociation premised on an unchanging conception of group identity can promote neither long-term stability nor intergroup reconciliation—not only because it “freezes” a particular inter-group configuration in time but also because it assumes a perpetual tension between groups, that is, that conflict is a necessary and natural consequence of intergroup contact. Corporate versions may leave little latitude for the reduction of politicized ethnicity and may prove unstable over the long-term “not just because they cause resentment among the excluded but because they are not flexible enough to accommodate demographic shifts even among the included.” A central concern for the academic proponents of consociation, then, is that such institutions allow groups to define themselves. Doing so, they argue, allows issues and identities other than just ethnicity to emerge; under conditions of free and fair elections, the liberal variant allows only those groups and those issues deemed salient to emerge. They are rewarded through electoral support rather than by their standing as a group.

Certain key conditions make the implementation of a consociational arrangement more likely to be successful. Lijphart identifies nine such conditions: the absence of a majority ethnic group; the absence of large socioeconomic differences; ethnic groups of roughly the same size; a small number of groups; a relatively small population size; the presence of external dangers that

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promote internal unity; the presence of overarching loyalties; the geographic concentration of
groups; and prior conditions of compromise and accommodation. These conditions, Lijphart
stresses, are simply helpful; that is, they are neither necessary nor sufficient for the successful
enactment of a consociational solution. Thus, even in the absence of favourable conditions, the
possibility of successful consociation should not be discounted. The reverse would also be true:
even if the favourable factors are evident in a particular case, they do not by themselves
guarantee success.

Though Lijphart’s writings are ineluctably associated with consociationalism, other
scholars have also written on and refined the approach. For instance, Ulrich Schneckener has
suggested that there are eleven favourable conditions for the implementation of the
consociational model, organized according to both structure and agency, rather than the initial
nine proposed by Lijphart. The structure-based conditions include: relative equilibrium in terms
of group size, no major socio-economic discrepancies between groups, territorial segregation, a
sense of overarching loyalty, cross-cutting cleavages, and moderate intra-group pluralism. The
actor-based conditions are: dominant elites, a respect for the status quo, traditions of compromise
and mutual understanding, comprehensive participation of all relevant groups, and internal
compromise. Schneckener gives more weight to the actor-oriented conditions, arguing that the
adoption and implementation of consociational arrangements is most contingent on the
willingness of political elites to engage in accommodative behaviour.

John McGarry and Brendan O’Leary, in both their individual and collaborative work,
also contribute to the theoretical refinement of the model. McGarry illustrates how the Lijphart
model is too narrowly concerned with the design of political institutions and he accordingly
highlights the importance of such areas as security sector reform, the return of exiles to their

homes, the management of prisoners, and the promotion of language rights to the adoption of consociational accords. He argues for the placement of the model in an international context and further suggests that, as the Lijphart model is too internally focused, it neglects both the positive role for outsiders in the process of consociational settlement and the moderating potential of inter-state institutions. Along with O’Leary, McGarry has also stressed the liberal potential of consociations.

For his part, O’Leary’s identification of “complex consociation,” also labeled “consociation plus,” represents a valuable contribution to both consociational theory and practice. Complex consociations possess not only the traditional consociational institutions, but also an additional four features that increase their complexity. First, they are intended to address self-determination disputes, and as a result institutionally recognize that the polity is inclusive of more than one group. This can be done by the constitutional acceptance of multiple constituent peoples. Provisions of this kind highlight the point that many such conflicts are about the struggle for national self-determination rather than simply about ethnicity, religion or class within the confines of a single state—the point is that there exists a difference in societal belonging. Second, they are part of a larger peace process designed to end conflict and as such they include such tasks as the restructuring of the security sector, human rights reform and provisions of the return and reintegration of refugees and the internally displaced. The third feature that characterizes complex consociations, O’Leary argues, is that they “involve at least one additional strategy other than consociation.” This means that the political settlement encompasses, for instance, consociation plus territorial autonomy or consociation plus

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44 O’Leary, “Debating Consociational Politics,” p. 34, original emphasis.
integration. Northern Ireland’s consociational arrangement, which occurs within the larger institutional framework of autonomy from Westminster serves to illustrate this point. Finally, complex consociations will also have significant international involvement in the adoption and maintenance of the political settlement. This may include cross-border arrangements, as in the participation of the Republic of Ireland in Northern Ireland’s politics, and the participation of international organizations in the daily workings of government, as with Bosnia’s High Representative, or in the enlistment of international troops as peacekeepers.45

This conceptualization represents a synthesis of recent practice—almost all recent consociational settlements have been of this comprehensive nature. These new consociational cases, what Rupert Taylor refers to as the “new wave” of consociational settlements, are largely internationally-driven and reveal a number of additional features beyond the four consociational institutions.46 These sorts of settlements may be referred to as comprehensive consociations. They include many of the so-called “plus” components cited above, but with the notable exception that they are not restricted to self-determination disputes and are instead meant to apply to deeply divided places more generally. Comprehensive consociation has an important advantage over traditional consociation because the comprehensive components significantly aid in the promotion of political stability. This is because they are designed to address those issues which can cause the most instability if left unresolved, whether this be the configuration of the police and other security forces, the return of refugees and internally displaced persons (IDPs) or the establishment of formal relations between members of an ethnic group divided by an international border. Consociational institutions, on their own, may not be enough to rectify these outstanding issues. To be sure, this should not detract from the benefits derived from the classical consociational institutions, which should be thought of as the facilitating environment in which

to get on with the core questions of accommodation and reconciliation that the comprehensive components take up. Because such institutions recognize the political integrity of all groups that comprise the polity and in so doing provide these groups with a measure of security in the insecure environment of deep division, they remain a necessary component to the overall peace process. It is the connection between consociation and these other conflict-managing features that may best be able to promote political stability.

2.2 The Centripetal Model

The model of centripetalism, as developed by Donald L. Horowitz, is said to encourage minority influence on majority decision-making through the use of electoral rules that necessitate cross-ethnic appeals on the part of political leaders. It rewards moderation, its proponents argue, and does not rely on conciliatory feelings that are unlikely to be present in divided places.\(^{47}\) It assumes, rather, that such moderation will follow from the pursuit of self-interest on the part of campaigning politicians who, in order to gain office, will have to pursue policies of cross-group vote-pooling and coalition-building. The underlying assumption of Horowitz’s model, then, is that leaders must be given political and electoral incentives in order to “make moderation pay.”\(^{48}\) Four institutions are thought to enhance the political rewards of moderation: the Alternative Vote electoral system, the formation of centrist coalitions or what Horowitz calls coalitions of commitment, the office of a president elected by regional distribution requirements, and, finally, administrative federalism.


Horowitz considers the electoral system “the most powerful lever of constitutional engineering for accommodation and harmony in severely divided societies.” As such, electoral rules form the crux of his model with its defining feature a majoritarian-preferential electoral system. He specifically advocates the use of the Alternative Vote (AV). The AV electoral system, typically used in single-member districts, requires the winning candidate to obtain a majority of all votes cast. In order to ensure a majoritarian result, voters rank the candidates according to their preferences (1, 2, 3, etc.). If a majority is not obtained on the first count, the candidate with the lowest number of votes is eliminated with his or her votes redistributed to the other candidates for a second count. This continues until one candidate achieves 50 per cent plus one of all votes cast and is then elected. This electoral system is used in Australia, Papua New Guinea, and Fiji for legislative elections. Variations on it are used in presidential contests in Sri Lanka and the Republic of Ireland.

With a high electoral threshold (50 per cent plus one) and a district magnitude of one, AV poses constraints on the participation and parliamentary access of small parties. Yet this is precisely why Horowitz commends AV: for its majoritarian features. He regards it as “a modest reform of first-past-the-post, a sound way of diminishing the arbitrariness of the plurality system without yielding to the dominance of central party officials in candidate selection that tends to accompany list-system PR.” A single-member plurality system, commonly referred to as First-Past-the-Post (FPTP), is one in which the candidate with the highest number of votes wins. FPTP systems are known to yield a high level of disproportionality and a larger number of wasted votes. Since the winning candidate does not require majority support but only that he or she receives more votes than anyone else and since it is used in single-member ridings, all the votes casts for other candidates are effectively useless. When all the ridings are taken together, this

49 Horowitz, A Democratic South Africa, p. 163.
50 Reilly and Reynolds, Electoral System Design, p. 49.
51 Horowitz, A Democratic South Africa, p. 191.
means that there is generally a disjuncture between the number of votes a party receives and the number of seats it gains. This sort of system is also thought to favour large parties and to encourage the formation of a party system dominated by two parties. Meanwhile, Horowitz opposes PR for the same reason that Lijphart recommends it—for the control that it gives to party leaders in candidate selection and for its ease of parliamentary representation for smaller parties, which he sees as more likely to be narrowly focused on one constituency and thus extremist in orientation. AV, he argues, surpasses both single-member plurality systems and PR systems by raising the bar to representation—in order to get elected parties need to garner widespread support—and because it is preferential and allows voters to have a say on all candidates, it is able to address the FPTP weakness of wasted votes.

It is for these reasons that centripetalists contend that AV sets in motion a cycle of moderation and cross-community cooperation that reduces the potential for ethnic conflict. The argument runs as follows: Because AV is both majoritarian and preferential, political leaders in heterogeneous polities will have to campaign outside their own ethnic group in order to receive enough votes to get elected. In order to capture the lower-ranked votes of members of other groups, they will have to make explicit cross-ethnic appeals and in so doing will have to moderate their own claims and broaden their platforms. AV is further desirable, its advocates argue, because it empowers supporters of candidates unlikely to get elected as they can still influence the election of a majority candidate with their preference votes. This creates a scenario in which minorities help to get moderates from the majority elected. The majority is thus dependent on minority support and must accordingly take their demands seriously in order to enhance its own electoral success.

Centripetalism further implies that it is the moderate factions of both the majority and minority that engage in vote-pooling and coalition-building. Indeed, the model is intended to

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create what Horowitz has called “coalitions of commitment,” which are thought to converge on a multiethnic center. These centrist coalitions are composed of ethnic parties that find it electorally rewarding to take moderate positions on matters of interethnic relations. Parties to the coalition are those that are willing to make pre-election pacts to pool votes with other parties across the ethnic divide.\textsuperscript{53} Centripetalists recommend the adoption of a preferential voting system because such systems, they argue, encourage the creation of distinctly moderate coalitions. In so doing, they also provide the political space for a viable opposition, which can hold the government in check.

It is important to note that while Horowitz makes a direct connection between AV and centrist outcomes, many other proponents of centripetal-style arrangements, such as Ian O’Flynn, Rupert Taylor and Benjamin Reilly, do not necessarily equate the adoption of AV with the formation of centrist coalitions. Reilly, for example, has recommended the adoption of the Single Transferable Vote (STV), which is part of the proportional representation family. STV, however, is a preferential system and for this reason, is thought to also include incentives for cross-group appeals, which is why a centripetalist like Reilly would recommend it.\textsuperscript{54} O’Flynn, for his part, worries that AV may not always be sufficiently inclusive, given that in a context of deep division, “those who hold positions on the extremes of the political spectrum may simply be unwilling to move towards the middle.”\textsuperscript{55} Their preference is for centrist coalitions that can command support across the ethnic divide, whether or not such coalitions are brought about by the AV electoral system.\textsuperscript{56} Thus, while AV is thought to facilitate the formation of centrist coalitions, it is

\textsuperscript{54} Reilly, \textit{Democracy in Divided Societies}, p. 131.
\textsuperscript{56} Ian O’Flynn, “Progressive Integration (And Accommodation, Too)” in \textit{Consociational Theory: McGarry & O’Leary and the Northern Ireland Conflict}, Rupert Taylor, ed. (London: Routledge, 2009); Rupert
important not to conflate the two; from a centripetal standpoint, centrist coalitions are not merely
derivative of AV, they are an important centripetal institution in their own right.

To be sure, Horowitz also favours centrist coalitions even if brought about by an electoral
system other than AV. Indeed, he explicitly commends the case of Malaysia, where such a
coaition came together under a single-member plurality system. During Malaysia’s early post-
independence period, an interethnic alliance that brought together Malay, Chinese, and Indian
moderates was forged, the reasons for which he calls both “idiosyncratic” and “non-replicable.”
He nevertheless admires the way the parties to the alliance were able to trade
“incommensurables,” the most obvious example being the granting of citizenship rights for the
Chinese in exchange for the economic development of Malays.57 Moderation in Malaysia, then,
was simply a fortuitous occurrence; while the outcome benefited the pursuit of moderation, it
could have also gone the other way. This is why he thinks centrist coalitions without AV are
unlikely. To ensure moderation, he argues, it must be engineered.

The third institutional arrangement is the office of a directly elected single-person
presidency, ideally with territorial distribution requirements but at a minimum elected by a
majoritarian-preferential system. Under a territorial distribution system, the winning candidate
must have majority support across the country and must also surmount a predetermined regional
threshold. The inspiration for this recommendation comes from the 1979 Nigeria constitution
which stipulated that the president had to gain not only a plurality of votes at the national level,
he also had to gain a minimum of 25 per cent of the popular vote in at least two-thirds of the

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Taylor, “The Injustice of a Consociational Solution,” in Consociational Theory: McGarry & O’Leary and
the Northern Ireland Conflict, Rupert Taylor, ed. (London: Routledge, 2008) and Reilly, Democracy in
Divided Societies.

57 Donald L. Horowitz, “Encouraging Electoral Accommodation in Divided Societies,” in Electoral
Systems in Divided Societies: The Fiji Constitution Review, Brij V. Lal and Peter Larmour, eds. (Canberra:
federal states. Similarly, presidential elections in Kenya require some territorial distribution of support—at least 25 per cent of the vote in at least five of eight provinces. This sort of arrangement is thought to serve two important functions in divided places. It makes it difficult for the representatives of one single group to capture the entire state by securing a majority in parliament. Secondly, it provides an important outlet for intergroup conciliation as the winning candidate will have to present him or herself as panethnic in order to meet the election requirements. Again, the notion of moderation is given primacy as it is assumed that without cross-community support, no candidate will be victorious.

The fourth centripetal institution is the adoption of some form of administrative federalism or decentralization. Centripetalists find federalism appealing because of its ability to disperse power away from the centre and are inspired by Madisonian arguments about the problems of factionalism in democracies. Centripetalists, then, take as their starting point James Madison’s belief that the majority “must be rendered, by their number and local situation, unable to concert and carry into effect schemes of oppression.” Therefore, the constituent units of a centripetalist federation would not be formed around the groups involved in the conflict, as in consociations, but rather would ideally consist of heterogeneous units wherein the groups are intermixed. Arranging the constituent units in such a fashion is commended for “its capacity to lower the high temperature of politics at the center by reducing the all-or-nothing nature of the stakes at that level” and for its ability to socialize norms of interethnic cooperation. It also allows groups to practice moderation before arriving at the centre. That is, the sub-national units can serve as “training grounds for politics at the center” where the stakes are generally

58 Horowitz, A Democratic South Africa, p. 184.
60 Horowitz, A Democratic South Africa, p. 205.
considered to be higher.\(^{63}\) It would also assist in the creation of regional and territorial alignments that cut across ethnicity.

This form of administrative federalism is advocated for its dispersal of power, and thus conflict, away from the ethnic divide. Think here of the federal arrangement in Canada, which includes aspects of both pluralist federalism and administrative federalism; while French Canada is primarily concentrated in Quebec, English Canada’s division into nine provinces allows for the formation of cross-cutting alliances with Quebec.\(^{64}\) This federal form has also been advocated for Iraq. Andreas Wimmer, for example, argues that an intra-group split within the Kurdish community combined with the need to lessen the demographic dominance of the Shia majority makes Iraq a particularly appropriate place for “non-ethnic federalism.”\(^{65}\) According to Wimmer, the Kurdish population is already split between two chiefdoms and therefore does not require a unified province. Similarly, spreading the Shia population across several units would constrain their ability to dominate at the centre and on this reading is to the advantage of the Sunni community. The worry for Wimmer is that an ethnic federation would, in heightening the “prize for winning power at the centre,” encourage the perpetuation of human rights violations and lead to a radicalization of ethnic politics.\(^{66}\) He consequently argues, in Horowitzian fashion, that non-ethnic federalism would make it less likely for politicians at the unit level to engage in ethnically antagonistic politics.

As a whole, the model is intended to provide a “centripetal spin” to politics in divided places as its institutions are thought to “pull the parties toward moderate, compromising policies


and to discover and reinforce the center of a deeply divided political spectrum.\textsuperscript{67} That is, majoritarian-preferential voting systems, centrist coalitions, presidential arrangements with distribution requirements, and administrative federalism are intended to accomplish the following goals of conflict reduction: develop multiple points of power so as to “take the heat off” the centre, promote intraethnic conflict at the expense of interethnic conflict, create electoral inducements for interethnic cooperation, encourage alignments other than ethnicity, and reduce disparities between groups.\textsuperscript{68}

While the centripetal model is most closely associated with the work of Horowitz, a handful of other scholars have also advocated its adoption. Benjamin Reilly, for instance, argues forcefully for the use of preferential electoral systems and suggests that the use of such systems encourages three related phenomena in divided places—electoral incentives, arenas of bargaining, and centrist political parties—all of which “focus competition at the moderate centre rather than the extremes.”\textsuperscript{69} He has also shown, drawing primarily on the experience of Papua New Guinea, that there is more empirical evidence of the model’s success than even Horowitz has realized.\textsuperscript{70} Reilly’s chief contribution has thus been to provide the centripetal model with a more fully developed empirical backing intended to complement Horowitz’s primarily prescriptive presentation.

Horowitz’s proposals have also proven popular for many scholars working on the Northern Ireland conflict who remain suspicious of consociation, among them Rupert Taylor,

\textsuperscript{68} Donald Horowitz, \textit{Ethnic Groups}, pp. 598-599.
Robin Wilson and Rick Wilford.⁷¹ Wilson, for example, in taking issue with what he sees as consociational theory’s “dystopian prospects,” argues that a “cross-community but not all-party coalition” is sufficient to ward off ethnic oppression in Northern Ireland.⁷² The work of Andreas Wimmer on Iraq and Afghanistan also follows the argument first laid out by Horowitz while Matthijs Bogaards has written about the idea of constituency-pooling as a supplement to vote-pooling.⁷³ Where the sort of constituency heterogeneity needed for the Alternative Vote to induce vote-pooling is absent, Bogaards argues, parties can opt to pool constituencies instead, which entails the need to obtain a geographic spread of support. The study of ethnic conflict management is thus characterized by a burgeoning interest in Horowitz’s institutional recommendations.⁷⁴

2.3 The Intellectual Conflict

Since the introduction of the Horowitz model the two authors have been engaged in a protracted, if low-intensity, intellectual conflict as to the merits of the respective approaches. Lijphart labels Horowitz’s recommendations as “utterly wrong-headed,” and further disparages Horowitz’s recommendations for not having “sparked a great deal of assent or emulation.”⁷⁵ He even rejects the idea that centripetalism is part of the power-sharing family: “The essence of Horowitz’s vote-pooling is that minority voters will benefit not by electing their own

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⁷⁴ See, in particular, the contributions to Ian O’Flynn and David Russell, eds., Power-Sharing: New Challenges for Divided Societies (London: Pluto Press, 2006).
representatives but by helping the more moderate candidates of the majority group win election; this has nothing to do with the idea of power-sharing as used in everyday language.”

He moreover argues that “Horowitz’s proposals courageously challenge the scholarly consensus favouring PR and parliamentary government for divided societies, but, however courageous, his challenge does not deserve to succeed.”

In a comparable tone, Horowitz argues that, while “there is much to admire in the efforts of Arend Lijphart on behalf of managing inter-group conflict,” consociational practices “are inapt to mitigate conflict in severely divided societies.” Not only are consociational settlements difficult to reach (that is, they are as “common as the arctic rose”) but, even if adopted, they do not promote stability. Consociational arrangements, he argues, lack a viable opposition and reinforce a static conception of ethnic identity. As a result, there exists, between consociationalism and centripetalism, “a fundamental incompatibility that cannot be elided.” This incompatibility is perhaps one of the rare areas on which the two scholars would concur.

The distinction between the two approaches is palpable: whereas consociationalists see normative appeal in the explicit inclusion and protection of groups, centripetalists promote a

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79 Donald L. Horowitz, “Explaining the Northern Ireland Agreement: The Sources of an Unlikely Constitutional Consensus,” *British Journal of Political Science* 32 (2002), p. 197. Even those that are long-lasting, such as Lebanon from 1943 to 1975, are subject to this critique.
81 Donald L. Horowitz, “Provisional Pessimism: A Reply to van Parijs,” in *Designing Democratic Institutions*, p. 326.
process of reciprocal dependence among segments that is intended to foster both integration and moderation. Consociation embodies a form of direct power-sharing as the groups party to the joint decision-making process are thought to be known *a priori*; that is, the different segments in the polity are meant to serve as the building blocks in the design of political institutions. It is a common assumption that classic consociational theory states that the groups engaged in the consociational arrangement must be known prior to implementation. While many consociations do pre-determine groups in practice, academic consociationalists generally advocate a process whereby groups are allowed to identify themselves through the electoral process after an agreement has been implemented, what McGarry and O’Leary call a liberal consociation and what Lijphart calls a self-determined one. Nevertheless, formal guarantees for the representation of the relevant groups tend to be predetermined, or at a minimum, are pre-assumed. The emphasis on the self-determining quality is an important refinement of consociational theory as it allows us to reject the criticism that consociationalism is founded on a primordial conception of ethnicity.

Conversely, the centripetal model features both direct and indirect power-sharing. This is because, according to Horowitz, minority influence should trump minority office-holding. All the institutions of centripetalism are designed in such a way as to necessitate cross-community appeals, but they do not guarantee that the representatives of minority groups will actively participate in power-sharing. Where the linking of coalition partners crosses the ethnic divide, as with some centrist coalitions, direct power-sharing occurs. Its presidential recommendations, however, are necessarily indirect, given that it is difficult to directly share power between groups when a single person occupies the position. Where the sharing of power is indirect, it is best

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82 Horowitz, “Encouraging Accommodation,” p. 93
Figure 2-1: Institutional Designs

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<th>Consociationalism</th>
<th>Centripetalism</th>
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<td>Executive Design</td>
<td>Parliamentary</td>
<td>Presidential</td>
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<td>Electoral Systems</td>
<td>Proportional Representation</td>
<td>Majoritarian- Preferential Voting</td>
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<td>Governing Coalitions</td>
<td>Grand Coalition</td>
<td>Centrist Coalitions</td>
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<td>Division of Powers</td>
<td>Segmental Autonomy/ Mutual Vetoes</td>
<td>Administrative Federalism</td>
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thought of as power-sharing by proxy. Minorities may exert influence on the majority through pre-election pacts, but there is no guarantee that they will help form the government post-election. As a result, centripetal arrangements may facilitate direct power-sharing but they are also likely to result in indirect power-sharing.

These differences in orientation evoke differences in institutional recommendation. As suggested by Figure 2-1, the differences between consociation and centripetalism may be presented as a four-part dichotomy. That is, the two approaches vary along four institutional lines: executive design, electoral systems, governing coalitions and the division of powers. Given that both models exhibit some flexibility in terms of their institutional manifestations, it is important to stress that these classifications represent ideal types. This relates, in particular, to their positions on executive design. Lijphart specifically recommends parliamentary systems while Horowitz prefers presidential systems, but both models have been adopted outside of these recommendations as the rotating three-person presidency in Bosnia and Herzegovina and the parliamentary system in Fiji illustrate. Similarly, a strict equation of consociation with list-PR and centripetalism with AV would be disingenuous. The use of the Single Transferable Vote in Northern Ireland and the use of single-member plurality in Nigeria’s Second Republic, along with the many cases of list-PR in decidedly non-consociational settings, suggest some flexibility in electoral system design.

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Similarly, while both Lijphart and Horowitz recommend the adoption of federal arrangements, they do so for different reasons and advocate different institutional configurations. For consociationalists, the benefits of federalism derive from its ability to provide meaningful autonomy to groups. They thus encourage the formation of relatively homogeneous constituent units in which national minorities can become regional majorities. Where such units are difficult to form, corporate guarantees for group-specific concerns are recommended. Such guarantees may include explicit laws on language rights, separate schooling and the protection of religious and cultural practices. The intent of segmental autonomy arrangements is to provide groups with authentic control over their identity and while this can be most obviously accomplished within a federal framework, the fact that some groups are not be territorially concentrated should not deprive them of the opportunity for autonomous action. Corporate autonomy may also prove beneficial in that it avoids the problem of minorities living in majority areas.

Centripetalists, by contrast, see the appeal of federalism in its ability to soften the zero-sum character of ethnic conflict and in its ability to assist in the eventual creation of a broader identity into which both majorities and minorities may come to feel a sense of belonging. For this reason, they prefer the creation of heterogeneous units where the majority cannot dominate the minority. Where the boundaries of such units cannot be effectively drawn, it may still be possible for subethnic and intraethnic differences to emerge that can lessen the intensity of conflict.\textsuperscript{84} Here Horowitz draws on the Nigerian Second Republic for inspiration: the division of the Hausa-Fulani-dominated Northern Region of the First Republic (1960-1966) into ten new states forced a decline in the national electoral power of the group and a newfound willingness to engage constructively with other groups at the centre.\textsuperscript{85} It is also seen as a means to thwart potential or actual secessionist movements; dividing a group across a number of administrative boundaries.

\textsuperscript{84} Horowitz, “Conciliatory Institutions,” p. 1218.
\textsuperscript{85} Horowitz, “Conciliatory Institutions,” p. 1218.
would make difficult the sort of mass mobilization necessary to engage a successful secession campaign. The overriding concern for centripetalists, then, is to limit the potential hegemony of majority groups whereas consociationalists are more focused on minority empowerment.

The institutional variance is most pronounced in terms of their views on governing coalitions, with Lijphart arguing for as widely representative a coalition as possible and Horowitz arguing for a minimally inclusive coalition that consists only of moderate elements. Calling such alliances coalitions of commitment, Horowitz contrasts them with what he labels coalitions of convenience, which are composed of the ethnic extremes that come together only after an election and only for the purpose of executive formation. As little other than a mutual desire for power holds them together, coalitions of convenience do little to promote political stability or moderation. Consociation, according to Horowitz, is thought to encourage such coalitions of convenience.

There is also a disjuncture in their orientations toward majoritarianism and the role of the opposition in democracies. Lijphart eschews the government-versus-opposition orthodoxy because it is premised on the supposition that current political minorities can become future majorities and that alternation between government and opposition will occur, prospects he argues are inclined to be highly unrealistic where ascriptive traits serve as politically salient cleavages. Horowitz, in contrast, argues that divided places need a form of majoritarian democracy that produces “fluid, shifting majorities that do not lock ascriptive minorities firmly out of power.” Consociationalism, accordingly, represents “the anti-thesis of majority-rule democracy” while centripetalism proffers a belief in some form of modified majoritarian rule.

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87 Horowitz, Ethnic Groups, p. 395.
88 Lijphart, Democracy in Plural Societies, p. 29.
89 Horowitz, Democratic South Africa, p. 176.
This belief in the virtues of modified majoritarianism is what motivates Horowitz’s critique of consociationalism. His first criticism is that because grand coalitions suggest the absence of an opposition, consociations are undemocratic and unaccountable. Under consociational arrangements, most political parties will have some degree of involvement in the executive. The result is, Horowitz argues, “an all-together too cozy relationship among parties included in government.”91 The voting public is therefore denied authentic political debate and is consequently unable to vote parties out of power. Horowitz further contends that consociations simply do not work or, at minimum, make little difference. He argues that because agreement on such institutions is hard to reach, they are unlikely to be adopted.92 He argues that it requires conflicting groups to simply set aside their differences and he wonders what, other than goodwill, would possess groups to do this. If there exists enough goodwill to get to agreement, it is likely because the salience of ethnic division is on the decline. He further contends that even if adopted, consociations are neither stable nor long-lasting. Because they impose constraints on political action rather than providing incentives for behaviour, consociations are “motivationally inadequate” and do not do enough to ensure intergroup cooperation.93 As a result, he thinks that consociational arrangements are unlikely to bring about stability in situations of deep division.

Lijphart, in turn, faults Horowitz for undervaluing the desire of minorities for their own representation. He takes issue with the point that centripetalism does not ensure minority representation but only that the majority take minority concerns into account. “It is hard to imagine,” he argues, “the minorities will be willing to accept a system that does not offer them the chance to be represented by their own leaders but merely by the more moderate leaders of the majority.”94 This makes for an “extremely low probability” of the model being adopted in a

94 Lijphart, Thinking About Democracy, p. 279.
negotiated transition to democracy; this means that where such institutions are found, they are more likely to be the product of imposition than voluntary acceptance. Lijphart also questions the validity of the thesis that the Alternative Vote promotes moderation and stability. The results that obtain under AV elections do not differ all that dramatically from those under a first-past-the-post system (FPTP). And if FPTP is, as Lijphart argues following Arthur Lewis, “the surest way to kill democracy,” then AV is as “equally harmful” to deeply divided places as is FPTP.95 The sort of exclusion that FPTP, with its bias against small parties, fosters in situations of deep division can be just as easily enacted under AV. Finally, Lijphart also reminds us that Horowitz’s proposals are not very frequently employed.

This suggests another major difference between consociationalism and centripetalism: the number of places that have adopted their respective practices. The consociational approach has a more extensive track record which means that there is a wider selection of cases from which to gauge its conflict-managing potential. The four traditional consociational institutions have been implemented in numerous forms, including in both parliamentary and presidential systems and in unitary and federal states. Its institutions have been adopted in a variety of places, including Northern Ireland, Bosnia and Herzegovina and Burundi, but also in Lebanon, Cyprus, the Netherlands, Austria, Switzerland and Belgium. It is a model to which both scholars and politicians have repeatedly turned. Lijphart contends, “What is striking about these repeated re-inventions of consociationalism is that, although they are substantively so similar, they appear to have occurred completely independently of each other.” This, he suggests, bolsters the appeal of consociationalism as a general model of democratic conflict management.96

It is important to note that centripetal institutions have yet to be adopted as a full package. As a result, the model’s track record is slightly more difficult to appraise because of an

95 Lijphart, Thinking About Democracy, p. 189.
absence of cases that conform to its foundational design. Admittedly, the rarity of the model in practice is problematic, in that it is not yet known how the institutions work together. As Horowitz argues, the way in which institutional proposals translate into institutional processes often has unintended and potentially perverse consequences. Nonetheless, the model should not be discounted solely on its limited empirical practice. Two points avert the rejection of centripetalism at this stage.

First, there is mounting evidence of centripetal institutions at work, at least on a singular scale. Australia, Papua New Guinea and Fiji all use the Alternative Vote at the national level and preferential voting has been used more locally across North America and Europe, some parts of which, like the Republika Srpska entity in Bosnia and Herzegovina, are deeply divided. Indonesia, Kenya and Nigeria have, at one time or another, required distribution requirements for their presidential elections. The United States is probably the most famous example of administrative federalism, though it is also used to varying degrees elsewhere, particularly in Nigeria, and has most recently been recommended for Iraq. Horowitz commends institutional arrangements in Sri Lanka, where the president is elected by preferential voting, and Malaysia, where multiethnic alliances characterized national politics. As such, there is a growing empirical record of centripetal arrangements at work.

Second, Horowitz’s rebuttal to the allegations against the model’s record is that constitutional design, as it applies to the adoption of a coherent package of conflict-reducing strategies, is itself a contradictory proposition. He states:

So many forces favor the pursuit and exacerbation of conflict—and even deadly violence—in severely divided societies that anything less than a coherent package is unlikely to provide a sufficient counterweight to those forces, and yet only partial

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measures that are doomed to fall short of the coherent package stand a real chance of adoption most of the time.  

The implication is that complete examples of centripetalism are lacking, not because of anything intrinsic to centripetalism itself, but because the adoption of any coherent package is unlikely. Institutional design, that is, must confront a threshold problem: “precisely because the societies are divided, their divisions prevent them from taking action to breach their divisions, and so one cannot say whether the action would be effective if taken.” In this sense, centripetalists would argue, the lack of real-world examples is not only unproblematic for the centripetal cause, it is a point common to all institutional designs.

The cases do not always fit neatly into strictly consociational or strictly centripetal categories. This, however, is unsurprising. Horowitz has been most vocal on this point: “constitutional processes have not generally been geared to yield coherent exemplars of either configuration in a sufficient number of conflict-prone countries.” Nevertheless, though the cases all in one way or another demonstrate a mixed institutional design, they may still be characterized as either more-or-less consociational or more-or-less centripetal. I classify the cases accordingly: Nigeria, Sri Lanka and the Fiji Islands are considered as core centripetal cases with Northern Ireland—Sunningdale and Republika Srpska acting as subsidiary centripetal cases. The core consociational cases include Bosnia and Herzegovina, Burundi and Northern Ireland—Good Friday Agreement. The cases are classified in this manner consistent with both their institutional manifestations and the motivational logic (i.e. moderation for centripetalism and inclusiveness for consociationalism) according to which they were adopted. The classifications are displayed in Figure 2-2.

We do not yet have a full description on which to base centripetal institutions. This is an important critique. But, while important, on its own it is not decisive. We can still infer the conflict-managing effects from an examination of the institutions in isolation. The argument flows in both directions. There may not be enough empirical evidence to support claims that centripetalism as a whole leads to moderation and political stability. It would then also follow that there is insufficient evidence to claim that it does not, as a coherent package, promote such political behaviour. To suggest that specific arrangements should not be tried because they have not yet been tried risks engendering a static and unproductive foundation from which to make decisions about institutional design. Innovative designs that work are precisely what are required in deeply divided places. The problem is not that centripetalism is seldom used; it is rather in the reason why it is not used more frequently.

To reject centripetal recommendation simply on the basis of lack of practice has wider implications for the very pursuit of constitutional remedies in the first place. This is especially important since consociations do not always fare well in terms of political stability. While consociation may be easier to adopt than centripetalism, its track record is questionable in terms
of the long-term consolidation of political stability. There may be an absence of complete cases of centripetalism but the consociational universe includes a number of collapsed consociations. The model’s history of political stability suggests that a preference for consociation should not be automatically given. This is why it is imperative to keep other institutional avenues open for consideration.\textsuperscript{101}

Finally, the differences between the approaches should not be overstated. The approaches share a similar foundational assumption: broad-based decision-making both fosters and maintains political stability in divided places.\textsuperscript{102} The institutional prescriptions may diverge but the motivational force—majorities and minorities cooperating for the purposes of political stability—is similar. Both attempt the accommodation of groups within an institutional framework rather than their integration into one single national identity. Accommodation and integration can be depicted as either side in a spectrum of group recognition, with accommodation sanctioning public group recognition and integration preferring only the private recognition of group difference.\textsuperscript{103} While centripetalism exhibits some integrationist features, it remains accurate to classify as part of the accommodationist family.

This is because, as Horowitz highlights, neither approach seeks the abolition of ethnicity.\textsuperscript{104} Both models are intended to reduce the damaging effects of ethnic conflict, but are not intended to do away with ethnic diversity. That is, while it may be “both fruitless and undesirable to attempt to abolish ethnic affiliations, [it is] not at all fruitless to attempt to limit

\textsuperscript{101}This is also an argument about keeping open other means of conflict regulation, as the social transformation perspective advocates. Again, this thesis covers only institutional strategies of conflict regulation.


\textsuperscript{104}Horowitz, “Conciliatory Institutions,” p. 1219.
What is paradoxical, then, about the intellectual inquiry of power-sharing proposals is that the scholars who advocate the different power-sharing approaches are generally disinclined to embrace the same logic they propose for the places they study. The intellectual conflict serves only to hinder the prescriptive value the field is meant to offer.

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105 Horowitz, Ethnic Groups, p. xvii.
Chapter 3
Centripetal Cases: Nigeria, Sri Lanka and Fiji Islands

In this chapter, I consider the track record of centripetalism in three core cases, with a focus on its capacity to promote political stability. Specifically, I consider the presidential and federal system of Nigeria’s Second Republic which ran from 1979 until a military coup in 1983; the preferential electoral system known as the Supplementary Vote used to elect the president in Sri Lanka since 1982; and the use of the Alternative Vote in parliamentary elections and the fortunes of centrist coalitions in Fiji since 1999. For each case, I provide a description of the polity’s divisions, as well as a description of the institutional efforts at conflict management. I conclude each case with an analytical overview of its institutional design and discuss the extent to which the design contributed to political stability. In what follows, I show that both Sri Lanka and Fiji represent cases of instability, given Sri Lanka’s renewed and intensified civil war and Fiji’s two post-1999 military coups. I also show that while Nigeria did enjoy some short-term stability under its centripetal arrangements, that stability cannot be traced to its use of centripetal institutions. That is, Nigeria’s Second Republic represents an example of militarily-imposed stability.

3.1 Fiji Islands

Fiji is the first country to adopt the Alternative Vote (AV) at the national legislative level for the specific purpose of ethnic conflict management\(^1\) and has held three elections, in 1999,
2001, and 2006, under the system. The country is thus rightly seen as an important test case for centripetalism. While inspired by centripetal logic, however, the experience in Fiji reveals the opposite incentive structure at work. Intergroup relations have become progressively more polarized and divisive rather than more cooperative and moderate with each successive election. Two coups since 1999 further contribute to the country’s overall political instability. In this section, I explain the relationship between Fiji’s use of the Alternative Vote and its classification as a case of political instability.

3.1.1 Fiji’s Divisions

Fiji is ethnically bipolar with a population that is approximately 57 per cent ethnic or indigenous Fijian and 37 per cent Indian or Indo-Fijian. The remaining roughly six per cent of the population is composed of “general voters” consisting of Chinese, European and other minorities; this helps to offset some of the Fijian-Indian bipolarity, but only mildly. The Indian population mostly arrived in the late 1800s through the recruitment of over 60,000 indentured labourers from India and has tended to dominate in the economic sphere. By contrast, the political arena has, until recently, been considered the domain of ethnic Fijians.

The relationship between the ethnic Fijians and Indo-Fijians is best described as one of “uneasy coexistence.” The historical trajectory is one in which the homeland majority feels an intense sense of ownership over the state and its institutions and where the minority, increasingly disconnected from its immigrant past with each successive generation, is mobilized toward greater political engagement. The country is also prone to coups with four in the past twenty years—two in 1987, one in 2000 and a relatively bloodless one in 2006. Civil society organizations, such as trade unions and sports clubs are predominantly mono-ethnic; similarly,

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the level of intermarriage between the two groups is quite low.\textsuperscript{4} The numbers of the Indo-Fijian population are also on the decline, with around 100,000 emigrating since 1987, primarily as a result of the recent instability.\textsuperscript{5} While the number of conflict casualties is rather low, most of the divisiveness in Fiji stems from the political salience of the ethnic divide between ethnic Fijians and Indo-Fijians. Almost all political parties have some sort of ethnic orientation and as a result some “friction” and “low-intensity conflict” have taken place among the groups.\textsuperscript{6}

Most of that conflict is manifested in the party system, which is organized along strict ethnic lines, with all parties appealing to specific groups for parliamentary support.\textsuperscript{7} On the basis of which parties have won parliamentary representation in the three elections held under the Alternative Vote system (1999, 2001, 2006), only one party is explicitly multi-ethnic in form, the United Peoples Party (UPP). The UPP is a party that contests elections primarily in the General Voter constituencies, which are, by definition, multiethnic ridings. Support for the UPP hovers around two per cent of total support. Meanwhile, the ethnic Fijian and Indo-Fijian extremist parties account for over 80 per cent of all parliamentary seats. On the ethnic Fijian side, these parties include the Soqosoqo Duavata Ni Lewenivanua (SDL), which formed the government in 2001 and 2006 and which campaigned on an anti-Indo-Fijian platform, as well as smaller parties: the Conservative Alliance (CAMV), which is the party of 2000 coup leader George Speight; the Nationalist Vanua Tako Lavo Party (NVTLP); and the Christian Democratic Alliance (VLV). Indo-Fijian support is much less fractionalized, with the Fiji Labour Party (FLP) receiving overwhelming support within its community.


\textsuperscript{7} For the party classifications I draw from Fraenkel and Grofman, “Fijian Alternative Vote.” For support levels, I use the election data available at Elections Fiji, \url{http://www.elections.gov.fj/}. 71
Moderate ethnic parties, including both Indo-Fijian and ethnic Fijian, command only about twelve per cent representation. The Indo-Fijian National Federation Party (NFP), which has campaigned on the need for multiethnic cooperation, has gained only one seat in parliament over the course of the three elections. Support among ethnic Fijians for moderate parties is divided among four parties: the Fijian Association Party (FAP), New Labour Unity (NLUP), Party of National Unity (PANU) and Soqosoqo Ni Vakavulewa Ni Taukei Party (SVT). The SVT, it is worth noting, was originally an extremist party but shifted to more moderate ground starting with the 1999 elections. Ethnicity, then, has proven an important mobilization tool for the political parties with voters appearing willing to cast their votes for ethnic parties. This trend predates the introduction of the AV system and is, in some sense, a product of Fiji’s use of communal seats.

From independence, achieved in 1970, Fiji was run as a parliamentary democracy in which ethnicity was entrenched in the form of communal seats. During this time, “Fiji enjoyed considerable stability and prosperity, even if in that period indigenous Fijian hegemony was firmly established.”8 The 1970 constitution called for an equal number of reserved seats for ethnic Fijians and Indo-Fijians, twelve each, as well as three for other groups; another twenty-five seats were distributed on an ethnically mixed basis.9 Of these latter seats, ethnic Fijians and Indo-Fijians were each guaranteed ten seats while the remaining five were intended for the other groups. While the seats were ethnically reserved, voting was open to all groups and came to be understood as a form of cross-voting.10

The tradition of ethnic Fijian political dominance was upset by a surprising electoral victory for the FLP in 1987. This in turn prompted two coups in short succession. Sitiveni

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Rabuka, a Lieutenant-Colonel in the army who led the coups, defended the first coup as a necessary way of ensuring “a Fiji in which the Fijians will have no fear of being totally dominated by an immigrant race,” while the second coup occurred because the coup leaders felt that the changes proposed after the first coup were not happening quickly enough.\textsuperscript{11} The constitution promulgated in the aftermath of the 1987 coups enshrined the notion of indigenous superiority. Not only were the number of seats for ethnic Fijians changed to 37 out of 70 seats compared to 27 for Indo-Fijians, who at the time constituted a near-majority of the population, but also the posts of prime minister and president were reserved for ethnic Fijians. Rabuka, who went on to be elected as prime minister in 1992 as leader of the SVT, eventually bowed to international pressure and condemnation, and initiated a review of the constitution. Out of this review came a new constitution promulgated in 1997 that was expressly designed as a form of ethnic conflict management meant to reward political moderation.

3.1.2 Institutional Efforts at Conflict Management

The process by which the 1997 constitution was adopted represents a remarkable case of scholarly activity informing practical application as both the design itself and a report issued by the Constitutional Review Commission (CRC) were heavily influenced by the academic literature on constitutional design.\textsuperscript{12} Both Arend Lijphart, who has criticized centripetalism as rarely adopted, and Donald Horowitz were consulted by the CRC and Lijphart has since called the implementation of the new constitution a “major practical victory” for Horowitz.\textsuperscript{13} The system was adopted for its purported ability to moderate ethnic politics and was seen as the best way by which to foster multiethnic government.\textsuperscript{14} An Alternative Vote electoral system was the

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\textsuperscript{13} Quoted in Fraenkel, “Ethnic Friction in Fiji,” p. 221.

\textsuperscript{14} Lal, “Fiji’s Constitutional Conundrum,” p. 675.
cornerstone of the design; because AV is used in single-member constituencies and allows voters to rank the candidates, it was thought to make politicians more moderate and to make them take into account the concerns of groups other than their own.

The CRC, headed by Sir Paul Reeves, the former Governor General of New Zealand, recommended a mix of communal and open constituencies for elections to the House of Representatives: twelve ethnic Fijian seats, ten Indo-Fijian seats, two for General Voters, one for the residents of the outlying Rotuma Island and 45 open seats in which all voters could cast ballots. In the final draft, however, the ratio of communal to open seats was reversed: 23 seats are reserved for ethnic Fijians, 19 for Indians, three for General Voters and one for Rotumans. The number of open seats where the incentives for cross-ethnic vote-pooling are highest was reduced to twenty-five. Voters can vote either “above the line” where their votes are distributed according to the preferences of the party for whom they cast their first preference, or “below the line” where the voter manually ranks the candidates.

The AV electoral system was first used in the 1999 election. In the lead-up to the election, a Constituency Boundary Commission (CBC) was established with an initial mandate of ensuring that each open constituency had “a good portion of members of different ethnic communities.” Finding such a task difficult, the Commission instead opted to provide an approximate balance between the constituencies rather than diversity within them. At first glance, the twenty-five open constituencies in Fiji display an overall heterogeneity thought conducive to vote-pooling. Yet, on closer inspection, the constituencies themselves appear to have been designed to achieve relative ethnic homogeneity. Ethnic Fijians held a majority in ten open constituencies and a plurality in four such ridings. Where they did comprise majorities, it was frequently overwhelmingly so; in eight of the ten majority areas, ethnic Fijians constituted at least

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two-thirds of the population. Similarly, Indo-Fijians represented a majority in eleven open constituencies.\textsuperscript{17}

In the 1999 election, centripetal logic was, at least in part, on display. Politicians made pre-election pacts, which resulted in the formation of two main multiethnic coalitions. The People’s Coalition, made up of the Indian-dominated FLP and two ethnic Fijian parties, the Fijian Association Party (FAP) and the Party of National Unity (PANU) competed against the incumbent ethnic Fijian Soqosoqo ni Vakavulewa ni Tauki (SVT) and its Indian ally the National Federation Party (NFP). “The 1999 elections,” Stephanie Lawson contends, “were by no means fought as a ‘Fijian versus Indian’ contest. On the contrary, intra-communal rivalries were played out partly via coalition arrangements.”\textsuperscript{18} In line with the logic of centripetalism, both coalitions made explicit arrangements for preference transfers and the sharing of seats and in almost half of the open constituencies, lower order preferences were required for a majority.\textsuperscript{19} The country’s first ever Indo-Fijian prime minister, FLP leader Mahendra Chaudhry, came to power, backed by

\begin{table}[h]
\centering
\begin{tabular}{|l|c|c|c|}
\hline
\textbf{Party} & \textbf{Communal Seats} & \textbf{Open Seats} & \textbf{Total Seats} \\
\hline
SVT & 5 & 3 & 8 \\
VLV & 3 & -- & 3 \\
FLP & 19 & 18 & 37 \\
NFP & -- & -- & -- \\
FAP & 9 & 2 & 11 \\
NVTLF & 1 & -- & 1 \\
PANU & 4 & -- & 4 \\
UGP & -- & 1 & 2 \\
Independent/Others & 4 & 1 & 5 \\
\hline
\end{tabular}
\caption{Parliamentary Elections in Fiji, 1999\textsuperscript{16}}
\end{table}

\textsuperscript{19} Fraenkel and Grofman, “Fijian Alternative Vote,” p. 633.
an overwhelming victory for the People’s Coalition which ran on a platform of multiethnic class-based issues. As highlighted in Figure 3-1, the FLP won all the Indian seats as well as eighteen of the open constituencies; its indigenous allies won a combined fifteen seats. Chaudhry, drawing from the ethnic Fijian parties part of his Peoples’ Coalition, formed a cabinet which was two-thirds ethnic Fijian in composition.

Yet the effects of the centripetal voting arrangement were both short-lived and overstated. First, there is little evidence that party preference transfers in the 1999 election were a result of politicians moderating their stance on ethnically divisive issues. The victorious People’s Coalition, where they made cross-ethnic deals for lower-ranked preferences, did so without any agreement on ethnically sensitive issues, such as land rights. This was by no means the sort of coalition of commitment envisaged by Horowitz. The only thing binding the parties together was “political expediency and rational calculation.” It is thus more accurately viewed as a coalition of convenience, the very sort of coalition Horowitz argues centripetalism will avoid. Brij Lal, an academic who served as a member of the CRC, goes so far as to argue that Chaudhry’s party “abused the spirit of the Alternative Vote,” given that it had very little in common with the parties with which it formed a coalition other than a desire to defeat the SVT coalition. Meanwhile, the incumbent SVT and its junior partner the NFP, both of which, ironically, specifically campaigned on policies of cross-ethnic moderation, suffered surprising defeat at the polls. For example, Sitiveni Rabuka, the 1987 coup leader turned STV party leader, making an about-face, now argued that the country needed to look beyond the racial divide and unite as a single nation. The SVT won only eight seats, five in the ethnic Fijian constituencies and three open seats, while the

21 Reilly, Democracy in Divided Societies, p. 106.
NFP lost all its ridings. Not only did both parties lose support within their respective ethnic groups, neither made any considerable cross-ethnic gains in order to compensate for the within-group loss.²⁴

Second, two post-election forces—discontent among the ethnic Fijian population at the presence of an Indian prime minister combined with that prime minister’s push for more extensive Indian rights—served to deepen mistrust, and further polarized the groups over already-politicized issues such as land ownership.²⁵ In Fiji, over 80 per cent of all land is held by traditional indigenous land-owning groups, which is then rented to mainly Indo-Fijian sugarcane farmers on long-term leases from thirty to fifty years.²⁶ Most of these leases were set to expire in the coming decade and Chaudhry sought to renew the Agricultural Landlord Tenant Act (ALTA) thought more beneficial to Indo-Fijians and to circumvent the Native Lands Trust Board (NLTB) which could provide more flexible rolling leases that assisted the indigenous land owners.²⁷ The regime proved unstable and within the year was ousted by indigenous Fijian extremists disgruntled with the Indo-Fijian prime minister.

The coup was led by George Speight, a part-Fijian businessman, whom Lal calls “the front man for an assortment of institutions and individuals aggrieved by the People’s Coalition government.”²⁸ While Speight used the rhetoric of Fijian nationalism, expressing the need to protect the indigenous population from the dangers of an Indian government, his motives for the coup may have been, in large part, personally driven. Lawson argues that not only had Speight lost the chairmanship of a timber corporation because of Chaudhry’s election, but, he was also

²⁴ Fraenkel, “Ethnic Friction in Fiji,” p. 239.
facing fraud and extortion charges in both Fiji and Australia at the time of the coup. Speight and his co-conspirators stormed the parliament on 19 May 2000, captured Chaudhry and the entire cabinet, and held them hostage for 58 days. During this time, the constitution was abrogated, the president resigned, and a succession of interim administrations were installed, first under Commodore Frank Bainimarama of the Republic of Fiji Military Forces (RFMF), and then under appointed caretaker prime minister Laisenia Qarase, an ethnic Fijian banker who has been described as “a hardline nationalist…[who] wants to enhance the economic and political rights of indigenous people at the expense of the Indo-Fijian community.”

Following a decision of the Constitutional Court, the 1997 constitution was reinstated and elections were held in August 2001. The election results, however, indicated less willingness to engage in cross-ethnic political behaviour than did the previous election. The system appeared, in the post-coup period, to exacerbate divisions rather than to mitigate them. Extremists captured the majority of seats; the newly formed hard-line ethnic Fijian party, Soqosoqo Duavata ni Lewenivanua (the United Fiji Party or SDL) led by Qarase, was elected with only negligible Indian support. Not only did the SDL receive few Indian votes, they also went on to form a government without any Indian representation. The SDL also made ethnicity a major campaign issue by arguing that Fiji was “not yet ready for a non-Fijian prime minister,” and that it may take another twenty to thirty years before it would be ready. Immediately following the election, Chaudhry cried foul, claiming massive fraud and irregularities in the counting of the vote. International observers noted, however, that the electoral process was, on the whole,

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Figure 3-2: Parliamentary Elections in Fiji, 2001

<table>
<thead>
<tr>
<th>Party</th>
<th>Communal Seats</th>
<th>Open Seats</th>
<th>Total Seats</th>
</tr>
</thead>
<tbody>
<tr>
<td>FLP</td>
<td>19</td>
<td>8</td>
<td>27</td>
</tr>
<tr>
<td>SDL</td>
<td>19</td>
<td>13</td>
<td>32</td>
</tr>
<tr>
<td>CAMV</td>
<td>5</td>
<td>1</td>
<td>6</td>
</tr>
<tr>
<td>NLUP</td>
<td>1</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>UGP</td>
<td>1</td>
<td>--</td>
<td>1</td>
</tr>
<tr>
<td>NVTLKP</td>
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</tr>
<tr>
<td>PANU</td>
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<td>--</td>
</tr>
<tr>
<td>NFP</td>
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<td>1</td>
</tr>
<tr>
<td>Independent/Others</td>
<td>1</td>
<td>1</td>
<td>2</td>
</tr>
</tbody>
</table>

“transparent,” “credible” and though “not perfect…it can command the confidence of the people of Fiji Islands.”

While the process was deemed free and fair, the results, which are displayed in Figure 3-2, were discouraging from a centripetalist perspective. Not only were the moderate parties defeated, the election also saw the number of first preferences for the extremist ethnic parties increase. Interethnic vote transfers dropped from 70.5 per cent in 1999 to 46.7 per cent in 2001, and in both elections, more vote transfers flowed from moderates to radicals than the other way around, 50.1 per cent in 1999, 39.8 per cent in 2001, respectively. The constitutional provision (Article 99) allowing any party above ten per cent of parliamentary seats to participate in cabinet was also controversially cast aside. Qarase, calling the prospect of a coalition “unworkable” and openly stating that he hoped Chaudhry did not accept, invited the FLP into cabinet on the condition that all government policies reflect the SDL position. The FLP refused and Qarase

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formed a cabinet without its participation. The FLP did, however, take the issue to the constitutional court, which eventually decided in its favour.

The May 2006 election, again held under AV, confirmed the growing polarization between the two communities. Moderates on both sides fared poorly and a two-party system emerged with all but four seats split between the SDL and the FLP. In fact, the SDL and FLP swept their respective communal constituencies and split the open ridings. All communal seats were decided on first preferences with average support of 80.28 per cent in the ethnic Fijian seats for the SDL and 81.01 per cent in the Indo-Fijian seats for the FLP. As outlined in Figure 3-3, the SDL won 36 and the FLP received 31 seats out of a total 71 ridings. Two seats went to the United Peoples’ Party (UPP), a centrist party oriented towards the General Voters constituencies, and the remaining two were won by independents; all four of these seats were either General Voters or Rotuma constituencies. Voting was almost exclusively ethnic in orientation. The SDL captured only three per cent of the Indo-Fijian vote while the FLP secured only six per cent support among ethnic Fijians. Only eleven seats were decided by lower-ordered preferences.

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Figure 3-3: Parliamentary Elections in Fiji, 2006

<table>
<thead>
<tr>
<th>Party</th>
<th>Communal Seats</th>
<th>Open Seats</th>
<th>Total Seats</th>
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</thead>
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<td>SDL</td>
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<td>36</td>
</tr>
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<td>FLP</td>
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</tr>
<tr>
<td>UPP</td>
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<td>--</td>
<td>2</td>
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<tr>
<td>NFP</td>
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<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Independent/Others</td>
<td>2</td>
<td>--</td>
<td>2</td>
</tr>
</tbody>
</table>

The Commonwealth Observer Group declared it a “credible election,” adding that, “the conditions did exist for a free expression of will by the electors.” The Fiji Human Rights Commission, meanwhile, issued a report highlighting technical failures, problems in the staffing, performance and decision-making of the Election Office as well as “more than just unintentional bias” associated with the election. In particular, it raised concerns about vote-buying and vote-rigging, and it called out the SDL on “serious and unacceptable blurring…of the distinctions between party, government and the broader State.”

With a plurality of seats, however, the SDL was invited to form the government. Straying from his 2001 stance, Qarase organized a multiethnic cabinet with the participation of eight FLP members. Noticeably absent, however, was FLP leader Chaudhry, who claimed he preferred to remain “inside parliament but outside cabinet.” This raised doubts about Chaudhry’s role: he expressed desire to serve as Leader of the Opposition, a problematic proposal given that the party he led had members inside the cabinet. Eventually that title went to Mick Beddoes of the UPP, whose party held two seats. Also undermining the stability of the coalition were the diverging stances of the coalition partners on such issues as indigenous fishing rights and amnesty for

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40 Adapted from: Elections Fiji, “Elections by the Count 2006.”
perpetrators of the 2000 coup, both of which were supported by the SDL and opposed by the FLP. Both bills were thought to further the ethnic Fijian cause. The Promotion of Reconciliation, Tolerance and Unity Bill, introduced on the fifth anniversary of the Speight coup (19 May 2005) would undertake inquiries into gross human rights violations for the period 19 May 2000 to 15 March 2001 but was in reality an attempt to pardon coup perpetrators while the Qoliqoli Bill, introduced in August 2006, would transfer proprietary ownership of customary fishing grounds from the state to traditional land owners. The most destabilizing factor, however, was the tense relationship between Qarase and Bainimarama, the military commander who had first installed him as caretaker prime minister following the Speight coup.

Throughout 2006, Bainimarama made no secret of his contempt for Qarase and the SDL government. He objected to the decision to hold elections in May rather than in the Fall as anticipated and he campaigned against the SDL during the election period. He vocally opposed the government’s Promotion of Reconciliation, Tolerance and Unity Bill and he also admitted that, following the election, he had asked the Independent MPs to switch their allegiance to the FLP. He further alleged that the government was “corrupt and racist for imposing policies that benefited the majority indigenous Fijian population.” After numerous threats, the “slow-cooked coup” finally came in December with Bainimarama arguing that since bad governance and corruption were destroying the country, he had little choice but to embark on a “clean-up

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44 Pareti, “The Qarase Gamble.”
Bainimarama installed himself, first as president, and then as prime minister; he also controls the portfolios for the Public Service, Provincial Development, Indigenous and Multiethnic Affairs, and Information. Though the military’s composition is estimated to be almost exclusively ethnic Fijian, Bainamarama enjoys widespread support among Indo-Fijians. This support was bolstered by the decision to invite Chaudhry to join the interim cabinet where he served as Finance Minister until 2008. The events of 2006 in this respect differed from the three previous coups. In these latter cases, the coups were reactions to the political ascendancy of the FLP and its Indo-Fijian constituency. According to Fijian academic Steven Ratuva, the 1987 coups were perpetuated in the name of ethnonationalism as was the civilian Speight-led coup in 2000. The 2006 coup, by contrast, was motivated primarily by intra-ethnic rivalries and “was justified by the military as an attempt to reduce ethno-nationalism and corruption.”

One of Bainamarama’s major initiatives since taking over as interim Prime Minister has been the establishment of the National Council for Building a Better Fiji (NCBBF), a multi-actor body which includes members of the interim administration, the FLP and the UPP, as well as religious leaders and representatives of the trade unions and tourism association. Fearing that the constitution has lost its credibility given the “coup culture” that has arisen in Fiji, the NCBBF is tasked with the creation of a People’s Charter that can help turn Fiji into a “non-racial, culturally vibrant and united, well-governed, truly democratic nation.” As part of this process, the NCBBF

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Bainimarama originally suggested that elections will be held in early 2009 but it is predicted that, with the major changes expected to the constitution and electoral system, this deadline will not be met.\footnote{“Explain Commitment,” Fiji Times Online, 19 October 2007, available at: http://www.fijitimes.com/story.aspx?id=72954, accessed 22 October 2007; “Fiji Ruler Say No Return to Pre-Coup System, Casting Doubt on Timetable for Democracy.”} Additionally, not only does a newly reformed Constituency Boundary Commission lack credibility among members of the majority group as its three-member panel includes only the minority groups (one Indo-Fijian and two from the smaller minority communities), the current electoral system is expected to be scrapped in favour of a “one-man, one-vote” system, possibly in the form of a proportional representation system.\footnote{Frederica Elbourne, “It all Boils Down to Race,” Fiji Times Online, 18 January 2008, available at: http://www.fijitimes.com/story.aspx?id=78879, accessed 4 May 2008; “Fiji’s Voting System Under Scrutiny,” Fiji Times Online, 10 June 2008, available at: http://www.fijitimes.com/story.aspx?id=91804, accessed 10 June 2008.} Bainimarama’s track record also calls into question his sincerity on a return to democracy. He has sacked the
Grand Council of Chiefs and there is talk of his resuming the position of President. His feud with the local media is particular disconcerting; in 2008, he deported the publishers of both the Fiji Times and the Fiji Sun and has threatened to shut down any other dissenting media. Fiji’s quick return to electoral democracy thus appears uncertain.

3.1.3 Institutional Assessment

The two coups since 2000 and resulting instability cannot be solely attributed to the adoption of preferential voting, but clearly it can be said that preferential voting has not contributed to ethnic moderation or to long-term political stability. The instability plaguing Fiji is itself the result of a mixture of factors of which AV is only one. The lesson from the centripetalist experience in Fiji, however, is that as groups become more polarized (i.e., as divisions deepen), the moderating effects of AV are less likely to be realized. The constitutional designers appear to have underestimated the extent of polarization between the groups, buttressed in part by the attachment and sense of ownership felt by ethnic Fijians to state institutions. Ethnic Fijian predominance in the political sphere has been a defining characteristic of Fijian politics since independence, and the new system threatened to unseat this predominance. Thus while AV was adopted with the intent of fostering moderation and of encouraging a more multiethnic government, its implementation has had the opposite effect.

As suggested in Figure 3-4, the electoral process has, over time, contributed to a consolidation of ethnic voting in the form of extremist support. Horowitz recommends the use of AV in parliamentary elections as a means by which to foster the creation of centrist coalitions; yet, in Fiji, these coalitions of commitment have not materialized. The Peoples’ Coalition that won the 1999 election did include the moderate ethnic Fijian parties, FAP and PANU, but it is

worth recalling both that its leading party was the radical Indo-Fijian FLP and that ethnic Fijian extremists quickly toppled the governing coalition in the Speight coup. The 2001 and 2006 elections both failed to produce centrist coalitions. In 2001, there was a majority victory for the ethnic Fijian extremist SDL; no interethnic coalition was formed. And in 2006 the election resulted in a coalition of extremes. The governing coalition formed by the SDL and the FLP was nothing more than a coalition of convenience of the sort rejected by Horowitz; furthermore, it collapsed as a result of a 2006 military takeover from which the country has yet to emerge.

The failure of AV to produce centrist coalitions—or moderation more generally—stems in part from the pre-existing lack of moderation found in the country. Bernard Grofman and Jon Fraenkel classify the Indo-Fijian NFP and ethnic Fijian SVT as moderate parties within their respective constituencies given their roles as the architects of the 1997 constitution. Nevertheless, as Horowitz points out, the SVT had a strong history of extremism; after all, he argues, it was the SVT leader Rabuka who, in 1990, “promulgated a constitution so

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58 In Figure 3.2, the parties are organized accordingly: Radical-Fijian—SDL, CAMV, NVTLP, VL; Moderate-Fijian—FAP, NLUP, PANU and SVT; Radical-Indian—FLP; Moderate-Indian—NFP, and Other—independents and UPP. The classification of radical and moderate follows that of Fraenkel and Grofman, “Fijian Alternative Vote,” p. 637.
discriminatory against Indians that it provoked international outrage.\(^{60}\) The SVT’s moderate about-face, then, may not have registered with its ethnic Fijian voters, both because it may not have been perceived as credible and because interethnic moderation had, until that point, been rare in Fijian politics. The decision to refashion itself as a moderate party thus precipitated the electoral decline of the SVT. The decision of the NFP, meanwhile, to align with the SVT—still very much perceived as extremist among the Indo-Fijian constituency—cost it its parliamentary representation.\(^{61}\)

Centripetalists argue that the model is appealing because it is based on incentives rather than, like some forms of accommodation, on constraints. Constraints, or the admonition to do something that is not in one’s interest, do not make for long-term stability, Horowitz contends, because they do not change underlying motivations and can simply be ignored. Incentives, on the other hand, induce new behaviours that make it in one’s self-interest to adopt a moderate stance.\(^{62}\) Politicians, as rational actors, will do what is required to get elected.\(^{63}\) That is, politicians “like being elected and reelected—not exactly farfetched assumptions.”\(^{64}\) And, in fact, the assumptions are not farfetched; politicians generally do enjoy being elected. But the logic works both ways; in many cases of deep division, in order to get elected politicians find it profitable to appeal to the extremes and not to the nominal middle. Where groups are deeply divided, the incentives for moderation may very well go unheeded. Where first-preferences are cast for extremist parties, there is no guarantee that moderate parties will benefit.\(^{65}\)

\(^{60}\) Horowitz, “Where Have all the Parties Gone,” p. 20.
\(^{61}\) Horowitz, “Where Have all the Parties Gone,” p. 20.
\(^{64}\) Donald L. Horowitz, A Democratic South Africa?, p. 197.
This appears to have been the case in Fiji. Over the course of the three elections, preference transfers have tended to benefit the extremist parties rather than the moderates. In the 1999 election, 36 seats were decided on preferences with eighteen of those ridings returning the same results as they would have done under a first-past-the-post system. In seven ridings, extremist parties were able to “leapfrog” moderates (i.e., displace the party with the most first-preference votes) but in only four ridings were moderates able to overtake extremists. Another four ridings were fought as moderates versus moderates, but in three of these, it was the FLP-aligned FAP that overtook the SVT and could thus be considered as extremist victories as well. Preference transfers, meanwhile, facilitated the election of independents in the remaining three constituencies. Thus, in 1999, where preference transfers altered the outcome, they tended to favour the extremist candidates.

This tendency of the system to benefit extremists is also highlighted by the 2006 election, where enough first preferences were cast for either the SDL or FLP in 60 ridings so as to not require the counting of lower-ranked votes. Of the 11 constituencies where a majority was not obtained on the first count, in only one riding (Samabula Tamavua Open) did a candidate leapfrog over the candidate with the most first preferences; the SDL obtained 44.72 per cent of first preference votes to the FLP’s 40.15 per cent but due to vote transfers from the multiethnic National Alliance Party of Fiji (NAPF), the FLP emerged, after the fifth count, with 53.93 per cent of the vote and won the riding. That is, in the one riding where preferences made a difference, it was by a moderate party facilitating an extremist victory. The preference votes thus had very little impact on the overall outcome of the election, which itself produced a

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configuration not unlike one that FPTP system would turn out. The problem, then, is not just, as the NCBBF frames it, that moderate parties do not exchange preferences with other moderates, but also that such preference votes are rendered, by virtue of the size of the SDL and FLP, relatively meaningless. In 2006, the moderate NAPF and NFP exchanged preferences but it did not help either party to get elected. The fact that the election paralleled the sort of results anticipated under FPTP also explains the reduction of the effective number of parties to two, the FLP and the SDL, both considered the extremist representatives of their respective groups.

It is consequently a tenuous claim that the centripetalist experience in Fiji has been a success. Benjamin Reilly claims that preferential voting “played a modest but ambiguous role in breaking the old habits of monoethnic politics in Fiji.” Even this nuanced claim, however, seems exaggerated. Any marginal gains made in the 1999 election have since been lost. Voters instead have consolidated behind the two main ethnic parties, the SDL and the FLP, both of which tend toward extremist platforms. Centripetal-style voting arrangements in Fiji have not benefited the moderate politicians; they have instead made extremism and voting along ethnic lines politically rewarding, and in so doing have contributed to political instability. Fiji may be the most centripetalist-inspired model yet, but its outcome of political instability does little to prove the approach decisive.

3.2 The Nigerian Second Republic, 1979-1983

Fashioned after the American political system, with a strong executive presidency and a form of administrative federalism intended to cut across group lines, the constitutional design of Nigeria’s Second Republic (1979-1983) was seen as a novel approach to ethnic conflict

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69 NCBBF, Consultation Document.
management. Indeed, it served as the inspiration for Donald Horowitz’s centripetal model.\textsuperscript{72} “If one is looking for African democracy in a divided society,” he argues, one should look to Nigeria where “despite severe ethnic conflict, military coups, civil war, and a long period of military rule, the Nigerians proceeded to design a sound regime for managing their heterogeneity in a democratic fashion.”\textsuperscript{73} Though short-lived, the example of the Second Republic offers valuable insight into the workings of two central centripetal institutions and their potential stabilizing and mediating abilities. The case constitutes an example of “imposed stability.” The process by which the system was adopted was carefully controlled by the country’s military; without this military imposition, I argue in this section, it is unlikely that such a design would have achieved consensus among the main groups present in the country.

3.2.1 Nigeria’s Divisions

Divisions in Nigeria follow a “triple trajectory” of ethnicity, region and religion.\textsuperscript{74} Demographically, the country is characterized by a “core,” which consists of three main territorially concentrated ethnic groups, the Yoruba in the West, the Ibo in the East and the Hausa-Fulani in the North. The Hausa-Fulani represent 29 per cent of the population, the Yoruba approximately 20 per cent and the Ibo another 17 per cent. At least 250 different ethnic groups make up the remaining one-third of the population, with most of these groups consisting of subgroups of the three core groups.\textsuperscript{75} The country is thus also characterized by a “periphery”

\textsuperscript{72} Donald L. Horowitz, \textit{A Democratic South Africa? Constitutional Engineering in a Divided Society} (Berkeley: University of California Press, 1991), especially Chapter 5.
\textsuperscript{73} Horowitz, \textit{A Democratic South Africa}, pp. 136-7.
\textsuperscript{75} L. Adele Jinadu, “Federalism, the Consociational State, and Ethnic Conflict in Nigeria,” \textit{Publius: The Journal of Federalism} 15 (1985), p. 74, Table 1. See also Abu Bakarr Bah, \textit{Breakdown and Reconstitution: Democracy, the Nation-State, and Ethnicity in Nigeria} (Lexington: Lexington Books, 2005), Table A.1, in which he puts the number of ethnic groups in Nigeria at 384.
consisting of these multiple minorities.\(^76\) There is also a North-South religious divide, with Muslims predominating in the North and Christians in the South. The Muslim community accounts for 47 per cent of the population while Christians make up another 34 per cent and the remaining 19 per cent consists of followers of traditional or other religious practices.\(^77\) The Hausa-Fulani are predominately Muslim and the Ibo predominantly Christian while the Yoruba retain a mix of Christianity, Islam and traditional religion.\(^78\) In this sense, intergroup relations in Nigeria are informed by the bipolar North/South divide, the tripolarity of the core groups, and the multipolarity of the minority groups vis-à-vis the core groups. As a result, “the mosaic of identity profiles in Nigeria is vast, complex, and multidimensional.”\(^79\) Divisions follow both inter- and intra-group lines, with the competition between the three main groups representing the major line of conflict but with conflict between the “majority” ethnic group and the “minority” ethnic groups playing out in the different regions.\(^80\)

Region and ethnicity coincided most dramatically in the First Republic. In existence between 1960-1966, the first years following independence from Britain, the First Republic combined a parliamentary system with a three-region federation that gave more power to the units rather than the centre.\(^81\) Under this heavily decentralized federal structure, region combined with ethnicity and simply reinforced the dominance of the three core groups. The federation was decidedly lopsided, with the Northern Region, which was predominantly Hausa-Fulani in composition, containing 55 per cent of the overall population and covering 75 per cent of the


country’s land mass. This institutional set up laid the groundwork for the ethnic conflict that followed.

The Northern Region was thought to “overshadow” the rest of the federation by dominating the centre. A fourth region, the Mid-Western Region, was later added in 1963, but it was carved out of the Western region, which only served to reinforce Northern control. It was this Northern dominance that, in many ways, prompted, the collapse of the First Republic in 1966 and the imposition of military rule. It also played a role in a three-year civil war stemming from the declaration of independence from the Ibo-dominated breakaway region of Biafra in the Eastern Province. The Biafra movement itself was a reaction to Ibo-targeted violence, which some have labeled as genocidal. In the year prior to the start of the war, more than 30,000 people, primarily civilians, were killed. During the period 1967-1970, up to one million people died as a result of the conflict, either from battle or from disease and starvation.

A re-division of the country into twelve provinces in 1967 as well as an enforcement of a ban on political parties initially did little to quell the Biafran secessionist movement and the civil war. The decision to reorganize the state into twelve and then in 1976 nineteen states was, as Rotimi Suberu argues, an “act of desperation” on the part of the military regime that ruled Nigeria during the interregnum between the First and Second Republics: “By giving the minorities in the proposed Biafra states their own state, it was hoped that they would defect from the Biafran project.” The breakaway region was formally reintegrated into Nigeria in 1970. In some respects, the 1979 constitution can be considered as a delayed “peace treaty” which emphasized

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84 See, on the contributing factors to the failed secession of Biafra, Hale, “Divided We Stand,” pp. 188-9.
the need to accommodate all the ethnic groups that make up the Nigerian polity and which took seriously the concerns over Northern hegemony.  

Under the Second Republic, the political salience of ethnicity was manifested in the party system where, despite provisions calling for state-wide party organization, the five legally sanctioned parties were largely rooted in the different ethnic groups and were reconfigured versions of the ethnic parties that operated under the First Republic. In fact, all five parties that went on to contest elections in the Second Republic, despite meeting national provisions, had regional and ethnic cores. The National Party of Nigeria (NPN), which ruled Nigeria during the Second Republic, was an offshoot of the Northern People’s Congress, the dominant party under the First Republic; the NPN brought together an alliance of Northern and Southern conservatives, but still attracted most of its support from the Hausa-Fulani and its subgroups. The Unity Party of Nigeria (UPN), and its predecessor the Action Group, appealed mainly to the Yoruba while the Nigerian People’s Party (NPP) drew most of its support from the Ibo. The People’s Redemption Party (PRP) and the Greater Nigerian People’s Party (GNPP) were the parties with “the lowest overt ethnic identification,” though the GNPP, a breakaway party from the NPN that sought to form a coalition of minority groups, attracted most of its support from the Kanuri, a Hausa-Fulani subgroup, while the PRP was primarily supported by Northern Muslims in Kano state. While they were the least ethnically mobilized, they were also the parties with the lowest levels of support in the Second Republic. Overall, the point here is that all five parties had some ethnic affiliation.

87 Under the First Republic, there were three main political parties, the Northern People’s Congress (NPC), the Action Group (AG) and the National Council of Nigeria and the Cameroons (NCNC). See William D. Graf, Elections 1979: The Nigerian Citizen’s Guide to Parties, Leaders and Issues (Lagos: Daily Times Publications, 1979), pp. 67-71.
3.2.2 Institutional Efforts at Conflict Management

Under the Second Republic of 1979-1983, Nigeria employed two main centripetal institutions in its quest for political stability. First, the constitution called for the election of the president via a twofold strategy; the victorious candidate needed not only a plurality of votes, but that plurality also had to be complemented by geographically distributed support, with a twenty-five per cent threshold in at least two-thirds of the 19-state federation. Such distribution thresholds were also required for state governors, who had to receive, in addition to a plurality of votes, at least 25 per cent per cent in two-thirds of all local government areas. This type of arrangement has been likened to a “mild form of the mutual veto,” and hence labeled as consociational. It is, however, more accurate to view it as part of the centripetal family given that its adoption was intended as a means by which to encourage national rather than factional politics. According to Horowitz, the arrangement induced centripetal behaviour: “the president of the Nigerian Second Republic, although a rather parochial Northern politician, was elected under a formula that provided him with an incentive he could not resist (if he wished to win election) to accommodate members of groups other than his own.”

The second important aspect of the design is the form in which federalism was institutionalized: the boundaries of the constituent units were designed in such a way as to cut across ethnic lines with the intended purpose of reducing the salience of ethno-regional identities, particularly those of the three core groups. The federation contained heterogeneous units as well as relatively homogeneous ones: the Hausa-Fulani controlled four states, the Yoruba five, the Ibo two and the remaining eight were either mixed or under the control of other groups. This arrangement, Horowitz argues, prevented the Hausa-Fulani parties from dominating the centre, as

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91 Jinadu, “Federalism, the Consociational State and Ethnic Conflict,” p. 89.
93 Jinadu, “Federalism, the Consociational State, and Ethnic Conflict,” p. 85.
they had done in the First Republic.\textsuperscript{94} Though the 19-state system predates the Second Republic by three years, the relationship between the centre and the units was enshrined in the 1979 constitution under the “federal character principle.” Found as Article 14(3) of the 1979 Constitution, the principle of federal character stipulates that:

> the composition of the government of the federation or any of its agencies and the conduct of its affairs shall be carried out in such manner as to reflect the Federal Character of Nigeria and the need to promote national unity, and also to command national loyalty thereby ensuring that there shall be no predominance of persons from a few states or a few ethnic or other sectional groups in the government.\textsuperscript{95}

The federal character principle, when combined with the design of the constituent units, was intended to foster centripetal politics where ethnicity was not ignored at the institutional level but where its salience could nevertheless be reduced in favour of a more pan-ethnic orientation. A corollary to these provisions was the integrationist provision that not only were political parties to be active in at least two-thirds of all states, they were also prohibited from including any ethnic connotation in their name or emblem.\textsuperscript{96} These institutional provisions, then, were designed to encourage moderate behaviour that would break up the hegemony of the three core blocs and would encourage the construction and perpetuation of national unity.\textsuperscript{97}

The impetus for constitutional reform was at the behest of the military regime itself, with the 1979 constitution culminating in what James Read calls a “lengthy and painstaking” preparation process begun four years prior.\textsuperscript{98} This process of the transfer of constitutional power from the military to a civilian regime followed five stages, the timetable of which was set by the

\textsuperscript{95} Quoted in Bah, \textit{Breakdown and Reconstitution}, p. 114.
\textsuperscript{97} Horowitz, \textit{A Democratic South Africa}, p. 223.
military: (1) the establishment of two committees, one that would report by the end of 1975 on the existing federal structure and another that would prepare a draft constitution by September of the following year; (2) the holding of elections on a non-party basis for a Constituent Assembly that, while only partly elected, would adopt the constitution; (3) the resumption of party politics starting in October 1978; (4) the concession on the part of the military that elections would be held at state and federal level by 1979, and finally; (5) the culmination of the four prior stages with the implementation of the new civilian regime.99

The work of the Constitutional Drafting Committee (CDC), established in October 1975, was, from the outset, constrained by military influence. Brigadier Murtala Muhammed outlined the expectations of the Supreme Military Council for the new constitutional design at the first meeting of the CDC; Muhammed’s successor, General Olusegun Obasanjo ensured that these expectations, among them federalism, public accountability, national political parties and an independent judiciary, were adhered to in the drafting stage. Most prominently, the military outlined the need for a presidential executive elected in such a way as to reflect the “federal character” of the Nigerian state. The federal character principle implied non-exclusion and the pursuit of national unity. In practice, this meant access to socioeconomic resources and political power on an ethnic basis.100 According to the military, both federalism and presidentialism were to be constitutional non-negotiables.

The draft constitution went before the Constituent Assembly in December 1976 with the Assembly completing its work in June 1978. During this time, the Assembly debated the constitutional provisions and made minor amendments to the draft text produced by the CDC.

100 Jinadu, “Federalism, the Consociational State and Ethnic Conflict,” p. 90.
but, in the end, was prohibited from actually promulgating the constitution.\footnote{William D. Graf, \textit{The Nigerian State: Political Economy, State Class and Political System in the Post-Colonial Era} (London: James Currey, 1988), p. 66.} That task lay with the Supreme Military Council, which made further changes to the draft before finalizing and enacting the constitution on 1 October 1979. Thus, “the basic choices as to the form of the new Constitution were in fact made by the outgoing military government.”\footnote{Read, “Washington Model,” p. 135. See also, Ekeh, “Obasanjo and the Burden of Civilization,” p. 75.} Despite Horowitz’s claim that the constitution represented “not a bargain but a real constitution, not a contract among groups that knew what their interests would be but a social contract among groups that were not sure what their interests might be next time around,”\footnote{Horowitz, \textit{A Democratic South Africa}, p. 150.} the design process was both initiated and concluded by the military. Richard Joseph’s description of “democratization under military tutelage” is thus a very apt characterization of the transition to the Second Republic.\footnote{Richard A. Joseph, “Democratization Under Military Tutelage: Crisis and Consensus in the Nigeria 1979 Elections,” \textit{Comparative Politics} 14, 1 (1981): 75-100.} The military kept tight control over the entire democratization process.

The system chosen by the military was also not without its institutional defects. First, the extent to which the presidential system in Nigeria achieved its intended task of electing a pan-ethnic leader is open to debate.\footnote{Suberu and Diamond, “Institutional Design in Nigeria,” p. 413.} Though the Nigerian People’s Party (NPN), which narrowly won the election, was the most nationally oriented of the five parties contesting the election, much of its support was concentrated in the Northern part of the country. As demonstrated in Figure 3-5, NPN presidential candidate Shehu Shagari, a Hausa-Fulani from the state of Sokoto in the North, received, with 33.8 per cent of the vote, an overall plurality of support; he also crossed the mandatory 25 per cent threshold in twelve of the nineteen states.\footnote{Joseph, “Ethnic Trap,” p. 22.} Of those twelve states, nine (Bauchi, Benue, Borno, Gongola, Kaduna, Kwara, Niger, Plateau, and Sokoto) were in the North, two in the East (Rivers and Cross Rivers) and only one (Bendel) in the West. Shagari’s
ability to garner the most support was not unexpected: the perception among the parties was that the new system favoured the NPN as the party representing the largest ethnic community.\textsuperscript{108}

The election also prompted a constitutional controversy: there was considerable debate as to whether Shagari had in fact gained the required distribution of support and the issue was taken up as a Supreme Court challenge by Chief Obafemi Awolowo of the UPN. Awolowo, a Yoruba from the western state of Ogun, mounted landslide victories (over 80 per cent) in four states (Lagos, Ogun, Ondo and Oyo) as well as reaching the 25 per cent threshold in another two (Bendel and Kwara) and at 29.2 per cent of the national vote represented a close second to

\textsuperscript{107} Adapted from Joseph, “The Ethnic Trap,” Table 5: Presidential Election, p. 22.

Shagari. At its heart, the issue concerned what, in fact, constituted two-thirds of nineteen states, which translates into 12.67. Initially, the two-thirds rule was understood as mandating 25 per cent support in thirteen states. When Shagari failed to achieve this threshold, the rule was reinterpreted, somewhat awkwardly, as: “a winning candidate must obtain a minimum of 25 per cent of the vote in twelve states, and 25 per cent of the vote in .67 of his thirteenth state, or one-sixth of the vote in that state.”

With just shy of 20 per cent of the popular vote in Kano state, this put Shagari over the threshold and he was declared President. Though the controversy was resolved in Shagari’s favour, his ability to act as a pan-ethnic leader above the fray of ethnic politics was consequently disputed. Though the NPN ran on a slogan of “One Nigeria” and followed an internal “zoning” mandate by which representation would be balanced between the three regions, Shagari was thought to not pass “the test of ethno-regional neutrality” and it was intimated that he was more concerned with his own Northern group than with Nigeria as a whole. In this context, it is worthwhile to note that he failed to meet the 25 per cent minimum in six states, all of which fell outside of his Northern support base—Anambra, Oyos, Imo, Lagos, Ogun, and Ondo—and that in the latter four he polled only in the single digits.

Shagari’s re-election in August 1983, only a few months prior to the military coup that would end the Second Republic, was also plagued by insinuations of corruption and fraud. Despite a “lacklustre performance,” Shagari easily won reelection, with almost 48 per cent of the popular vote and above 25 per cent in sixteen states. The results, however, have been called into question. Numerous irregularities were cited during the voting period, including ballot boxes

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that either went missing or were tampered with, and a “blatantly rigged” electoral register.\footnote{115}

NPN victories in the Yoruba heartland, typically the mainstay of the UPN, in particular Ondo and Oyo states, were greeted with electoral violence that left over seventy people dead. The electoral tribunal also overturned the NPN victory of the governorship of Anambra State, citing major irregularities.\footnote{116} The NPN’s position as incumbent also enabled it to manipulate the timing of the election and the sequence in which the different elections were held.\footnote{117} The election itself was consequently characterized by enough malpractice and irregularity to cast doubt on the

\begin{figure}
\centering
\begin{tabular}{|l|c|c|c|c|c|c|}
\hline
State & Waziri Ibrahim (GNPP) & Obafemi Awolowo (UPN) & Shehu Shagari (NPN) & Aminu Aminu Kano (PRP) & Nnamdi Azikiwe (NPP) & Tunji Braithwaite (NAP) \\
\hline
Anambra & 3.12 & 2.06 & 33.36 & 1.39 & 57.79 & 2.38 \\
Bauchi & 2.09 & 5.55 & 84.57 & 3.05 & 3.66 & 1.07 \\
Bendel & 1.05 & 51.45 & 41.17 & 0.67 & 4.35 & 0.79 \\
Benue & 3.05 & 12.21 & 58.83 & 0.98 & 23.31 & 1.62 \\
Borno & 24.96 & 16.73 & 48.60 & 3.76 & 3.76 & 2.19 \\
Cross River & 1.29 & 39.43 & 54.00 & 0.54 & 3.61 & 0.85 \\
Gongola & 3.47 & 21.85 & 38.44 & 11.04 & 20.13 & 5.07 \\
Imo & 3.29 & 1.43 & 25.07 & 1.16 & 66.99 & 2.06 \\
Kaduna & 3.08 & 10.57 & 59.28 & 14.02 & 10.58 & 1.75 \\
Kano & 2.95 & 4.06 & 32.19 & 36.63 & 22.98 & 1.19 \\
Kwara & 1.26 & 45.22 & 49.25 & 0.61 & 2.66 & 1.00 \\
Lagos & 0.72 & 83.39 & 7.59 & 0.04 & 7.28 & 0.05 \\
Niger & 3.01 & 3.66 & 63.17 & 2.03 & 25.23 & 1.90 \\
Ogun & 0.55 & 95.00 & 3.47 & 0.35 & 0.04 & 0.23 \\
Ondo & 0.63 & 77.25 & 20.03 & 0.39 & 1.11 & 0.58 \\
Oyo & 0.57 & 59.39 & 37.55 & 0.39 & 1.48 & 0.42 \\
Plateau & 2.85 & 5.86 & 44.86 & 1.77 & 43.05 & 1.61 \\
Rivers & 0.95 & 18.55 & 67.88 & 0.34 & 11.15 & 1.11 \\
Sokoto & 1.65 & 2.66 & 91.83 & 0.85 & 2.23 & 0.78 \\
Total & 2.51 & 30.98 & 47.33 & 4.08 & 13.89 & 1.21 \\
\hline
\end{tabular}
\caption{Presidential Election in Nigeria, 1983\footnote{114}}
\end{figure}

\begin{footnotesize}
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\begin{itemize}
\item \footnote{115} Jinadu, “Federalism, the Consociational State, and Ethnic Conflict,” p. 98.
\end{itemize}
\end{footnotesize}
authenticity and validity of the election results.\footnote{These results are displayed in Figure 3-6.} The military coup that followed on 31 December 1983 thus came as no surprise.

Federalism in the Second Republic, however, fared better even though it too was characterized by countervailing forces. On the one hand, as Larry Diamond argues, “the multi-state system disperse[d] conflict and contain[ed] it within political subunits; fragment[ed] the solidarity of the three major ethnic groups; generate[d] cross-cutting, state-based cleavages; and devolve[d] resources down to lower levels of authority.”\footnote{This characterization is entirely consistent with centripetal logic.} The 19-state system, in marked contrast to the First Republic’s three regional blocs, mapped federal lines in a way that attempted to ensure that the representatives of the three largest groups, and in particular the Hausa-Fulani, could not dominate at the centre. But it is also important to recall that this logic had to be imposed on the polity by the previous military regime; this was not a system on which there was democratic consensus.

Moreover, the Nigerian federation is also characterized by the “federal character” principle, which entails the explicit inclusion of ethnicity as a political variable in resource allocation and political appointments. A different federal logic is at work here, one that gives “discrete peoples a sense of self-governance and local autonomy so that the processes of national integration can proceed without threatening the cultural framework of personal identity.”\footnote{In this sense, the federal character principle is more consistent with consociational logic in that it promotes minority empowerment, and as a result, the federal character has worked in practice much more like consociation than centripetalism. That is, despite the incentives to de-politicize ethnicity, the federal character principle works to ensure continued ethnic mobilization by empowering such identities. More critically, John Ayaode argues that the federal character principle works to ensure continued ethnic mobilization by empowering such identities.}
resulted in an “ossification rather than a dissolution of the ethnic communities.”\(^{121}\) It is this interpretation of federalism that served as the modus operandi for ethnic politics under the Second Republic.

This process was most pronounced in the demands for new states, which at its height reached fifty-three such demands before the national assembly.\(^{122}\) Nigeria, with three re-mappings of the constituent units of the federation between independence in 1960 and the inauguration of the Second Republic in 1979, has been, in the post-independence era, distinguished by a “relative volatility of internal territorial configuration” in which “distributive pressures, sectional anxieties, partisan conflicts, constitutional controversies and institutional dilemmas” intersect.\(^{123}\) The creation of new states in 1976 was seen as both an attempt to quell secessionist movements in the eastern part of the country (i.e., Biafra) and to “satisfy the longstanding demand by ethnic minority groups for independent constituent units.”\(^{124}\) While no new states were created during the Second Republic, the prospect of new states was always a distinct possibility and an open-ended enterprise. Indeed, Shagari had pledged to revamp the system into a thirty-state structure.\(^{125}\) This connection between statehood and minority representation culminated in the federal character principle. Incentives for ethnic mobilization were thus built into a system initially intended to reduce the political salience of such identities.

Moreover, as John Ejobowah notes, most of the states still retained a distinctive ethnic identity. He states: “Ibo states in the east and Yoruba states in the west do not contain other ethnic groups, rather they contain subgroups of the Ibo and Yoruba respectively. The same goes for the

\(^{122}\) John Boye Ejobowah, “Political Recognition of Ethnic Pluralism: Lessons from Nigeria,” Nationalism and Ethnic Politics 4, 3 (2000), p. 8. A similar process has followed in the creation of new local government units. In 1979, there were 301 such units; in present day Nigeria, they total 774. The current system in Nigeria now also had thirty-six states rather than the nineteen of the Second Republic.
\(^{125}\) Wright, “The 1983 Elections,” p. 73
Hausa/Fulani states, excepting those in which other language groups are mixed and could not be neatly separated (e.g., Niger, Bauchi and Kaduna States)." Administrative federalism in Nigeria thus did not follow purely administrative lines. According to Ejobowah, policymakers denied using ethnicity as the motivation for the drawing of state boundaries and claimed rather to use colonial administrative lines. Yet, the administrative lines drawn by the colonizers were for the purpose of identifying the different ethnic groups. When combined with federal character practices, the nineteen-state federal system did not escape ethnicization. This, of course, is not entirely inconsistent with centripetal logic, given that the purpose of administrative federalism is to limit the dominance of large groups more than it is to prohibit the continuing role of ethnicity in politics. It is nevertheless important to note that the federalism of Nigeria’s Second Republic promoted both the centripetal criterion of limiting majority hegemony in the construction of constituent unit boundaries and the consociational criterion of minority empowerment in the form of the federal character principle.

### 3.2.3 Institutional Assessment

The centripetal experience in Nigeria, as represented by the presidential electoral arrangement and the federal system, is characterized by a track record of limited success. With a tenure of only four years, the Second Republic represents a fleeting experiment in centripetal design. It also got off to a shaky start, given that the 1979 election initially failed to elect a president and was only able to do so after some clever mathematical manipulation. The period between 1979 and 1983 showed a level of imposed political stability; that is, some stability was forthcoming but it was mainly the result of exogenous implementation in the form of military

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coercion at the design adoption stage. As a result, the case of Nigeria’s Second Republic also suggests a potential dilemma of adoption and maintenance for centripetalism more generally: not only was the system militarily imposed on the polity, but the centripetal experiment was also effectively ended by military coup.

The 1979 presidential election in particular showcases the predisposition to instability that informs the election of a president by way of distribution requirements. Most obviously, the presidential arrangement demonstrated the problematic nature of bestowing upon a single individual the responsibility of uniting diverse identities and interests. Though a peaceful constitutional solution was found in this particular case, it does demonstrate that there is always the very distinct possibility that none of the candidates will meet the threshold for election. Shagari only narrowly won the election, and had the constitutional court not sided with him, the country would have been left without a president. The failure to elect a president, rather obviously, cannot produce stable politics. The requirement of distributed support thus represents a political gamble in which instability remains a distinct possibility and leaves the country vulnerable, at least in the Nigerian case, to military coup and system collapse.

Second, the arrangement also exposes an intrinsic bias towards the majority group. Shagari was a member of the Hausa-Fulani group in the north, the largest group in Nigeria, and most of the electoral support that facilitated his 1979 victory came from his Northern home base. Of the twelve states in which he met the 25 per cent threshold, nine were in the north and only three states were not part of his Northern stronghold. Notably, these three states (Bendel, Cross River and Rivers) were heterogeneous in composition and did not contain majority populations of the core groups. Furthermore, in Bendel, Shagari placed second to Awolowo who had captured a majority of the votes in that state. At a general level, this implies, as Andrew Reynolds argues, that there are “virtually no good examples of a president directly elected who becomes a unifying force in a divided society.” He continues: “Nigeria didn’t work, and most supermajority systems
fail as well. Either one group is large enough to surmount a 50 per cent or 66 per cent barrier, or no [candidate] gains the supermajority and the country is thrown into even more dangerous confusion.”

The federal arrangement, in turn, worked at cross-purposes. In one sense, it did work to “break up the hegemony of Nigeria’s largest ethnic groups” that had been so pronounced under the First Republic. Under the new system, the three main groups were spread out across dozens of new states; this did constrain their ability to dominate the centre. Yet breaking up this hegemony in practice implied the ethnicization of politics beyond the core ethnicities to include the minorities. In this sense, it worked not only to ensure the continuing ethnic ascription of states but also, in the form of the federal character principle, to use those ethnic identities as the basis for distribution purposes and to ensure that all groups were not marginalized in the system. Federalism in Nigeria did cross-cut ethnic identities, but only those of the core three. It is thus the case that it was centripetal only for the Yoruba, Ibo and Hausa-Fulani. For the multiple minorities in Nigeria, federalism worked along the proportionality principle associated with consociationalism.

Centripetalism was inconsistently applied in Nigeria; this is most apparent in its federal practices, which entailed both centripetal and consociational aspects. On the one hand, the indoctrination of the federal character principle empowered the numerous minority groups, none of which were powerful enough to capture the centre. That is, it promoted a consociational conception of intergroup relations. At the same time, however, precisely as Horowitz describes, the drawing of the federal boundaries offset the ability of the core groups to successfully exert any hegemony-seeking tendencies. In so doing, federalism did not do away with ethnic politics

but it did detract from the traditional zero-sum quality of such politics. This is in line with Horowitz’s views on the benefits of federalism. Complemented by integrative stipulations on the national orientation of political parties and by an electoral strategy for the office of the presidency that encouraged campaigning outside of one’s own home base, the system did provide some marginal incentives for cross-group appeals and intra-group splits. What it did not do, however, was provide either long-term or self-sustaining political stability.

What went wrong? Two interrelated points explain the ultimate failure of the Second Republic. First, the Nigerian example indicates that such an arrangement is difficult to self-generate. That is, any stability forthcoming from the system was largely the result of its exogenous imposition in the first place. Horowitz presents the Nigerian constitutional design as the upshot of a Rawlsian original position in which a council of “wise men” conceived of a system in which all would benefit. The reality, however, was that the genesis for the system came directly from the military regime that had come before it. The CDC, in essence, drafted the constitution they were explicitly told to draft; without the military oversight, it is unlikely that such a system would have been arrived at endogenously.

Second, while the Second Republic did entail genuine civilian rule, the military was never far from the forefront. And, of course, it was the military that effectively ended the centripetal experience in 1983 with its coup d’etat. This in turn suggests that centripetalism is also not a self-maintaining system. It implies that it may need some form of overrule to ensure that its incentives are adhered to. Horowitz has suggested that, once adopted, centripetalism is easier to maintain than is consociation, but the evidence from Nigeria does not inspire confidence. Rather, centripetalism appears to require more than just the “lifting of decision-making from familiar to

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unfamiliar hands, “it may also require the longer-term involvement of some external authority. In Nigeria under the Second Republic, that authority derived from the military; in many contemporary cases, as in Bosnia and Herzegovina, that authority may come from the international community. In either event, the dilemma becomes one of both design adoption and system maintenance. Thus, it is important to recall that the incentives of centripetalism worked in Nigeria under a unique set of circumstances: on the one hand, its demographic configuration of multipolarity, and on the other, the machinations of the military. It was, in other words, a stability of imposition.

3.3 Sri Lanka

In this section, I consider the role of the majoritarian-preferential voting system used for presidential elections in Sri Lanka. Since its implementation in 1982, five elections have been held under the Supplementary Vote (SV), which is a modified form of the Alternative Vote (AV) recommended by Donald Horowitz. The ranking of only three candidates permitted under SV is the main difference from AV, which allows for the ranking of all candidates. The SV system was initially chosen as a way to make the votes of the minority Tamil population equivalent to those of the majority Sinhalese. Yet, the use of SV in Sri Lanka, I argue, has had a negative impact on intergroup relations and significantly contributes to the classification of Sri Lanka as a case of political instability.

3.3.1 Sri Lanka’s Divisions

The demographic situation of Sri Lanka is characterized by a majority-minority dynamic seemingly not amenable to compromise. The country is divided into three main ethnic groups: the Sinhalese constitute a large majority, totaling approximately 74 per cent of the population while

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the Tamil population, split between Sri Lankan Tamils and Indian Tamils, composes roughly 17 per cent and the Muslim community makes up the remainder of the population. The Sinhalese, most of whom are Buddhist, are relatively concentrated in the south and western parts of the country while the Tamil population, most of which is Hindu, is concentrated primarily in the north and also in the east. The Tamil community is not only territorially concentrated in the north and east; they also believe that territory to be their rightful homeland. The Muslim community, in turn, resides primarily along the eastern coast of the country, making them a minority in Tamil-dominated areas. The Muslims have been recently called “an unhappy and forgotten minority”; while they have been largely absent from the Sinhalese-Tamil conflict, there has been a worsening of Muslim-Tamil relations. This pattern of demographic composition has had serious implications for the quality of intergroup relations. The majority-minority dynamic works both within Sri Lanka and within the larger regional context; the Sinhalese, while a majority in Sri Lanka itself, are “all too conscious of being a minority vis-à-vis the Tamils of southern India and Sri Lanka taken together” and have thus rightly been characterized as a majority with a minority complex.

Sri Lanka is characterized by very deep division, with high levels of interethnic violence and a political party system composed almost exclusively of ethnic parties that tend toward extremism. Interethnic violence has predominated on the island since 1983 and was precipitated by a long period of escalation and intransigence dating back to at least the 1950s. Spreading over the twenty-five year period since outright conflict began in 1983, conflict-related deaths are estimated in the range of 70,000, the displaced number in the hundreds of thousands and human


rights violations are prevalent. Though a ceasefire agreement was negotiated between the government and Tamil separatist insurgents in 2002, it was consistently violated and finally collapsed in January 2008 with an official return to war. The conflict in Sri Lanka can be considered one of the most brutal and intractable intra-state conflicts in the world.

The political salience of ethnicity is manifested in a political party system that is almost exclusively ethnic in form. There are two large parties in Sri Lanka, both of which appeal primarily to the Sinhalese community for support and both have shown a willingness to employ extremist rhetoric in their bids to capture the state. The United National Party (UNP), a right-leaning party, and the Sri Lanka Freedom Party (SLFP), more leftist in orientation, both flip-flop in terms of their ethnic extremism depending on the electoral mood and the extent to which it appears advantageous to strike a hard line. At present, the UNP appears as the more moderate of the two main parties, preferring a negotiated political settlement to the conflict while the SLFP has engaged in military action in the north and eastern parts of the country. Both parties are pushed toward more extremist platforms by the presence of smaller Sinhalese parties, namely the Janatha Vimukthi Peramuna (JVP), which has its origins in a Maoist insurgency and which has vehemently campaigned against the Ceasefire Agreement (CFA) and the Jathika Hela Urumaya (JHU), which is the party of the Buddhist Sangha. Both parties promote a radical form of Sinhalese nationalism. These latter parties were also part of the United People’s Freedom Alliance (UFPA), which won the 2004 parliamentary elections and which enabled the 2005 victory of Mahinda Rajapaska, Sri Lanka’s current president. The UNP and the SLFP both

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purport to be the “authentic representative of the majority” and all governments formed since independence have been dominated by either the UNP or the SLFP.

The Liberation Tigers of Tamil Eelam (LTTE), meanwhile, dominate the Tamil side of the conflict. The LTTE, which is now fighting its fourth “war for Eelam,” is known as one of the “most fearsome and formidable insurgent movements” in the world. It is the progenitor of suicide bombings and has come under fire for its child soldier recruitment campaigns and for its systematic decimation of rivals. It is an organization that is both “highly militarized and authoritarian,” and tolerates little dissent among the Tamil community. The LTTE is proto-governmental in form, with its own administration, police services and judicial systems and controls significant pockets of territory in the north. While many, including parts of the UNP and the SLFP, recognize the legitimacy of Tamil grievances, it is also the case that “LTTE brutality and intransigence have kept strong currents of Sinhala nationalism alive.”

The LTTE seeks to be the hegemonic representative of the Tamil community, but there have also been several political parties seeking to represent Tamil interests in parliament. For example, the Tamil National Alliance (TNA), which included a collection of small Tamil parties, captured 22 seats in the 2004 election with 6.8 per cent of the vote but did not field a candidate for the presidential election. The Muslim community is largely supportive of the Sri Lanka Muslim Congress (SLMC), which joined the UPFA in the 2004 parliamentary and 2005 presidential elections.

While the 2002 Ceasefire Agreement (CFA), brokered by Norway, had already collapsed in all but name, with 3,830 ruled violations committed by the LTTE and 351 by the Government

of Sri Lanka (GOSL) between February 2002 and April 2007, the official collapse of the ceasefire agreement came in January 2008, when the government pulled out of the agreement. Despite a widespread consensus that the conflict is not amenable to a military solution, this is the strategy of the president, Mahinda Rajapaska of the SLFP. He has stated, “I will not stop until terrorism is defeated,” which, with a doubling of the defence budget to 5.8 per cent of GDP, he anticipates will be achieved by the end of 2008. Many in the Sinhalese community feel that a government victory is “tantalizingly close,” given the perceived weakened position of the LTTE, which suffered a factional split in 2004 when one of its leading members, Colonel Karuna, formed the TamilEela Makkal Viduthalai Pulikal (TMVP) and essentially joined forces with the GOSL. Since the split, the LTTE has lost territory to the GOSL in the eastern part of the country and has been compelled to step up its child recruitment in order to insure a sufficient number of soldiers.

The military campaign has come at a cost, however. A report issued by Human Rights Watch in May 2008 outlines the numerous human rights violations perpetrated by both sides of the conflict. In the report, the LTTE is taken to task for its direct targeting of civilians, its assassinations of political opponents and the forcible recruitment of children into its ranks. The Sri Lankan security forces, in turn, are faulted for the use of indiscriminate bombing and shelling, for over 1,500 “disappearances” for which it is deemed responsible, for its ineffective handling of internal displacement and for its complicity in the use of child soldiers by nonstate armed groups. The military route has also led to a further deepening of the division between the

groups, with a plurality of the Sinhalese community supporting the military response, and overwhelming majorities within the Tamil and Muslim communities preferring a resumption of the peace talks and the pursuit of a political solution.\footnote{146} It is in the cyclical environment of war, insurgency and intransigence that the centripetal device of a majoritarian-preferential system for presidential elections operates.

### 3.3.2 Institutional Efforts at Conflict Management

Sri Lanka has experienced a series of institutional arrangements that are seemingly inapt for the conflict it faces, beginning with the Westminster parliamentary system it inherited upon independence in 1948. Westminster systems, named after the British political system, encourage a unitary conception of political power premised on majoritarian principles. They typically function in unitary states in which parliamentary representatives are elected on the basis of the single member plurality system (SMP) or first-past-the-post (FPTP), and post-independence Sri Lanka proved no exception. Elections in the post-independence period, held under FPTP, produced governments of a distinctly Sinhalese orientation and a party system that continues to this day, in which the two main Sinhalese parties, the United National Party (UNP) and the Sri Lanka Freedom Party (SLFP) engaged in a cycle of ethnic outbidding, and where moderate Tamil parties, such as the Tamil United Liberation Front (TULF), were relegated to the sidelines.\footnote{147}

Ethnic homogeneity at the constituency level further contributed to both extremism and exclusion because there were no incentives for the majority to appeal to the other groups or to moderate their ethnic claims. Single-member plurality elections in these homogeneous ridings combined with a party system dominated by the UNP and the SLFP resulted in a system “that was exceedingly sensitive to Sinhalese opinion and inhospitable to interethnic


\footnote{147}{International Crisis Group, *Elusive Southern Consensus*, p. 2.}
accommodation.” Where the Sinhalese constituted overwhelming majorities, as they did in over eighty per cent of all constituencies, it was considered politically advantageous to produce anti-Tamil platforms. In fact, the Sinhalese parties “competed in outdoing each other at being anti-Tamil.” The territorial concentration of the Tamils community compounded the situation; “this meant that in the rest of Sri Lanka, which contained the vast majority of electoral districts and where national electoral battles were won or lost, Tamil voters were not a factor that needed to be taken into consideration by vote-seeking Sinhalese politicians.”

Such a scenario, not surprisingly, did little to foster moderate behaviour. This culture of ethnic outbidding was most obviously manifested in the 1956 election in which the opposition SLFP, under leader SWRD Bandaranaike, campaigned on a platform of “Sinhala Only, and within twenty-four hours,” a policy intended to make Sinhala the only official language of Sri Lanka immediately following the election. The Sinhala Only campaign was as much a reaction to the colonial holdover of English as the main political language as it was an opportunity to dismiss Tamil language rights. The policy itself represented a “political somersault” for Bandaranaike who had previously argued that “it would be ungenerous on our part as Sinhalese to not give due recognition to the Tamil language.” Seen by many as an opportunistic electoral maneuver designed to appeal to the rural south Sinhalese-speaking elite and to the Buddhist Sangha, the strategy paid off. The SLFP trounced its opponents, winning 51 seats in parliament to the UNP’s eight. It also prompted a policy shift in the UNP, which had also previously backed linguistic parity, though the shift came too late to have much electoral impact. Initial nonviolent protests

150 Sumantra Bose, Contested Lands, p. 23.
152 International Crisis Group, Elusive Southern Consensus, p. 5.
153 Devotta, “From Ethnic Outbidding to Ethnic Conflict,” p. 149.
by Tamils in response to the enactment of the Official Language Act No 33 in June 1956 gave way to anti-Tamil riots in which at least 150 people were killed.\textsuperscript{154}

The politics of post-independence Sri Lanka, then, serves as a stark reminder of the conflict-exacerbating potential of political institutions. It became a violent reminder of the idea that divided places have “a special version of the usual democratic problem of assuring decent treatment of the opposition.”\textsuperscript{155} Democracy in the post-independence period confirmed how easily majoritarian democracy can degenerate into majority dictatorship. During the 1960s, policies on resource allocation that overtly favoured the Sinhalese and government-sponsored resettlement programs to Tamil areas contributed to the aggrieved status of the Tamils.\textsuperscript{156} Further marginalization followed in the 1970s during which time two constitutions were ratified, both times by Sinhalese parliamentary majorities whose sheer numbers allowed them to ignore any concerns expressed by Tamil parliamentarians.\textsuperscript{157} The new constitution promulgated in 1972 giving a “foremost place” to Buddhism served to further alienate the Tamil community.

During this period, Tamil mobilization was primarily political and peaceful in character, with moderate parties like the TULF seeking a federal constitution and a guarantee of fundamental rights. A fundamental shift in the Tamil position, however, came in 1976 when the TULF began to call for an independent Tamil state, Eelam. The prospect of an independent Eelam “galvanized many extremists and young Tamils,” and out of this movement was born the Liberation Tigers of Tamil Eelam (LTTE), which swiftly overtook the TULF as the voice of Tamil grievances.\textsuperscript{158}

\textsuperscript{157} Devotta, “Quest for Eelam,” p. 62.
\textsuperscript{158} Devotta, “Quest for Eelam,” p. 63.
The constitutional overhaul in 1978, which included a reversal of the Sinhala Only policy and a change to a presidential system with preferential election rules, however, was seen as “too little, too late,” and had little effect on the polarized style of ethnic voting. Under the 1978 constitution, the president, among “the strongest in the democratic world,” holds a six-year tenure and is elected via the Supplementary Vote (SV), a preferential voting system that requires an absolute majority for election and the ranking of up to three candidates. In this sense, SV is akin to the Alternative Vote but it restricts the number of preference rankings allowed to three votes, and all but the top two candidates are eliminated on the second count, should a majority not be achieved on the first count.

The use of SV, it was anticipated, would result in a situation where “prudent presidential candidates could hardly ignore Tamil interests” and where Tamil votes would become as important as Sinhalese ones. Yet this did not happen. Though adopted in 1978, the new voting system was only first used in the 1982 election where it coincided with a marked deterioration of intergroup relations, with civil war finally erupting in 1983. Of all the presidential elections held under SV—in 1982, 1988, 1994, 1999, and 2005—none have needed a second round. In each

<table>
<thead>
<tr>
<th>Year</th>
<th>UNP</th>
<th>SLFP</th>
<th>PA</th>
<th>JVP</th>
<th>ACTC</th>
<th>Other</th>
<th>SLMC</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>1982</td>
<td>52.9</td>
<td>39.1</td>
<td>4.2</td>
<td>2.7</td>
<td>1.1</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>1988</td>
<td>50.4</td>
<td>45.0</td>
<td>4.6</td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>1994</td>
<td>35.9</td>
<td>62.3</td>
<td>1.8</td>
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<td></td>
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<td></td>
</tr>
<tr>
<td>1999</td>
<td>42.7</td>
<td>51.1</td>
<td>4.1</td>
<td>JVP</td>
<td>Other</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2005</td>
<td>48.4</td>
<td>50.3</td>
<td>1.3</td>
<td></td>
<td>Other</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

case, a majority was captured on the first count, with the UNP and the SLFP serving as the only real contenders. The All Ceylon Tamil Congress (ACTC) contested the first presidential election, gaining 173,934 votes or 2.7 per cent of the vote, but no other Tamil party has entered the presidential race since that time. The first Muslim candidate was only put forward in the 1999 election when the SLMC received 17,359 votes or 0.2 per cent of the total vote. All election results held under SV are displayed in Figure 3-7.

The 2005 presidential election of Mahinda Rajapaska of the Sri Lanka Freedom Party (SLFP), campaigning as part of the United Peoples Freedom Alliance (UPFA), in particular highlights the problem of electing a powerful president in a deeply divided polity. While both Rajapaska and Ranil Wickremesinghe of the UNP made electoral promises to seek a solution to the conflict within the framework of a “United Sri Lanka,” Rajapaska adopted a much more hardline stance. He campaigned on a platform that included calls for a renegotiation of the peace talks, for a reaffirmation of the unitary composition of the state, and for a rejection of the Post Tsunami Operations Management Structure (PTOMS), which is an aid-sharing program between the government and the LTTE. His election manifesto also called for the suppression of separatism and the promotion of “an undivided country, a national consensus, and honourable peace.” Specifically, he promised to preserve the “sovereignty, territorial integrity and unitary structure of the state while pledging to abide by a majoritarian understanding of democracy.” He also courted the support of, and signed pre-electoral agreements with, the JVP and the JHU, both of which have strong Sinhalese ultra-nationalist extremist orientations.

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This prompted the LTTE to organize an unofficial boycott of the election. The LTTE and the Tamil National Alliance, a collection of Tamil political parties seen as a proxy for the LTTE, issued a joint statement in which they suggested that it would be “a futile exercise to show any interest in the election.”\textsuperscript{166} As a result both of the intimidation and fear of retribution forthcoming from the boycott as well as the government’s decision to not place polling stations in LTTE areas, which meant that voters would have to travel long distances in order to cast their ballots, Tamil turnout was low.\textsuperscript{167} While turnout in the Sinhalese majority areas averaged between 75 and 80 per cent, it was much lower in Tamil-populated areas. In the northern district of Vanni, for example, turnout hovered around 34 per cent while in Tamil-majority Jaffna, it was only 1.21 per cent. Overall, Rajapaska and Wickremesinghe each captured eleven districts with Rajapaska narrowly winning the presidency with 50.3 per cent of the total vote.\textsuperscript{168} Had turnout been higher in the north where the UNP performed reasonably well, it was estimated that Wickremesinghe would have won the election. The decision on the part of the LTTE to boycott the election was perceived by many as an implicit call for a return to violence.\textsuperscript{169} Between 2005 and early 2008, increasing ceasefire violations eventually culminated in the GOSL pulling out of the CFA and engaging a new military operation against the LTTE. The 2005 election reminds us that where divisions are deep, minorities do not adhere to the logic suggested by Horowitz and vote for the other side nor do candidates from the majority always feel compelled to reach out to minorities.

Wickremesinghe’s more moderate stance was not sufficient to attract minority support while Rajapaska’s extremist position won him the presidency.

3.3.3 Institutional Assessment

While the causes of the continuing conflict are many, deep division mixed with an unfavourable demographic context helps to explain why the SV system has not resulted in a qualitative improvement of intergroup relations. Horowitz argues that preferential voting arrangements provide incentives for moderation rather than constraints on extremism. Where ethnic majorities exist, political parties representing that majority may in fact require minority support in order to get elected but it does not follow that minorities will provide that support at the expense of their own representation. The appeal of such electoral arrangements, then, is directed almost exclusively at the majority. That is, the incentives are primarily one-sided: ethnic majorities may be induced towards moderate platforms but there remains relatively little incentive for ethnic minorities to accept and be satisfied with such claims to moderation. Even in situations where there are two candidates from the majority, it often pays to be more extremist in order to secure support from one’s group rather than to campaign on a moderate platform, as has been the case in Sri Lanka. The intra-group split, which Horowitz thinks compels moderation, has actually served to make both sides less moderate. Incentives have to run in both directions—that is, towards both majorities and minorities—if they are to have the intended centripetal effect. Single-person presidencies, even with preferential voting, cannot achieve this bi-directional effect. They essentially foreclose the prospect of a politician from the minority group getting elected.

The problem in the Sri Lankan context is that the Supplementary Vote, like AV, consists only of unidirectional incentives for moderation. While Sinhalese candidates may garner transfer
Figure 3-8: Party Orientation for Presidential Elections in Sri Lanka, by Percentage of Vote, 1982-2005

votes from the Tamil community, the same cannot be said for any potential Tamil candidates.\textsuperscript{170} That is, the overwhelming majority status of the Sinhalese precludes the serious contemplation of a Tamil presidential victory. In situations of deep division and dominant majorities, single-person presidencies, even if elected by preferential voting, effectively block minority groups from gaining representation in the top office. The assumption underlying centripetal recommendations is that the Tamils should be satisfied with Sinhalese representation; minority influence, Horowitz suggests, is more important that minority office-holding.\textsuperscript{171} Yet the tacit Tamil boycott of the presidential elections in 1988, 1992 and 1999—tacit in the sense that there were no Tamil candidates—and the more direct boycott of the 2005 election suggest that influence may not be sufficient for aggrieved minorities. In each election, the contest has always been dominated by the UNP and SLFP. The Tamil parties have not fielded candidates not because they are satisfied with minority influence on majority candidates but because they recognize the improbability of


minority office-holding in a majoritarian office. Moreover, for the incentives to be heeded by the majority, there must already be some level of moderation evident in the polity: the majority must actually want to reach out to the minority. Such moderation has been strikingly absent in Sri Lanka with both the UNP and SLFP engaging in outbidding tactics. Because it is possible to get elected without lower-order preferences, there is no motivation to produce moderate platforms. Rather, as in 2005, when Rajapaska reached out to the Sinhalese extremist JVP for support, it may prove more rewarding to adopt an extremist position. Indeed, because reaching out to the minority can endanger support among one’s own community, there are no clear incentives to moderate one’s platform.

The intersection of demographic diversity with deep division helps to explain why the SV system has not worked to promote political stability in Sri Lanka. There are, first, the related issues of group size and the number of groups. At 17 per cent, the Tamils represent a sizeable minority, yet their numbers nowhere near match the overwhelming majority of the Sinhalese. Because of the territorial concentration of both groups, that overwhelming majority is reversed in the north and eastern parts of the country where the Tamils dominate. The Tamils moreover are a nationally mobilized group, resident in what they consider to be their homeland: “The idea that the north and east constitute the inalienable and indivisible Tamil homeland has been the central shibboleth of Tamil politics in Sri Lanka for the past fifty years.”  

This has prompted, first, calls for regional autonomy and federalism which, as they went unheeded, escalated into demands for outright sovereignty and, finally, a violent separatist movement.

Second, given the history of outbidding, as made clear by the “Sinhala Only” language policy and the 1972 constitutional provision giving Buddhism a position of preeminence in the country, and also the insurgency waged by the LTTE in response to the political exclusion of Tamils, a profound absence of trust characterizes group relations. The issue is summed up

accordingly: “Enforced over forty years, this outbidding phenomenon has severely undermined minority confidence in the country’s institutions and is mainly responsible for Tamil extremists seeking a separate state.”\(^{173}\) As a result, it remains highly unlikely that the Tamil population will settle for the sort of “proxy” representation SV facilitates and it is just as unlikely that the Sinhalese population would accept a Tamil president.

It can consequently be argued that the presidential system exacerbates an already-intractable self-determination dispute by creating a sense of disenfranchisement from the highest office for the minority groups. This interpretation differs markedly from the one presented by Horowitz who argues that the electoral system has had no effect on the conflict. In fact, he argues that the system “has not had a test of its propensity to induce moderation in Sri Lanka.”\(^{174}\) Rather than making the intergroup relations worse, Horowitz argues, the system has simply not yet had any influence. This is because it was adopted too late in the game, after the tipping-point to conflict, as it were.\(^{175}\) The degeneration of intergroup relations cannot be blamed on SV, he claims. After all, the country was on the cusp of war at the time of the first presidential election and the election itself took place in the context of this tense environment.

Here he is trying to sidestep the negative consequences of Sri Lanka’s use of SV by suggesting that the Tamils already felt like “second-class citizens” and that SV on its own was insufficient to address this perception.\(^{176}\) But this argument holds little weight. After five elections held under the system over three decades, to argue that it has made no difference to the conflict is unconvincing. Rather, SV serves as another example of second-class status. Moreover, this position contradicts his very stance on the prescriptive value of centripetalism, which is that in situations of deep division, centripetal institutions can promote political stability and encourage

\(^{173}\) Devotta, “From Ethnic Outbidding to Ethnic Conflict,” p. 143.  
\(^{175}\) Horowitz, “Where Have All the Parties Gone?,” p. 20.  
\(^{176}\) Horowitz, “Where Have All the Parties Gone?,” p. 20.
moderate intergroup relations. By suggesting that Sri Lanka was too deeply divided for a centripetal institution to work, he is devaluing his own recommendations.

The violent consequences of the uni-directionality of centripetal incentives are manifestly evident in Sri Lanka. What is more, the introduction of institutions of proxy representation represents the antithesis of what the Tamil population, and the LTTE in particular, are seeking. The Tamils want to exercise a right to self-determination either in a separate state or, at minimum, within a federal Sri Lanka. The presidential arrangement only inflames the situation. Single-member presidencies are, by definition, winner-take-all institutions; presidential elections in situations of deep division are zero-sum games in which only one ethnic group can be victorious. Reynolds states: “a directly elected president tends to be pressured into ethnic or regional exclusivity. Such presidents have a great incentive to offer special privileges to their own ethnic or regional group as a means of ensuring re-election through a simple majority or plurality of votes.”177 This is because presidencies concentrate power not simply in a single party, but in a single person. As a result, it becomes a winner-takes-all institution. In such a scenario, where the winners and losers are defined in ethnic terms, the potential for both political instability and conflict is egregious. This has been the political route followed in Sri Lanka.

3.4 Conclusion

This chapter has reviewed three centripetal cases: Fiji’s adoption of the alternative vote for parliamentary elections beginning in 1999, Nigeria’s use of administrative federalism and distribution requirements for its presidential elections during the tenure of its Second Republic, which lasted from 1979-1983, and Sri Lanka’s move to a preferential voting system for presidential elections, which was first utilized in 1982. Collectively, the implications for the

ability of centripetalism to promote political stability in situations of deep division are not promising. Instability has been the result in both Sri Lanka and Fiji, with both cases witnessing a worsening of intergroup relations, as well as a return to civil war in Sri Lanka and two coups in Fiji. The centripetal experience in Nigeria was also effectively ended by coup though it did enjoy a modicum of stability while in operation. It is nevertheless important to recall that its stability was of an imposed nature. The centripetal track record thus includes two cases of outright instability, one case of imposed stability, and no cases of stability. The ability of centripetalism to facilitate political stability in deeply divided places is thus called into doubt.
Chapter 4
Consociational Cases: Burundi, Bosnia and Herzegovina and Northern Ireland

In this chapter, I consider the track records of three consociational cases to assess consociation’s capacity to promote political stability. Specifically, I examine Burundi’s transition to consociational power-sharing under the Arusha Accords in 2000; the set of consociational institutions adopted in Bosnia and Herzegovina under the Dayton Accords in 1995; as well as the two attempts at power-sharing in Northern Ireland, first under the Sunningdale Agreement in 1973, and second, since the signing of the Good Friday Agreement in 1998. For each case, I provide a description of the polity’s divisions and its relevant demographic factors, as well as a description of the institutional efforts at conflict management. I conclude each case with an analytical overview of its institutional design and discuss the extent to which political stability was forthcoming.

In what follows, I show that the recent consociational accords in both Northern Ireland and Burundi may be considered as cases of political stability. While Northern Ireland has come much further in its pursuit of stable politics, Burundi’s more tentative stability nevertheless represents a radical improvement over its conflictual past. Bosnia and Herzegovina is also a case of stability, although this is very much of the imposed variety, much like the relative stability that Nigeria has enjoyed since the late 1960s.

4.1 Burundi

In 2000, Burundi reached a peace agreement meant to facilitate the end of nearly a decade of ethnic conflict in which more than 300,000 people were killed. The Arusha Peace
Accords introduced a transitional regime in which power was shared between members of Burundi’s two main ethnic communities, the Hutu and the Tutsi. By 2005, the new system was fully implemented and has since been hailed by the international community as a success story.\(^1\) As I explain in this section, the comprehensive consociation adopted at Arusha has brought a significant, if still tentative, degree of political stability to the country. The consociational experience in Burundi thus has valuable lessons for institutional design in deeply divided places, the most important of which is the need to bring contentious issues traditionally outside the scope of consociational theory into the institutional fold.

### 4.1.1 Burundi’s Divisions

Much like neighbouring Rwanda, Burundi is characterized by a bipolar ethnic split with the Hutu, at 85 per cent, making up the overwhelming majority, and the Tutsi, in turn, accounting for 14 per cent of the population.\(^2\) The Twa represent the final one per cent of the population but have been relatively excluded from attempts at conflict resolution though they have been subject to discrimination from both Hutu and Tutsi. It is important to note that these population numbers represent commonly accepted approximations as no formal census has taken place in the post-independence period. The country has the second highest population density in Africa, following only Rwanda, and the groups are geographically intermixed.

Admittedly, ethnicity is only one aspect of a complex configuration of political and social alliances in Burundi, many of which cut across the ethnic divide, including intra-aristocratic divisions and a split between traditionalists and modernizers. Socially, the Hutu and Tutsi have

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been reasonably well integrated. Intermarriage is common, as are ethnically mixed areas.\(^3\) Indeed, many scholars working on the country, such as Patricia Daley, Rene Lemarchand and Filip Reyntjens, all question the explanatory value of the “Hutu/Tutsi binary” for the ongoing conflict.\(^4\)

Nevertheless, ethnicity has been the focal point for attempts at conflict management. This is primarily because while its social resonance is lower than anticipated, ethnicity has proven to be of a high political salience with large-scale interethnic violence.

The area is subject to high conflict intensity. The most visible manifestations of interethnic violence include the 1972 genocide in which 200,000, mainly Hutu, were killed and in which another 300,000 became refugees followed by the killings of over 15,000 Hutu and Tutsi and the displacement of a further 50,000 Hutu in 1988. Other episodes of mass violence include uprisings in 1965 in which 5,000 Hutu were killed and in 1991, which resulted in the deaths of another 3,000 Hutu and the displacement of 38,000 Hutu.\(^5\) In the aftermath of a failed transition to democracy in 1993, nearly a decade of interethnic violence followed in which two presidents were assassinated, 300,000 were killed and twelve per cent of the country’s total population, or approximately one million people, was displaced.\(^6\)

Ethnic division is also of a high political salience in Burundi. In addition to the high levels of interethnic violence, perpetrated both by a military composed almost entirely of Tutsi and by numerous armed Hutu rebel groups, ethnic parties have also dominated in the political arena. There is a historical perception that the Tutsi elite has dominated the Burundian state. The country was, until the early 1990s, run as a one-party state in which the Union pour le Progrès

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National (UPRONA), perceived as Tutsi-dominated, was the only legally sanctioned political party. All but one government between independence and the start of the 1993 conflict had large Tutsi majorities. However, international condemnation of the ethnic violence in 1988 in which more than 15,000 people were killed put pressure on the president, Pierre Buyoya, to engage a series of democratic reforms. Out of this process came a new constitution sanctioning multiparty politics and the holding of elections in 1993 that opened the door to a Tutsi-Hutu competition in which UPRONA competed against the Hutu-dominated Front pour la Démocratie au Burundi (FRODEBU). The election brought to power the country’s first democratically elected Hutu president but the system collapsed within a few months and gave way to a protracted conflict.

Both UPRONA and FRODEBU remain important players in post-conflict electoral politics but have been increasingly displaced by the Conseil National pour la Défense de la Démocratie – Forces pour la Défense de la Démocratie (CNDD-FDD), a former rebel organization turned ruling political party. All three parties have an ethnic connotation, but this remains most obviously the case with UPRONA and FRODEBU. UPRONA, the longest-running party in Burundi and which led the country’s independence movement in 1962, is associated with the Tutsi dominance of the political system from independence until 1993. While the party includes a number of Hutu in its party ranks, Tutsi dominate its upper echelons and it attracts the majority of its support from the Tutsi community. Moreover, in the 2005 election, all of its winning candidates were from the Tutsi community.

FRODEBU, meanwhile, was founded in the 1980s as an underground opposition movement meant to unseat UPRONA’s dominance. Its founder, Melchior Ndadaye, the Hutu president whose assassination would spark the decade-long conflict in 1993, believed that while people should be free to join parties on the basis of their political convictions and not on the basis

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9 Lemarchand, Burundi, p. 142.
of their ethnicity, Hutu and Tutsi nevertheless interpreted their history and the idea of national unity in different ways and thus may need different political representation.\textsuperscript{10} Though it has attempted to attract ethnically mixed support, the party has also been perceived as narrowly concerned with promoting Hutu concerns. During the 2005 election campaign, it accused the CNDD-FDD of betraying the Hutu cause because it incorporated a significant number of Tutsi members into its party.\textsuperscript{11}

The CNDD-FDD, for its part, tends to avoid ethnic discourse and in the 2005 election around thirty per cent of its elected representatives were Tutsi. Though previously perceived as a Hutu rebel group, it is now emerging as a multi-ethnic political party, both in terms of its composition and in terms of its support base.\textsuperscript{12} The final key player in Burundi’s politics is the Parti pour la libération du Peuple Hutu—Forces Nationales de Libération (Palipehutu-FNL), a Hutu extremist rebel group born in the refugee diaspora in reaction to the 1972 genocide. It officially sanctioned armed struggle as a means to overcome Tutsi hegemony and as a way to promote Hutu interests—it has been labeled “stridently anti-Tutsi” and has rejected the notion of sharing power with the minority group.\textsuperscript{13} Both the CNDD-FDD and the Palipehutu-FNL initially rejected the Arusha peace framework—the Palipehutu-FNL because it conceded too much to the Tutsi community and the CNDD-FDD because it perceived the framework as too rigidly focused on ethnicity.\textsuperscript{14} Both parties have now made the shift into the institutional framework, the CNDD-FDD in 2003 and the Palipehutu-FNL in 2008.

\begin{itemize}
\item \textsuperscript{10} Lemarchand, \textit{Burundi}, p. 143.
\item \textsuperscript{11} Filip Reyntjens, “Briefing: Burundi: A Peaceful Transition After a Decade of War?,” \textit{African Affairs} 105, 418 (2005), p. 123.
\item \textsuperscript{12} Reyntjens, “Peaceful Transition,” p. 125.
\item \textsuperscript{14} Lemarchand, \textit{Burundi’s Endangered Transition}, p. 22.
\end{itemize}
4.1.2 Institutional Efforts at Conflict Management

Having spent most of the previous decade at war, Burundi entered a new era in intergroup relations on 28 August 2000 when a peace accord was adopted, signed at Arusha, Tanzania. Agreement on the accord was due to the influence of facilitator Nelson Mandela, the former president of South Africa. Mandela, who had taken over as lead facilitator upon the death of Julius Nyerere, the former president of Tanzania who had first led the Arusha talks, endeavored both to make the talks as inclusive as possible and to garner international backing for the peace process. He argued, first, that the inclusion of the armed rebel groups, many of which had remained outside of the process, particularly the CNDD-FDD and Palipehutu-FNL, was necessary for the long-term viability of a peace settlement. He also pushed the regional and international community for support, arguing that without it, the peace process would lack the legitimacy, resources and backing needed to be successful. In addition to organizing a donors’ conference at which $440 million was pledged for reconstruction efforts, Mandela ensured that a number of heads of state were present at the signing of the peace accord, including American president Bill Clinton, as well as the presidents of Uganda, Mozambique, and Kenya.

As shown in Figure 4-1, the Arusha Peace and Reconciliation Agreement had nineteen domestic signatories—the Government of Burundi and the Assemblée Nationale as well as seventeen political parties, of which seven were identified as Hutu (called the G7) and ten were identified as Tutsi in composition (known as the G10). Of the G10, six expressed some reservations with the accord but nevertheless signed the agreement.

The accord is organized into five protocols: (i) the Nature of the Burundi Conflict, Problems of Genocide and Exclusion and their Solutions; (ii) Democracy and Good Governance; (iii) Peace and Security for All; (iv) Reconstruction and Development; and (v) Guarantees on

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Figure 4-1: Signatories to the Arusha Accord

<table>
<thead>
<tr>
<th>Government Signatories</th>
<th>Hutu (G7) Signatories</th>
<th>Tutsi (G10) Signatories</th>
<th>Non-signatories</th>
<th>International Co-signatories</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gouvernement du Burundi</td>
<td>Front pour la Démocratie au Burundi (FRODEBU)</td>
<td>Union pour le Progrès National (UPRONA)</td>
<td>Conseil National pour la Défense de la Démocratie</td>
<td>Nelson Mandela, lead facilitator</td>
</tr>
<tr>
<td>Assemblée Nationale</td>
<td>Front pour la Libération Nationale (FROLINA)</td>
<td>Alliance des Vaillants (AV-INTWARI)</td>
<td>Forces pour la Défense de la Démocratie (CNDD-FDD)</td>
<td>President of Kenya</td>
</tr>
<tr>
<td></td>
<td>Parti Libéral (PL)</td>
<td>Parti pour le Redressement National (PARENA)</td>
<td>Parti pour la libération du Peuple Hutu—Forces Nationales de Libération (PALIPEHUTU-FNL)</td>
<td>President of Tanzania</td>
</tr>
<tr>
<td></td>
<td>Rassemblement du Peuple Burundais (RPB)</td>
<td>Alliance Burundo-Africaine pour le Salut (ABASA)</td>
<td></td>
<td>Organization for African Unity</td>
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<tr>
<td></td>
<td>Parti du Peuple (PP)</td>
<td>Alliance Nationale pour le Droit et le Développement (ANADDE)</td>
<td></td>
<td>United Nations</td>
</tr>
<tr>
<td></td>
<td>Conseil National pour la Défense de la Démocratie (CNDD)</td>
<td>Parti Socialiste et Panafricaniste (INKINZO)</td>
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<td>European Union</td>
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<tr>
<td></td>
<td>Parti pour la libération du Peuple Hutu (PALIPEHUTU)</td>
<td>Parti Indépendent des Travailleurs (PIT)</td>
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<td>Mwalimu Nyerere Foundation</td>
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<td>Parti pour la Réconciliation du Peuple (PRP)</td>
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<td>Parti Social-Démocratique (PSD)</td>
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<td>Ralliement pour la Démocratie et le Développement Economique et Sociale (RADDES)</td>
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Implementation of the Agreement. Recognizing the dominance of FRODEBU and UPRONA, the accord called for a three-year transition period in which Pierre Buyoya of UPRONA would remain as president for the first eighteen months but who would then be succeeded by

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FRODEBU’s Domitien Ndayizeye (Protocol II, Chapter 2, Article 15.12). It outlines a transitional legislative assembly, inclusive of the Arusha signatories as well as those elected in 1993, tasked with writing a new constitution (Protocol II, Chapter 2, Article 15) and also includes important provisions relating in particular to security sector reform (Protocol III, Chapter 2) and the return of refugees and the internally displaced (called sinistrés) (Protocol IV, Chapter 1). The accord aims to redress the ethnic imbalance within the security forces, which until this point was almost entirely Tutsi in makeup, by calling for parity of composition in both the military and national police (Protocol III, Chapter 2, Article 14). It details provisions on the training and integration of former combatants into the armed forces (Protocol III, Chapter 2, Articles 17 18) as well as demobilization and civic reintegration provisions (Protocol III, Chapter 2, Article 21). Protocol IV, in turn, explains the provisions on the return, settlement and reintegration of refugees and sinistrés (see, especially Protocol IV, Chapter 1, Article 1).

The agreement also outlines a significant role for, and was considerably influenced by, international and regional actors. The participants to the peace talks faced heavy pressure from Tanzania, South Africa and the United States to accept the terms of the agreement, particularly provisions on allowing a South African military contingent into the country.\(^\text{18}\) Beginning in 2001, South Africa sent 1,500 troops to Burundi, stationed mainly in Bujumbura, the capital. The force was tasked with a limited “bodyguard” role—to protect returning members of the transitional government as well as opposition members.\(^\text{19}\) International peacekeeping forces, initially in the form of the African Union Mission in Burundi (AMIB) and later the United Nations Operation in Burundi (known by its French acronym ONUB), then oversaw the implementation of the peace accord between 2003 and 2006. Since the end of the ONUB mandate in 2006, the United Nations Integrated Office in Burundi (BINUB), aided by a mandate of the UN Peacebuilding Fund,


oversees the peace consolidation process. The international community thus maintains a long-term role in Burundi’s peace process.

During the transitional period, a new constitution deemed “markedly consociational” was drafted. The first consociational feature is a presidential form of the grand coalition: two vice-presidents, one Hutu and one Tutsi from different political parties, supporting a president independently elected by a joint sitting of the Assemblée Nationale and the Senate (Article 124). Proportionality provisions on cabinet representation require 60 per cent Hutu and 40 per cent Tutsi composition; in addition, 30 per cent of its members are to be women. Article 168 prescribes a list-PR electoral system as well as the provision that for every three candidates on a party list, only two may come from the same ethnic group. The 60:40 ratio also determines the makeup of the Assemblée Nationale while the Senate is to have parity between the two ethnic groups. Three seats in the Senate and another three seats in the Assemblée Nationale are reserved for members of the Twa community. In addition, no more than 67 per cent of mayors may come from the same ethnic group. A process of cooptation ensures that, failing electoral support, the predetermined ethnic and gender thresholds will be met (Article 164). Proportionality also extends to the security sector: not only can the minister of defence not be from the same ethnic group as the minister responsible for the national police, the design also calls for the re-composition of both the military and the national police force to include 50 per cent Hutu and 50 per cent Tutsi.

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21 Subsequent elections will involve the direct election of the president under the Two-Round System.

22 Such provisions on minority overrepresentation are not uncommon in consociations where the majority group is substantially larger than the minority. The implications of such forms of representation are discussed further below.
Legislation requires the consent of two-thirds in both the Assemblée and Senate (Article 188); when combined with the provisions on overrepresentation, this functions as a form of protection for the Tutsi community that their vital interests are guarded. The design enjoys widespread consent; in a referendum held 28 February 2005, it received 92.02 per cent popular support. With it, Burundi can be considered as the African country to most directly approximate consociational rule. Rene Lemarchand argues that the constitution “comes closer than any other African constitution, past or present, to putting into practice Lijphart’s model of consociationalism.”

Prior to 2005, politics functioned as a bipolar contest between UPRONA and FRODEBU. With the rise of the CNDD-FDD, however, party politics have become more multipolar. Certainly, the 2005 elections, held at the municipal, parliamentary, and presidential levels, prompted a changing of the guard in Burundian politics. Voting followed an electoral cycle in which municipal elections were held 3 June 2005, followed by elections to the Assemblée on 4 July 2005 and then concluded with the indirect election of the president by a joint session of the Assemblée Nationale and the Senate. With the municipal elections in which it captured 55 per cent of the seats and 62.6 per cent of the popular vote, and following with the Assemblée

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elections in which it captured 59 of the 100 seats, the CNDD-FDD proved itself a formidable power. The parliamentary election results are shown in Figure 4-2. CNDD-FDD leader, Pierre Nkurunziza, then easily won the indirect presidential election with 94 per cent.\(^{25}\) Nkurunziza formed a cabinet that closely followed the constitutional provisions on the 60:40 ratio of ethnic representation: 55 per cent Hutu and 45 per cent Tutsi, with female representation at 35 per cent.\(^{26}\) This required the co-optation of 18 new members of parliament—four Hutu, eleven Tutsi and three Twa—which brought the total number of Assemblée members to 118.\(^{27}\)

One of the government’s major initiatives was to continue peace talks with the Palipehutu-FNL, the only remaining rebel group outside the Arusha process after 2003. The Palipehutu-FNL signed a technical ceasefire agreement with the government in September 2006, though it failed to be effectively implemented. Following a renewal of fighting between government forces and the Palipehutu-FNL in early 2008, in which at least 100 people were killed and 40,000 displaced, an unconditional ceasefire was signed on 26 May 2008.\(^{28}\) The agreement pledges an immediate cessation of hostilities between the two forces and recommits both sides to the 2006 agreement. The signing of the agreement between the government and the Palipehutu-FNL means that all the rebel groups have now signed onto the Arusha peace.

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\(^{25}\) Election results from Reyntjens, “Peaceful Transition,” pp. 121-128.
\(^{26}\) Reyntjens, “Peaceful Transition,” p. 130.
\(^{27}\) Lemarchand, Burundi’s Endangered Transition, p. 15.
4.1.3 Institutional Assessment

Since the CNDD-FDD took power in 2005, governance standards are thought to have deteriorated. A so-called “authoritarian drift” in government has prompted charges of corruption, patronage, the silencing of critics, and alleged disregard for the rule of law.\(^{29}\) The regime has also confronted several political crises, including the 2006 resignation of a vice-president who accused the government of theft and human rights abuses. That same year eighty politicians were arrested over what the government called a foiled coup and critics called an opportunity to crack down on opponents.\(^{30}\) Nevertheless, according to the International Crisis Group, the Arusha design has proven resilient and the country has made “relatively rapid, substantial progress in democracy and easing of inter-ethnic tensions.”\(^{31}\) It is now the extent to which the Arusha framework can deal effectively with these governance problems that will determine Burundi’s ability to consolidate its political stability. Progress has undoubtedly been made and stability, though still quite new and fragile, is evident.

The security situation has shown the most progress. As evidenced in Figure 4-3, battle-related deaths are on the decline. There was a bit of an increase around 2003 prior to the signing of the Pretoria Protocol that brought the CNDD-FDD into the Arusha framework, but since that time, there has been a steady decrease in the number of people killed as a result of the conflict. These numbers can be expected to decline even further now that the last rebel group, Palipehutu-FNL, has entered the peace process. The country is also engaged in an extensive Demobilization, Reinsertion and Reintegration process; thus far, more than 26,000 combatants out of an


\(^{30}\) “Peace is Nice Unless its Phony,” *The Economist* 16 September 2006.

anticipated 55,000 have been demobilized.\textsuperscript{33} The number of refugee returns is also indicative of a growing sense of security. In 2007, 39,798 refugees were repatriated while there were 21,380 returnees in the first five months of 2008.\textsuperscript{34} The total number of returnees is now above 389,000 and for the first time since the conflict began in 1993, the number of people in refugee camps has fallen below 200,000.\textsuperscript{35} While much work still remains to be done on the repatriation process, there is a growing sense that it is safe to return home.

Nonetheless, the success of the current consociational framework should be viewed with some caution because, as Lemarchand suggests, Burundi represents not simply a “distinctly poor candidate” but actually “the worst possible candidate for the application of a consociational


There are several demographic reasons for this assessment. First, the country is characterized by uneven bipolarity, with a large majority and a dominant minority. This makes the proportionality principle an ineffective form of accommodation as it is liable, on its own, to result in majority domination. The Tutsi overrepresentation, at 40 per cent in government versus 14 per cent of the population, thus represents a positive revision. Without such guarantees of overrepresentation, the minority would be left in a vulnerable position, unable to ensure the legislative protection of its vital interests. It is, however, also a risky move as, while it addresses Tutsi concerns, it leaves many within the Hutu community disgruntled with the extent of Tutsi representation in relation to their demographic size—this, for instance, has been a major sticking point for the extremist rebel group, the Palipehutu-FNL.

The second demographic factor relates to the significant number of refugees and internally displaced produced by the protracted conflict. Burundi has experienced two main waves of refugee flows, the first of which, in 1972, sent over 300,000 to Tanzania, and the second, in 1993, produced as many 800,000 refugees and another 300,000 internally displaced. As noted above, approximately 389,000 refugees have been repatriated to Burundi, primarily under the auspices of the United Nations High Commissioner for Refugees (UNHCR) and United Nations Children’s Fund (UNICEF). The situation remains tenuous, however, as the country confronts the “land time-bomb” of refugee returns. Burundi, with its high population density of 271 people per square kilometre and with a population growth rate of 3.4 per cent, has little physical space in which to accommodate returnees, many of whom are now second-generation.

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When combined with the deteriorating living conditions in many refugee camps and Tanzania planning to close its remaining camps, the extent to which the regime can effectively manage the repatriation process will have significant implications for political stability, both in Burundi and in the larger regional context of the Great Lakes. Many refugee camps are seen as support bases and breeding grounds for rebel organizations and thus have limited access to humanitarian aid, which account for the poor living conditions. While Burundian refugees are found in large numbers in Tanzania, and to a lesser extent in the Democratic Republic of the Congo, the conflict in Burundi is, in particular, inextricably linked to the Hutu-Tutsi conflict in Rwanda.

The next demographic factor thus relates to Burundi’s relationship with Rwanda. The two countries have a shared political history but, since the interethnic violence of the 1990s, have moved toward opposite forms of conflict management. Rwanda’s post-genocide institutional design is, in many ways, the polar opposite of Burundi’s. In Rwanda, the Tutsi-dominated Rwandan Patriotic Front (RPF) have consolidated their power in government and have made unilateral amendments to the country’s Fundamental Law, including the move from a largely ceremonial to a much stronger presidency. Thus while the Burundian design stresses the sharing of power, the Rwandan strategy entails the concentration of power in the Tutsi minority, representing an example of what Reyntjens calls “ethnic amnesia.” He argues that, “[i]f the Burundian model proves successful, this could be seen as a threat in Kigali, thus tempting the Rwandan regime into derailing the process in Burundi.”

The more successful the Burundian case, the more at risk it becomes for destabilization from outsiders. The institutional paths of

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Filip Reyntjens, “‘Huge Challenges in Solving Land Crisis’; Lemarchand, Burundi, p. 175.


Rwanda and Burundi may now diverge but the political stability of one remains, to some degree, dependent on the other.

Despite these unfavourable factors, the Arusha framework is proving successful. One such reason is the willingness to include extremists in the peace process, which was a policy first stressed by Mandela during the peace talks.\textsuperscript{43} When the peace accord was signed in 2000, however, two main rebel groups, the CNDD-FDD and the Palipehutu-FNL, chose not sign on to the peace. As a result the actual fighting continued for a number of years. The CNDD-FDD and the Palipehutu-FNL offer different solutions to the conflict.\textsuperscript{44} The CNDD-FDD presents itself as a non-ethnic entity, though a significant share of its support base is Hutu, while the Palipehutu-FNL seeks the establishment of a majoritarian system in which the Hutu would dominate. Both organizations were subject to factional splits in the lead-up to Arusha and while the political wings of both groups were signatories to the peace accords, the CNDD-FDD did not sign a ceasefire until 2002 and only entered the power-sharing government in 2003 under the terms of the Pretoria Protocol on Political, Defence and Security Power-sharing in Burundi, a peace deal struck between the CNDD-FDD and the transitional government.\textsuperscript{45} The Palipehutu-FNL, in turn, only agreed to implement the ceasefire in 2008.

The early failure to bring rebel groups into the Arusha framework has been both a major challenge for and the perceived “weakest link” of the peace process.\textsuperscript{46} What this means is that there has been an implicit recognition that peace could not be consolidated and political stability achieved without the participation of the rebel groups. The decision of the CNDD-FDD to enter

\textsuperscript{44} International Crisis Group, \textit{Finalising Peace with the FNL}, p. 2.
into the transitional government combined with its strong showing in the 2005 election as well as
the 2008 decision of the Palipehutu-FNL to signed on to the peace now means that the prospects
for political stability have increased dramatically. Indeed, political stability could not be possible
while these groups were excluded from the peace process and now that they are included, the
ability to destabilize the process from outside is minimal.

In this sense, the consociational framework holds an advantage over centripetalism.
Under a centripetal arrangement, both the CNDD-FDD and the Palipehutu-FNL would have been
purposively excluded from the peace process, as indeed would many of the original signatories to
the Arusha Accord. Moreover, by centripetal standards, which call for the participation of only
moderate parties in government coalitions, both UPRONA and FRODEBU— the two central
parties in the post-Arusha transitional period— would have to be excluded from the process.
UPRONA’s history as the party of Tutsi hegemony for most of Burundi’s post-independence
period and FRODEBU’s status as the opposition party seeking to topple UPRONA calls into
doubt their level of moderation. Indeed, years of conflict left the country polarized to the point
where there were no effective moderate parties. As a result, there would have been no parties—at
least none with sufficient support—to participate in the centrist coalition. In this context, it is
useful to recall that the CNDD-FDD became more moderate only after its inclusion in the Arusha
framework. While casting itself as a multi-ethnic organization, prior to Arusha it was willing to
use force to pursue its demands. Where groups are deeply divided, making moderation a pre-
condition to power-sharing may very well result in no parties to share power between.

The success of the Arusha framework can also be contrasted with the failed attempt at
consociation in 1993, which brought about the democratic election of the country’s first Hutu
president, Melchior Ndadaye, but which ended in violence after only a few months. Voting
patterns in the 1993 election revealed a census-like character. Six parties competed in the election
but only FRODEBU and UPRONA gaining parliamentary representation— with FRODEBU
winning 65 seats to UPRONA’s sixteen.\(^{47}\) The composition of the Assemblée Nationale, then, largely mirrored the country’s ethnic makeup. Parliamentary proportionality was complicated by the lack of a formal minority political veto. Constitutional amendments required 4/5 approval and with voting falling strictly along ethnic lines, and at just shy of 20 per cent representation, the Tutsi representatives lacked the twenty per cent needed to prevent passage of legislation that threatened their vital interests.\(^{48}\)

Upon being elected, Ndadaye initiated a series of reforms that included the return of Hutu refugees stemming from the 1972 and 1988 conflicts, which resulted in the eviction of Tutsi farmers from lands they had occupied during the refugees’ absences. Most significantly, Ndadaye called for a restructuring of the armed forces that would abolish the Tutsi dominance it had enjoyed until that point.\(^ {49}\) While missing a political veto, as Daniel Sullivan argues, the Tutsi were not without veto-type powers. The army was almost exclusively Tutsi in composition and given the habitual involvement of the army in politics, this monopoly on military power served as the sort of ultimate weapon a group could have.\(^ {50}\) Given that the military functioned as an informal but powerful veto, the military reforms were viewed by the Tutsi representatives as a move toward Hutu domination. This served to destabilize the power-sharing arrangement and led to its collapse. In October 1993, the president and line of succession were assassinated. This immediately prompted retaliation killings of Tutsi; within a few months, more than 50,000, both Hutu and Tutsi, were dead.

There are two reasons why the Arusha framework holds more promise than the 1993 arrangement. The 1993 arrangement was not sufficiently consociational nor was it sufficiently comprehensive. First, it was the threat of the loss of the minority veto, in the form of Tutsi


\(^{48}\) Sullivan, “Missing Pillars,” p. 87.

\(^{49}\) Ndkumana, “Distributional Conflict,” p. 423.

\(^{50}\) Sullivan, “Missing Pillars,” p. 88.
military dominance, which destabilized the system in 1993. When combined with small numbers in parliament and the reliance on Hutu goodwill for entry into the grand coalition, the prospect of losing their only guarantee of power gave the Tutsi representatives little incentive to keep their stake in the system. Secondly, by not effectively redressing the politico-military imbalance, which was the most contentious issue between the groups, it was doomed from the outset. In other words, the 1993 arrangement did not address the major underlying roots of the conflict, which was the unequal distribution of power between the two communities.

The current power-sharing regime appears as more promising because it was able to bring other important political issues into the institutional design—as it has done with the repatriation process and with the military reforms—and because it has recognized the importance of including extremists in the peace process. It has directly confronted the potentially contentious issue of military restructuring. It has made considerable progress in this area with the CNDD-FDD now accounting for 40 per cent of security forces. The CNDD-FDD, once a militant destabilizer, has, upon entry into government, moderated its political stance and has begun to recognize that peace has dividends. The party has also been able to attract support from across the ethnic divide—many within the Tutsi community voted for the CNDD-FDD in 2005 and roughly one-third of its parliamentary members are Tutsi. The ability of the CNDD-FDD to make the shift from excluded rebel group to governing political party that can command support within both communities has been facilitated in part by the comprehensively consociational nature of the Arusha Accord and its subsequent post-transition constitution.

This is why comprehensive forms of consociation are important in the pursuit of political stability—they give representatives of the groups an institutional forum for reaching agreement on contentious issues by facilitating tradeoffs on these contested points. The integration of

51 Reyntjens, “Peaceful Transition,” p. 132.
52 Lemarchand, Burundi’s Endangered Transition, p. 15.
CNDD-FDD forces into the national security apparatus appeases Hutu concerns about Tutsi military domination (thus bolstering the commitment of Hutu representatives to the Arusha framework) while also addressing, on the one hand, Tutsi concerns about the destabilizing role of Hutu rebel groups, and on the other, the threat of a loss of veto power. That is, the guarantee of overrepresentation in political institutions for members of the Tutsi community helps to alleviate some of the insecurities about the military reforms (thus bolstering the commitment of Tutsi representatives to the Arusha framework). The international presence in the country through ONUB, BINUB and other international organizations serves as an additional comprehensive component that works to keep the parties committed to the peace process. The present framework is thus unlikely to bring about the sort of violence that occurred in 1993.

The Arusha peace process has brought, through widely inclusive participation in the peace process and by the comprehensiveness of its scope, a newfound sense of political stability to Burundi. Bringing the remaining rebel groups, the CNDD-FDD and most recently the Palipehutu-FNL, into the institutional fold minimizes the risk of destabilization and outflanking by excluded groups. The provisions on security sector reform, refugee return, and international peacekeeping have also proven key to the current success of the Arusha framework. Tutsi domination of the security sector and the refugee issue have been, and will likely continue to be the most contentious issues in post-Arusha politics; the decision to address these issues at Arusha ensures an institutional vehicle for their resolution. The political stability currently found in Burundi is not yet fully consolidated—it is, after all, early days yet. Yet, if the country remains on its current trajectory—and if the Palipehutu-FNL remains committed to its side of the peace—that stability may turn from its present short-term status into a more long-term venture.

4.2 Bosnia and Herzegovina

The post-conflict institutional design in Bosnia and Herzegovina (hereafter Bosnia or BiH), as outlined in the Dayton Peace Accords, presents a twofold lesson for constitutional design. On the one hand, the country demonstrates a positive argument for consociation in that it has helped to facilitate the end of a brutal war and to achieve a level of political stability in a very deeply divided polity. On the other hand, the case of BiH also highlights the need for caution in the manner in which consociational designs are implemented. Not only is there an inherent rigidity to the provisions on ethnic power-sharing, there is also the issue of heavy international involvement in the origins of the settlement and in the daily workings of the governing institutions. Together, these trends indicate that Bosnia and Herzegovina represents a case of imposed stability. Levels of interethnic violence and the threat of a return to war have decreased, as have, to a lesser extent and more controversially, the political rewards of ethnic extremism. Some of the credit for that stability, however, is attributed to the international intervention in the country, and especially to the Office of the High Representative, which is the highest power in Bosnia and is occupied by an international diplomat. Nevertheless, credit is also due to the consociational institutions, which have been the main vehicle for group accommodation in post-war BiH.

4.2.1 Bosnia’s Divisions

As the most ethnically diverse constituent unit of Yugoslavia, BiH served as a microcosm of the region in that it contained substantial populations of the various national groups that made up the Yugoslav Federation, most prominently Serb and Croat populations, as well as a large Muslim (Bosniak) population. In present-day BiH, the Bosniak population retains a plurality with 48 per cent of the population while the Bosnian Serbs make up 37 per cent and the Bosnian Croats represent 14 per cent. The remaining 1 per cent consists of “Others” including Roma and
Jewish communities. Each of the three main groups is nationally mobilized, with the Bosnian Serbs and Bosnian Croats having ethnic kin in neighbouring states.

Following the recognition of the independence of Slovenia and Croatia from Yugoslavia in 1991, a referendum on independence was held in Bosnia 29 February and 1 March 1992. Boycotted by Bosnian Serbs who wished to remain united with the rest of Yugoslavia, the result indicated 98 per cent in favour of independence. In April, the European Community recognized Bosnia and Herzegovina as an independent state. Yet the question of whether it should become independent or remain part of Yugoslavia was far from settled and war soon broke out. Over a 43-month period, the war left, of a total population of 4 million, between 100,000 and 200,000 dead and another two million displaced, either internally or across international borders.

Policies of ethnic cleansing and acts of genocide, such as the massacre of over 6,000 Muslim boys and men at Srebrenica in July 1995, were among some of the worst atrocities. Indeed, ethnic cleansing was so prevalent that no municipality retained its prewar ethnic composition and even as late as 1998, only a handful of areas had minority populations greater than 10 per cent.

It has been argued that while in the pre-war period many Bosnians had fluid identities that did not bind them exclusively to one of the three ethnic groups, the effect of such ethnic violence was to entrench these ethno-national identities so that by 1995, “they became the basis of the post-war political order.”

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integration that existed between the communities during the Yugoslav years, as highlighted by high levels of intermarriage (around the 30 per cent range), integrated schools, and mixed neighbourhoods, as well as the willingness of some citizens to identify as Yugoslav rather than as a member of one of the ethnic groups (between five and eight per cent).\textsuperscript{59}

The post-war period paints a different picture of interethnic relations. In the early post-war years, Bosnia consisted of three de facto monoethnic entities, with the three wartime political parties — the Croatian Democratic Union (HDZ), the Bosniak-dominated Party of Democratic Action (SDA), and the Serbian Democratic Party (SDS) — providing the sorts of services and resources traditionally distributed by the state.\textsuperscript{60} The three parties are frequently blamed with leading the country into war and are often implicated in much of the wartime violence. All three parties were founded during the transition from state socialism and emerged as the dominant parties in the 1990 republic elections held prior to independence.\textsuperscript{61} Of the 240 assembly seats contested in that election, the SDA captured 86, the SDS 72 and the HDZ 44, giving them a combined total of 84 per cent of the seats.\textsuperscript{62} The parties also proved immensely popular in the postwar period and their continuing appeal is seen as a symbol of the deep division that still characterizes Bosnia’s Serbs, Croats, and Bosniaks. The popularity of these three parties, then, is representative of the political salience of ethnicity.

Alija Izetbegovic, who had been jailed for fourteen years under the previous regime for writing a treatise entitled \textit{Islamic Declaration}, was one of the founding leaders of the Party of Democratic Action (SDA) and who served as President of Bosnia and Herzegovina following the 1990 elections. Political opponents have cited the \textit{Islamic Declaration} as evidence that

\begin{itemize}
  \item \textsuperscript{59} Bogdan Denitch, \textit{Ethnic Nationalism: The Tragic Death of Yugoslavia} (Minneapolis: University of Minnesota Press, 1996), p. 29, pp. 61-64.
  \item \textsuperscript{60} Carrie Manning, “Elections and Political Change in Post-War Bosnia and Herzegovina,” \textit{Democratization} 11, 2 (2004), p. 68.
  \item \textsuperscript{61} David Chandler, \textit{Bosnia: Faking Democracy After Dayton} 2\textsuperscript{nd} Edition (Pluto Press, 2000), p. 29.
  \item \textsuperscript{62} Malcolm, \textit{Bosnia}, p. 222.
\end{itemize}
Izetbegovic sought to “Islamize” Bosnia (i.e., push for a Muslim-dominated country), but the SDA platform, at least in part, demonstrates that this was not the case.\(^{63}\) The party promotes a conception of Bosnia as multi-ethnic and multi-religious and argues for the establishment of integrative democratic institutions. At the same time, it utilizes Muslim symbols and appeals primarily to the Bosnian Muslims for support. Izetbegovic was quoted as saying, “by their oppression the Communists created this longing among people to express their religious or national identity…For now, unfortunately, our party must be sectional. The parties that try to represent everyone are small and weak.”\(^{64}\) This suggests that the SDA presents a pluralist platform but does so knowing that, as the representatives of the largest community in Bosnia, it would benefit from the introduction of majoritarian democracy. This view of Bosnia as a unified and unitary state is also taken up by the SDA’s main rival within the Bosniak community, the more moderate Party of Bosnia and Herzegovina (SBiH), which was formed in 1996 by Haris Silajdžić, once a prominent figure within the SDA.

The Croatian Democratic Union (HDZ), as its name suggests, appeals directly to the Bosnian Croat community and was formed as the offshoot of the dominant extremist-nationalist party in Croatia of the same name. The HDZ in Bosnia still maintains close informal ties to its parent party in Croatia and has sought a more formalized relationship with Croatia, either through unification or confederation. It gains its support from the Bosnian Croat community and is exclusively concerned with the promotion of Bosnian Croat interests, with its primary concern being the push for further autonomy within the Federation of Bosnia and Herzegovina where most Bosnian Croats reside. Internal divisions within the party led to the creation of the HDZ 1990 in 2006, a splinter party consisting mainly of members who were instrumental in founding the original HDZ in Bosnia. The HDZ 1990 seeks the establishment of a third entity in which


\(^{64}\) Malcolm, *Bosnia*, p. 219, original emphasis.
Bosnian Croats would constitute a majority. Both HDZ parties compete against the Social Democratic Party (SDP), the multi-ethnic successor to the communist party, for Bosnian Croat support. The SDP has seen growing levels of support among Bosnia’s Croat population; it now holds the Bosnian Croat seat in the country’s three-person presidency and performs well in the Federation and at the canton level.

Radovan Karadzic, now awaiting trial at the Hague for his role in the Bosnian conflict, formed the Serb Democratic Party (SDS) in 1989 as a vehicle for the promotion of Serbian unity. The party’s initial goal was to remain united with Yugoslavia should Bosnia seek independence. Once this independence was achieved, Karadzic and the SDS declared an autonomous Serb region within Bosnia, which came to be known as the Republika Srpska (RS). The party now contests state-wide elections and has played a dominant post-war role in the RS. It derives its support from the Bosnian Serb community and views the fate of the RS as its “sole preoccupation.”

Recent elections have seen the SDS lose ground to the Party of Independent Democrats (SNSD), which is led by Milorad Dodik and is thought of as a more moderate Serb party. The SDS has a history of intransigence and it was, at least in part, for this reason, despite being a major player in the conflict, that it was largely shut out of the American-led negotiations on resolving the conflict in 1995.

The General Framework Agreement for Peace (GFAP), or more commonly the Dayton Peace Accords after the American city in which the agreement was reached, was signed as an international treaty by Croatian president Franjo Tudjman, Serbian president Slobodan Milosevic and Bosnian president Alija Izetbegovic in November 1995 at Dayton, Ohio. The agreement culminated three weeks of intensive negotiations in which considerable duress was placed on the

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66 European Forum, “Bosnia Update.”
parties by American and European negotiators (known as the Contact Group). Without the assurances offered by this explicitly consociational document and the international resources and backing that came with it, it was assumed that the fighting would have continued unabated. The institutional design adopted at Dayton, then, represents an internationally imposed agreement, or in the words of Carl Bildt, who was part of the negotiating team at Dayton and who went on to become the first High Representative in Bosnia, “a constitution by international decree.”\(^{68}\) While this was most obviously the case for the Bosnian Croats and Bosnian Serbs who played a limited role in the negotiation process, the Bosniaks as well expressed reservations about the final document, fearing that it conceded too much in the way of power to the other groups.\(^{69}\) The international community thus played a significant role in the design of Bosnia’s post-war institutions; it continues to play an active role in the system maintenance of the power-sharing arrangements.

4.2.2 Institutional Attempts at Conflict Management

“The peace agreement for Bosnia,” Bildt argues, “is the most ambitious document of its kind in modern history.”\(^{70}\) On their reading of Bosnia’s divisions, the international negotiators at Dayton believed that the country required a strict interpretation of consociationalism, which is precisely how the country is arranged.\(^{71}\) It is, moreover, a comprehensive consociational agreement—it retains the four traditional consociational institutions (grand coalition, segmental autonomy, proportional representation, and mutual vetoes) but its scope is also considerably far-reaching. It not only ended the war, it also outlined the institutional structure of the common state, autonomy provisions for its Entities and cantons, its judicial system, its central banking institutions, the role of the international community in the daily workings of the state, the relationship between Bosnia and its neighbours (i.e., Serbia and Croatia), as well as issues of

\(^{68}\) Bildt, *Peace Journey*, p. 139.

security sector reform and, importantly, the right of return for refugees and the internally displaced.

The design itself is exceedingly complex. Post-Dayton Bosnia consists of “one state, two entities, three peoples, four million citizens, and five layers of governance led by 14 prime ministers and governments.” This makes it the state with the highest combined number of presidents, prime ministers and Cabinet ministers anywhere in the world. The three ethnic groups, Bosnian Serbs, Bosnian Croats and Bosniaks, are all considered as constituent peoples and participate in a multi-tiered system of power-sharing that is consociational all the way down. The state is characterized, first, by an excessively decentralized central government, one that initially had only eight ministries and is dependent on transfers from the Entities for its budget. It includes a three-person presidency, the chair of which rotates every eight months between the representatives of the three ethnic groups; this manifests a form of grand coalition as each of the three constituent groups is guaranteed a presidential position. The proportionality principle is evident in the Council of Ministers in which the Minister and the Deputy Minister may not come from the same ethnic group, in the House of Peoples with parity representation between the groups; and in the House of Representatives in which two-thirds of the members are elected from the Federation and one-third from the RS.

Segmental autonomy is institutionalized in the form of the two Entities, the Federation of Bosnia and Herzegovina and Republika Srpska (RS), which reflect a 51-49 per cent territorial split. Autonomy provisions are further institutionalized within the Federation, which comprises ten cantons, five of which consist of Bosniak majorities, three with Bosnian Croat majorities and...
two, Central Bosnia and Herzegovina-Neretva, with demographically mixed populations. In these mixed cantons, further power-sharing provisions are in place to ensure group protection. The RS, in turn, is centralized. In the initial postwar period, power was concentrated at the Entity level in the RS and at canton level in the Federation and was, given the limited number of minority refugee returns, largely monoethnic in composition. Vetoes are guaranteed in the House of Representatives where legislation requires the support of at least one-third of each group. Legislation can also be struck down by a majority of the representatives of one of the groups if that group perceives the proposed legislation as a threat to its vital interests. Since 2002, when a ruling by the Constitutional Court mandated the representation of the three groups at all levels of government, greater representation of Serbs in the Federation and Croats and Bosniaks in the RS has been facilitated.

Atop these layers of government rests the Office of the High Representative (OHR), “an ad hoc international institution responsible for overseeing implementation of civilian aspects of the accord” funded by the Peace Implementation Council (PIC).74 The PIC, itself ad hoc in nature, consists of some fifty-five countries and international organizations that sponsor and steer the peace process in Bosnia. The responsibility of ensuring the implementation of Dayton’s military provisions fell in the first year post-Dayton to the Implementation Force (IFOR) and then until 2004 with the Stabilisation Force (SFOR), both under the command of the North Atlantic Treaty Organization (NATO). At its height SFOR had approximately 60,000 troops stationed in the country. The NATO contingent in Bosnia has since been replaced by the European Union Force (EUFOR BiH), which is run under the auspices of the European Union.

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As set out in Annex 10 of the Dayton Accords, the HR was originally intended as a neutral monitor of the implementation process whose primary responsibility was to promote the full compliance of the parties and to facilitate the resolution of any difficulties arising from civilian implementation. In 1997, however, the PIC prescribed a fundamental extension to the HR’s capacity and authority, allowing him effective governmental power. Specifically, the new “Bonn powers,” as they were called, allow the HR to determine the time, location and chair of the meetings of the central institutions, to implement interim measures if Bosnian politicians cannot agree to OHR policies, and, most significantly, to take action against non-compliant officials at both State and Entity level either in the form of sanctions or removal from office. The OHR has used the Bonn powers liberally to a height of 158 decisions in 2004 alone, with over 850 decisions taken in total on issues ranging from the mundane to the substantive and controversial. Politicians deemed to be anti-Dayton have been removed from office, “undesirable” political parties have been banned, and decisions on sensitive and symbolic issues such as the flag, national anthem, common currency, passports and license plates have been taken unilaterally by the OHR.

The HR now also serves as the EU Special Representative to BiH and while there is perpetual talk of closing the OHR, little has actually come of it. The closing of the OHR is now made contingent on five objectives and two principles. The objectives include resolution of state property, resolution of defence property, completion of the Brcko Final Award, fiscal sustainability of the state, and entrenchment of the rule of law. The two principles, in turn, are the

signing of a Stabilisation and Association Agreement with the European Union (EU) as the first step toward EU membership, which occurred in June 2008, as well as a positive assessment of the situation in Bosnia by the PIC. The OHR thus continues to play a significant role in the country thirteen years since the signing of the Dayton Accords.

4.2.3 Institutional Assessment

In the early postwar years, Bosnia appeared to confirm the arguments of the critics of consociation. The state institutions at the time were essentially “an empty shell” and triple representation at all levels led to “an ineffective [and] tremendously bloated state apparatus.” Immobilism was the modus operandi with only 10 laws passed in the first year and an average of five per year between 1998 and 2000. Turning the “enemies of yesterday” into the “partners of tomorrow” was in fact a difficult venture, with lack of consensus endemic. To illustrate, one of the most serious challenges facing the initial setup of common institutions was to find an acceptable location for the first round of meetings of the tripartite presidency, with Momcilo Krajsnik of the SDS initially refusing to meet in Sarajevo and Alija Izetbegovic of the SDA refusing to meet anywhere but Sarajevo. Moreover, many of Bosnia’s constitutional provisions on power-sharing bore little semblance to politics on the ground, which entailed the three communities living separate existences. Partition was realized in all but name.

Dayton did facilitate the cessation of large-scale ethnic strife, but episodic violence continued. Refugee returnees, particularly to minority areas, were frequently the subject of

violence, including mortar attacks, bombings, stonings, and beatings. Harassment, vandalism and the destruction of minority property were also common. In May 2001, there were ethnic riots in the RS towns of Banja Luka and Trebinje in protest at the reconstruction of mosques destroyed during the war. Since then, however, the number of return-related security incidents has declined—in 2004, 130 incidents were reported as compared to 277 in 2003 and 470 in 2002. In terms of ethnic segmentation, not much has changed. Education, transportation, telecommunication, health care, and even pension plans are still run for the most part on a monoethnic basis. This has prompted the depiction that while the three groups may “live in the same country,” they inhabit “separate worlds within it.”

While the country has not made the sort of reconciliation progress hoped for by the international community, it is important not to underestimate the point that a level of political stability has been established. Politics remains ethnically-oriented but the prospect of a return to war is declining: less than 30 per cent now believe that a resumption of violence will occur upon the exit of the international community. Equally, support for secession among the Bosnian Serb and Bosnian Croat communities has also declined dramatically. In 2000, 68 per cent of the Bosnian Serb population supported either secession or reunification with Serbia while among the Bosnian Croat population, 22 per cent believed either an independent Herceg-Bosna or reunification with Croatia was in the best interest of Croats. By 2003, those numbers had dropped

83 International Crisis Group, 

84 The Banja Luka riot left thirty injured with one person later succumbing to his injuries. For details, see Andras Reidlmayer, “From the Ashes: Bosnia’s Cultural Heritage,” Islam and Bosnia, Maya Shatzmiller, ed. (Montreal: McGill-Queen’s University Press, 2002), pp. 126-7.

85 UNHCR, “Update on Conditions.”


87 Fotiadi, “Bosnia: Kosovo Pushes up New Ethnic Issues.”

to 43 per cent among the Bosnian Serbs and to only 3.5 per cent among Bosnian Croats.\textsuperscript{89} There is also backing among all three communities for the Dayton framework; support is strongest among Bosnian Serbs, 41.5 per cent of whom feel that Dayton has been generally positive and should remain in place while 63.2 per cent of Bosniaks and 43.7 of Bosnian Croats feel that Dayton was necessary to end the war.\textsuperscript{90}

The traditional interpretation of post-Dayton politics, one related to integrationist and centripetalist thinking, is to argue that the Dayton strategy has been to over-institutionalize ethnicity in such a way that leaves very little room for the emergence of non-ethnic, or even inter-ethnic politics. In elections to the tripartite presidency, only Serbs in the RS can elect the Serb representative and only Muslims and Croats in the Federation are able to elect their respective representatives.\textsuperscript{91} This disenfranchises individuals living in minority areas, such as Serbs who reside in the Federation and Bosniaks who have returned to the RS. This ensures ethnic voting and runs counter to stated policies on refugee return. These electoral arrangements have been condemned by the Council of Europe for violating basic human rights and are the focus of a court challenge before the European Court of Human Rights.\textsuperscript{92}

But while much is made of the continuing electoral appeal of the three wartime parties (the Bosniak SDA, the Serb SDS and the Croat HDZ) successive presidential elections indicate that each of the three parties no longer retains a hegemonic grasp on its ethnic constituency. As Figure 4-4 indicates, while all three parties initially commanded overwhelming majority support

\textit{Figure 4-4: Support for War Time Parties in Bosnia and Herzegovina, 1996-2006}

\textsuperscript{89} Bieber, “After Dayton, Dayton?” p. 16.
\textsuperscript{91} See European Commission for Democracy Through Law (Venice Commission), \textit{Opinion on Different Proposals for the Election of the Presidency of Bosnia and Herzegovina} (Venice: Council of Europe, 2006) in which the existing system and alternative arrangements are considered.
\textsuperscript{92} Alic, “Predictable Poll.”
in their respective communities—over 80 per cent for both the SDA and HDZ, and 67 per cent for the SDS in the first election to the presidential positions, those numbers now hover in the 20 to 30 per cent range for all three parties. Moreover, support for moderate parties at other levels of power is also evident. Moderate forces have been able to knock the ultra-nationalists from power at the Entity level: the Sloga (Unity) coalition formed the government in the RS in 1998 and, from 2000 to 2002, the ten-party coalition, the Alliance for Change, presided over both the Federation and the State level parliaments. And in the 2006 election to the statewide House of Representatives, moderate parties captured more seats than did the extremists—22 seats for moderates as compared to twenty for extremist parties.93 This decline is evident despite the fact that over eighty per cent of active politicians in Bosnia have been on the political scene since the

Figure 4-5: Presidential Elections in Bosnia and Herzegovina, 1996-2006

<table>
<thead>
<tr>
<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Bosniak Member</td>
<td>Croat Member</td>
<td>Serb Member</td>
<td>Bosniak Member</td>
</tr>
<tr>
<td>SDA</td>
<td>79.99</td>
<td>HDZ</td>
<td>88.70</td>
<td>SDS</td>
</tr>
<tr>
<td>S BiH</td>
<td>13.62</td>
<td>ZL BiH</td>
<td>10.11</td>
<td>NSS</td>
</tr>
<tr>
<td>Other</td>
<td>6.39</td>
<td>Other</td>
<td>1.19</td>
<td>Other</td>
</tr>
<tr>
<td>SDA</td>
<td>86.79</td>
<td>HDZ</td>
<td>52.92</td>
<td>Sloga</td>
</tr>
<tr>
<td>DNZ</td>
<td>6.12</td>
<td>SDP</td>
<td>31.83</td>
<td>SDS-SRS</td>
</tr>
<tr>
<td>BPS</td>
<td>5.71</td>
<td>HKDU</td>
<td>11.42</td>
<td>Other</td>
</tr>
<tr>
<td>Other</td>
<td>1.0</td>
<td>Other</td>
<td>3.83</td>
<td>Other</td>
</tr>
<tr>
<td>SDA</td>
<td>37.29</td>
<td>HDZ</td>
<td>61.52</td>
<td>SDS</td>
</tr>
<tr>
<td>S BiH</td>
<td>34.79</td>
<td>HDU</td>
<td>17.40</td>
<td>SNSD</td>
</tr>
<tr>
<td>SDP</td>
<td>17.51</td>
<td>NCI</td>
<td>8.77</td>
<td>SRS</td>
</tr>
<tr>
<td>Other</td>
<td>10.41</td>
<td>Other</td>
<td>12.31</td>
<td>Other</td>
</tr>
<tr>
<td>SDA</td>
<td>27.53</td>
<td>HDZ-1990</td>
<td>18.18</td>
<td>SDS</td>
</tr>
<tr>
<td>S BiH</td>
<td>62.80</td>
<td>SDP</td>
<td>39.56</td>
<td>SNSD</td>
</tr>
<tr>
<td>SDU</td>
<td>8.17</td>
<td>HNZ</td>
<td>26.14</td>
<td>Other</td>
</tr>
<tr>
<td>Other</td>
<td>1.5</td>
<td>Other</td>
<td>16.12</td>
<td>Other</td>
</tr>
</tbody>
</table>

Declining support for the ultranationalists, as measured by elections to the tripartite presidency is displayed in Figure 4-4 while the presidential election results are presented in Figure 4-5. What is noteworthy here is that moderates are now proving more popular among the Bosnian Serbs (SNSD over the SDS) and in the Bosniak community (S BiH over the SDA).

Full party names include: BPS=Bosnia & Herzegovina Patriot Party; DNZ=Democratic People’s Community; HDZ=Croatian Democratic Union; HKDU/HDU=Croatian Christian Democratic Union; HNZ=Croatian People’s Community; NCI=New Croatian Initiative; NSS=People’s Union for Peace; S BiH=Party for Bosnia and Herzegovina; SDA=Party of Democratic Action; SDP=Social Democratic Party of Bosnia and Herzegovina; SDS=Serb Democratic Party; SDU=Patriotic Bloc; Sloga=Unity Coalition; SNSD=Party of Independent Democrats; SRS=Serbian Radical Party; ZL BiH=United List of Bosnia and Herzegovina.

Note that the SDA and S BiH ran as part of a coalition but that its candidate was Alija Izetbegovic, the long-serving leader of the SDA.

Alic, “Predictable Poll.”
Among Bosnian Croats, the multiethnic SDP, successor the Communist Party, now captures a significant share of the vote, outpolling both factions of the HDZ in the 2006 election.

The ability of the consociational system to withstand significant political crises, such as the short-lived Bosnian Croat declaration of self-rule in 2001, the 2001 ethnic riots in the RS, and the peaceful resolution to the controversy surrounding current HR Miroslav Lajčak’s voting reform process in 2007, is also indicative of the country’s growing stability and resilience. The reaction to Lajčak’s proposed revisions to voting procedures was seen as the worst political crisis to hit Bosnia since 1995, resulted in the resignation of the Serbian representative in the presidency and even invoked fear of a return to war. The proposals were aimed at reducing the tradition of parliamentary boycotts, a favoured tactic for obstructing the passage of unwelcome legislation. Reaction among all three communities was fierce, particularly among the Bosnian Serbs who threatened to withdraw from all common institutions. Nevertheless, a last-minute deal was struck allowing for the passing of the legislation.

Most significant have been the accepted reforms on the organization of the police force, which have been directly linked to processes of European integration. At present, police forces in Bosnia are operated at Entity level in the RS and at canton level in the Federation. Seeking a centralized police administration, the OHR has pushed for legislation on police unification since 2005. Opposed by the extremist parties, the legislation narrowly passed in April 2008 on a count of 22 in favour, 19 opposed and one abstention. The legislation was only able to pass at the last

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99 Lippman, “Crisis and Reform.”
minute due to a deal struck between the moderate parties, the Party for Bosnia and Herzegovina (S BiH) and the Party of Independent Democrats (SNSD), which produced a compromise bill in which seven state-level coordination bodies will oversee the local police forces and the streamlining of a single force only after further constitutional reforms are enacted.\textsuperscript{101} With the long-awaited and oft-delayed passage of the legislation on police reform, Bosnia was finally able to sign a Stabilisation and Association Agreement with the European Union in June 2008.\textsuperscript{102} This puts it on the path to eventual EU membership.

Finally, while there has been a questionable level of commitment to the common state and its institutional structure, this too has begun to change. This sense of detachment may be relatively unsurprising given that the citizenry were entirely removed from the constitution-drafting process. Indeed, even the Bosnian elites were largely absent during the constitution-writing process, with the Bosnian Serb and Bosnian Croat communities represented at Dayton by Serbian president Slobodan Milosevic and Croatian president Franjo Tudjman, respectively. In the immediate post-war period, though the Bosniaks preferred a centralized state in which all three groups would be integrated into the state, the Serbs considered even the heavily decentralized state conceived at Dayton as “an illegitimate and artificial creation.”\textsuperscript{103} The Croats, in the early days of Dayton, adopted a more flexible view than the Serbs though they also rejected any possibility of the centralized state advocated by the Bosniaks. In 1997, for instance, while 98 per cent of Bosniaks supported the idea of a unified Bosnian state, 91 per cent of Bosnian Serbs and 84 per cent of Bosnian Croats rebuffed it.\textsuperscript{104}

\textsuperscript{102}“BiH Clears Key Hurdle on EU Accession Path.”
\textsuperscript{104}Bose, Contested Lands, p. 136, p. 140.
This divergence of opinion can be explained in large part by the demographic configuration. The Bosnian Croats and Bosnian Serbs are minorities that have respective kin-states to whom they feel a sense of loyalty and from whom they can derive resources and support. The Bosniaks have no such equivalent, which is why they prefer an integrated state. Correspondingly, it is also a preferred option for Bosniaks given that they constitute a plurality of the population. By 2003, however, though the Bosnian Serb and Bosnian Croats numbers remained relatively static, only 52 per cent of Bosniaks supported such a state configuration. There is thus growing acceptance among all three communities that consociational arrangements are needed and that as such they may persist after outsiders leave. While the international community was largely responsible for holding the country together in the immediate post-war period, that work is now shifting to the power-sharing institutions.

Nevertheless, in the initial post-war period, the international community became concerned that the institutional design may be perpetuating rather than alleviating ethnic divisions. It began to push for reforms that were “copybook Horowitzian in intent,” the most obvious example of which was the adoption of preferential voting for the 2000 presidential election in the Republika Srpska (RS) Entity. The president and vice-president were elected on a single ticket on which voters were allowed to rank-order the candidates. According to the Association of Election Officials in BiH, “moderate candidates stand a better chance of winning the elections, as they will have greater support from a larger cross-section of the electorate.” As in Sri Lanka, the argument was that minority votes could come to mean as much as majority ones by way of minorities voting for moderate candidates from the majority.

**Figure 4-6: Presidential Election in Republika Srpska, 2000**¹⁰⁷

<table>
<thead>
<tr>
<th>Political Party</th>
<th>1ˢᵗ pref.</th>
<th>Per cent of vote</th>
<th>2ⁿᵈ pref.</th>
<th>Votes after transfer</th>
<th>Per cent of vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>Serb Democratic Party (SDS)</td>
<td>313,572</td>
<td>49.8</td>
<td>35</td>
<td>313,607</td>
<td>50.1</td>
</tr>
<tr>
<td>Party of Independent Democrats (SNSD)</td>
<td>161,942</td>
<td>25.7</td>
<td>212</td>
<td>162,154</td>
<td>25.9</td>
</tr>
<tr>
<td>Party of Democratic Progress of the Republika Srpska (PDP)</td>
<td>54,392</td>
<td>8.6</td>
<td>41</td>
<td>54,433</td>
<td>8.7</td>
</tr>
<tr>
<td>Social Democratic Party (SDP)</td>
<td>48,992</td>
<td>7.8</td>
<td>3,419</td>
<td>52,411</td>
<td>8.4</td>
</tr>
<tr>
<td>Civic Democratic Party (GDS)</td>
<td>37,614</td>
<td>6.0</td>
<td>5,220</td>
<td>42,834</td>
<td>6.8</td>
</tr>
<tr>
<td>Bosniak Party (BOSS)</td>
<td>12,851</td>
<td>2.0</td>
<td>-12,851</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>629,363</td>
<td>100</td>
<td>-3924</td>
<td>625,439</td>
<td>100</td>
</tr>
<tr>
<td>Votes required (50 per cent)</td>
<td>314,681.5</td>
<td></td>
<td></td>
<td>312,719.5</td>
<td></td>
</tr>
</tbody>
</table>

It was anticipated that the change to the electoral system would favor Milorad Dodik of the SNSD, who, at least at the time, the international community viewed as “a moderate with sufficient nationalist credentials to be effective.”¹⁰⁸ It was believed that while Dodik would be unlikely to receive a majority of first preference votes, it was hoped that he could surpass the more extremist SDS candidate Mirko Šarovic and win the presidency on the basis of sufficient second preference votes, which, it was assumed, would come largely from supporters of the Bosniak parties.¹⁰⁹ Six political parties—three Serb and three Bosniak—contested the election, with voting falling almost exclusively along group lines. The SDS obtained a near majority in the first round (49.8 per cent) and easily passed the threshold on the second count; the SNSD, in turn,

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received only a quarter (25.7 per cent) of the first vote, which increased to only 25.9 per cent in the second round. These results are displayed in Figure 4-6.

Contrary to the assumption that preferential rules would favour moderates, the nationalist hardliners not only won the election, they also obtained a greater share of the vote than in simultaneous elections to the RS National Assembly and to the statewide House of Representatives. In fact, 60 per cent of Serb voters gave their first preference to the SDS in the RS presidential election compared with 44 per cent in the National Assembly and 48 per cent in the House of Representatives in concurrent elections. Disillusionment and dissatisfaction among voters at the international implementation of the new electoral rules along with comments made by Richard Holbrooke suggesting that the SDS should be banned may have added reactionary strength to the party’s support. Following the election, the preferential rules were replaced with a system wherein a president and two-vice presidents would represent the three constituent nations, which was more consociational in orientation.

The example of AV at work in Republika Srpska also reinforces the position that consociation is needed. The electoral outcome in this particular case can be explained by the interrelated factors of deep division and ethnic homogeneity. In terms of its demography, the Entity was largely monoethnic. Where electoral boundaries coincide with group boundaries, as they did to a large extent in the RS, there is little incentive to engage in vote-pooling or to vote

outside of one’s own group. Not only did the war result in a “brutal gerrymandering” of the electorate,\(^{114}\) in the post-war period, majority (Serb) returnees outnumbered minority (primarily Bosniak) returns. The population of the territory now part of the RS fell from 46 per cent non-Serb prior to the war to only three per cent by 1997 and, in the post-war period the return of refugees and internally displaced persons (IDPs) did little to alter the monoethnic environment, with Serb returns nearly double the number of Bosniak returnees. Between 1996 and 2000, 91,973 Serb refugees and IDPs returned to the RS compared with 45,957 Bosniaks and only 3,845 Croats.\(^{115}\) The monoethnicity on the ground was to be offset by voting regulations that allowed refugees and IDPs to vote in their ridings of origin, even if they had not yet returned to their original place of residence. Thus, many of the voters did not, at the time of the election, actually reside in the RS. The hope was that absentee voters would function as the swing vote between the moderate and radical Serb candidates. The Bosniak vote, however, had little effect on the electoral outcome.

In addition, Horowitz’s argument that minority influence should trump minority office-holding does not appear to have resonated with voters in the RS. Bosniaks, outnumbered by Serbs in the RS by a six to one ratio, opted to vote along ethnic lines despite the improbability of a Bosniak party winning the election; likewise, only a handful of Serb voters extended first preferences to the multiethnic but primarily Bosniak Social Democratic Party (SDP), despite the fact that it put forth a Serb as its presidential candidate.\(^{116}\) Each ethnic group consolidated behind its respective ethnic parties, thereby curtailing possibilities for vote-pooling. Thus, the monoethnicity of the Entity was compounded by the presence of groups that were so deeply


\(^{116}\) Bose, *Bosnia After Dayton*, p. 234.
divided that they did not respond to the incentives to cross-vote, even when, in the case of the Bosniaks, it was to their benefit to do so. The Serb voters in turn had no incentive to elect a moderate candidate appealing to the other groups when they could elect a nationalist candidate guaranteeing their own ethnic interests. Alternative voting in the RS thus did little to encourage moderate or cross-group voting and in the end only reinforced the inclination to vote for the extremist parties.

Consequently, the sort of majoritarian-integrative strategies supported by Bosniaks at Dayton would have only served to exclude the other groups; not only would this not have diminished the ethnic character of politics, it would arguably have exacerbated the conflict. Florian Bieber even argues that, “the abandonment of group-specific rights bears a high risk and is likely not to transform Bosnia and Herzegovina from a rigid consociational democracy into a liberal democracy but rather turn it into an ethnic democracy.”[117] Both the Bosnian Serbs and Bosnian Croats overwhelmingly reject the idea of such a unified state and given that almost all voting falls exclusively along ethnic lines (moderate or extremist), even among the Bosniaks, there appears little choice but to recognize the political primacy of ethnicity. As a result, consociation is “not just the most feasible but the most democratic form of government for Bosnia.”[118] That is, consociation and, specifically, a comprehensive version seem to be necessary.

At Dayton, the most contentious issue for the representatives of the three groups was, in fact, the very existence of the multiethnic state. The effect of establishing of the Office of the High Representative and the outlining of a significant role for other international actors (e.g., OSCE, UNHCR, NATO) has been to offset some of the political salience of this question. By taking this most contentious issue off the political table (i.e., by having this question answered by

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[117] Bieber, “After Dayton, Dayton?,” p.26. An ethnic democracy is congruent with a procedural understanding of democracy but is characterized by the ascendancy of one particular ethnic group, in this case, the Bosniaks.

the international community), the comprehensiveness of international involvement facilitates the political space in which the consociational institutions can play a stabilizing and moderating role. Over time, there has been a gradual increase in support for moderate parties and agreement reached on other contested issues, like police reform and changes to voting procedures. Institutional cooperation between the representatives of the groups has been brought about by the comprehensive consociational arrangement.

The Bosnian case has been presented both as what is commendable and what is to be condemned in consociational designs. At its worst, its critics argue, it encourages the opportunist perpetuation of ethnic elites, is ethnically discriminatory in many of its electoral practices and is characterized by the involvement of an international community that borders on the imperial. It has been characterized as “complicated, inefficient, expensive and ultimately incompatible with EU standards.”

What the detractors overlook, however, is that this institutional arrangement has helped to end a 43-month war, it has minimized the threat of secession, and it allows groups to live together in a situation of relative peace. It has also facilitated a slow decline in the support base of the ultranationalist parties responsible for much of the ethnic violence of the 1990s. Moreover, when compared with the results of the 2000 RS presidential election, which only reinforced extremist support, the consociational system has, over the long-term, mediated this tendency. Overall, it has established a level of political stability that should not be underestimated.

Nevertheless, the endorsement of Bosnia’s experiment in consociation comes with important caveats. Its stability was imposed. This stability has been realized primarily through the dominant role of the international community in the country, as both the military and political

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holder of the peace. Under NATO and then EU command, the presence of international forces has ensured that a resumption of war is unlikely. This gives the parties the political space in which to get on with the task of learning how to work together institutionally, without the fear of, or need to mobilize for, renewed violence. The internationally-prescribed High Representative is also meant to play a constructive role as political institution of last resort should the domestic institutional avenues fail to bring about consensus.

The political situation in post-Dayton Bosnia is best summed up in the words of Miroslav Lajčak, the current High Representative: “The state functions, but it’s like a car with square tires.” The post-Dayton years have indeed been a bumpy ride. Progress has been slow, uneven and frustrating given that the design is not simply a complex consociation but a convoluted one, which the international community maintains, more than a decade after the war, with a heavy hand. Nevertheless, the comprehensiveness of the Dayton framework, including international oversight, the right of return for the displaced, and police reform have allowed for some degree of imposed political stability to obtain in a situation of very deep division.

4.3 Northern Ireland

The conflict in Northern Ireland was once thought to be intractable, a problem without a solution, but this evaluation now appears dated. Northern Ireland, ten years after its Agreement, stands as a consociational success story and has come a long way from initial assessments of the intractability and permanence of its conflict. Moreover, it now represents a case of political stability amid deep division. Since the advent of the Troubles in the 1960s, power-sharing has been, in many regards, the only serious option on the table for the management of the conflict and

120 Quoted in Wolfe, “Bosnia Struggles to Contain Sectarianism.”
121 Sumantra Bose, Contested Lands, p. 138.
the only one to win support among both of the region’s conflict groups.\textsuperscript{123} The region has had two main attempts at power-sharing, first, in the form of the failed Sunningdale Agreement of 1973-74 and, second, the more resilient and promising Good Friday Agreement (GFA) signed in 1998. The case of Northern Ireland is thus instructive in two respects. First, it confirms the utility of comprehensively consociational arrangements; much of the success of the GFA framework stems from its creative incorporation of provisions on police reform, arms decommissioning and cross-border linkages with traditional consociational institutions.\textsuperscript{124} Second, it offers a surprising lesson on the promotion of moderation in deeply divided places. Sunningdale demonstrates the limitations of a power-sharing agreement restricted to moderates, contrary to centripetal thinking. The GFA framework, moreover, suggests that an inclusive consociation that includes the extremes can, paradoxically, promote moderate politics. In sum, the case of Northern Ireland appears to confirm the advantages of consociation and the weaknesses of centripetalism as general models of conflict management.

4.3.1 Northern Ireland’s Divisions

The Northern Irish polity is deeply divided along ethno-national lines. This division is itself the result of the history of Ireland, and conflict between Irish (Catholic) natives and Scottish/English (Protestant) settlers, introduced in various waves from the early seventeenth century. The division metamorphosed into an ethno-national struggle with the age of nationalism and with the democratization that occurred at the end of the nineteenth century. Ireland was partitioned in 1920-1 with the largely Catholic 26-county Southern Ireland, the Irish Free State (later the Republic of Ireland) eventually gaining its independence. Six-county Northern Ireland,

with a two-thirds Protestant population, was retained within the United Kingdom (UK), albeit with its own regional government. The polity was thus born with ethno-national divisions, and these were reinforced by a Protestant majoritarian and discriminatory government and exacerbated by the British government’s tendency to turn a blind eye. As a result, two core political identities were maintained, with Catholics/nationalists, considering themselves Irish, seeking an independent and united Ireland and Protestants/unionists, viewing themselves as British, seeking to maintain the Union with the United Kingdom.

Conceptions of national identity have tended to dovetail with religious affiliation in Northern Ireland, where most unionists are Protestant and most nationalists are Catholic. According to the 2001 census, 45 per cent of the population is Protestant, another 42 per cent Catholic, while 13 per cent cite no religious affiliation. Segregation between the communities occurs primarily at the residential level; in Belfast, for instance, while the city consists of roughly equal parts Protestants and Catholics, only ten per cent of Catholics and seven per cent of Protestants live in mixed neighbourhoods. Similarly, most children attend segregated schools; only a small percentage of students—roughly five per cent—in Northern Ireland receive integrated education. While religion often serves as a marker for the conflict groups, the conflict remains one of “incompatible conceptions of national belonging and the means to realize them.”

From the time of partition until 1972, Northern Ireland was run by a unionist regime that practiced a form of hegemonic control which sought to limit any nationalist challenges to the

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regime.\textsuperscript{129} Organized along majoritarian lines, government was the overwhelming privilege of the unionist majority and even local government electoral boundaries were gerrymandered to turn nationalist majorities into political minorities. Alongside exclusion in both regional and local government, the Catholic community faced discrimination in housing and public sector employment. This was supplemented by a police force that was composed almost entirely of Protestants and unionists.\textsuperscript{130} The 1960s witnessed the rise of a largely Catholic-based civil rights movement that eventually gave way to intergroup conflict in the form of paramilitary violence and the deployment of the British army in Northern Ireland as an attempt to restore order. During this period, which has been labeled “the Troubles,” the Irish Republican Army revived their campaign. It also saw the rise of the Protestant or ‘loyalist’ paramilitary groups, the Ulster Defence Association and the Ulster Volunteer Force.

More than 3,700 deaths are attributed to the thirty-year period of the Troubles, a high figure given that the region’s population numbers only 1.6 million.\textsuperscript{131} As a result, the conflict is marked by a high degree of social segregation. The two communities, particularly in working-class areas of Belfast, are thought to live separate existences as the presence of interface walls, so-called peace lines, that separate Catholic from Protestant neighbourhoods illustrate. The social resonance also translates into political salience, with the primary characteristic of the party system centered on the question of the constitutional status of Northern Ireland. Parties are either unionist or nationalist in orientation, with little political space for nonethnic parties.

\textsuperscript{129} Hegemonic control can be defined as “coercive and/or co-optive rule, which successfully manages to make unworkable an ethnic challenge to the state order.” See John McGarry and Brendan O’Leary, “Introduction,” in The Politics of Ethnic Conflict Regulation: Case Studies of Protracted Ethnic Conflicts, John McGarry and Brendan O’Leary, eds. (London: Routledge, 1993), p. 23.


\textsuperscript{131} Darby, “Background.”
Intra-group divisions also characterize the party system, with both moderates and extremists on either side. Nationalists split their support between the moderate Social Democratic and Labour Party (SDLP) and the extremist Sinn Féin. The SDLP, formed in 1970, supports the idea of a united Ireland but has consistently rejected the use of violence as the means by which to reach this goal. The party has also stressed the need for cooperation between nationalists and unionists, between both parts of Ireland and between Britain and Ireland.\textsuperscript{132} Sinn Féin, which has its modern roots in the 1916 Easter Rising and the pursuit of an independent Ireland, is deeply committed to the realization of a united Ireland. Because of its close connection with the Irish Republican Army (IRA), it has until recently sanctioned the use of violence in support of this goal. Unionist support is split primarily between the moderate Ulster Unionist Party (UUP) and the extremist Democratic Unionist Party (DUP). The UUP, which was closely connected with the British Conservative Party, believes that “devolution will secure Northern Ireland's place within a modern United Kingdom.”\textsuperscript{133} The party has maintained that cooperation with moderate nationalists is the best way to promote political stability. The Democratic Unionist Party also supports devolution but was originally opposed to the Good Friday Agreement and up until 2007 believed that Sinn Féin “should be left behind.”\textsuperscript{134} For much of its history, it has rejected the idea of cross-community power-sharing. Meanwhile, in the most recent election to the Northern Ireland Assembly, held in 2007, only about seven per cent of the vote went to parties such as the Alliance Party of Northern Ireland and the Green Party, which do not subscribe to strictly nationalist or unionist platforms. These results are not unique; since the beginning of the Troubles, support levels for such bi-national or non-ethnic parties has hovered around only the

ten per cent mark.\textsuperscript{135} Political salience, then, marks the deep division between unionists and nationalists in Northern Ireland.

**4.3.2 Institutional Attempts at Conflict Management**

The idea of power-sharing as an institutional solution to the conflict was first introduced prior to elections held in June 1973, with the aim of facilitating the end of hegemonic control. Building upon proposals found in a Westminster-issued White Paper that were meant to foster a power-sharing agreement between unionists and nationalists while at the same time introducing an “Irish Dimension” to the constitutional politics of Northern Ireland, the elections were conducted in a context of record high levels of intergroup violence, with 479 deaths in 1972 and another 160 between the start of 1973 and the June election.\textsuperscript{136} The parties competing in the election were also severely divided over the White Paper proposals which called for the establishment of a devolved parliament, the members of which would be elected by the Single Transferable Vote (STV) and which would result in an executive government that would have to command “widespread acceptance throughout the community,” i.e., support from both unionists and nationalists. Most controversial were the provisions on North-South relations with the White Paper calling for a conference of representatives from both the North and the Republic of Ireland at which three broad issues were to be discussed: acceptance of the constitutional status of Northern Ireland, the development of consultation and cooperation mechanisms that would benefit both North and South, and concerted efforts at combating terrorist organizations.\textsuperscript{137} The


Figure 4-7: Assembly Election in Northern Ireland, 1973

<table>
<thead>
<tr>
<th>Political Party</th>
<th>Per cent of Vote</th>
<th>Number of Seats</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ulster Unionist Party (UUP), pro-White Paper</td>
<td>25.3</td>
<td>24</td>
</tr>
<tr>
<td>Social Democratic and Labour Party (SDLP)</td>
<td>22.1</td>
<td>19</td>
</tr>
<tr>
<td>Democratic Unionist Party (DUP)</td>
<td>10.8</td>
<td>8</td>
</tr>
<tr>
<td>Ulster Unionist Party (UUP), anti-White Paper</td>
<td>10.5</td>
<td>7</td>
</tr>
<tr>
<td>Alliance Party of Northern Ireland (APNI)</td>
<td>9.2</td>
<td>8</td>
</tr>
<tr>
<td>Northern Ireland Labour Party (NILP)</td>
<td>2.6</td>
<td>1</td>
</tr>
<tr>
<td>West Belfast Loyalist Coalition</td>
<td>2.3</td>
<td>3</td>
</tr>
<tr>
<td>Vanguard</td>
<td>11.5</td>
<td>7</td>
</tr>
<tr>
<td>Other Unionist</td>
<td>3.0</td>
<td>1</td>
</tr>
<tr>
<td>Other Nationalist</td>
<td>2.7</td>
<td>--</td>
</tr>
</tbody>
</table>

White Paper proposals became law in March 1973 as the *Northern Ireland Constitution Act, 1973*.\(^{139}\)

The elections turned out a victory for those parties in favour of the White Paper; 51 of the 78 elected Assembly members supported the proposals. The Ulster Unionist Party (UUP) received 24 seats, the nationalist Social Democratic and Labour Party (SDLP) 19 seats and the biconfessional Alliance Party of Northern Ireland eight seats. Election results are displayed in Figure 4-6. Because they supported the White Paper proposals, which called for cross-community cooperation, these three parties were thought of as moderate. The three parties eventually went on to form an executive in which the UUP held six positions, the SDLP 4 and the Alliance one.\(^{140}\)

On 6-9 December 1973, the parties met with the British Prime Minister and the Irish Taoiseach at Sunningdale, England. Negotiations over the Irish Dimension culminated in the agreement to

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establish a Council of Ireland, to be composed of an equal number of members from the Irish and Northern Irish governments and which would have both executive and consultative functions across the island of Ireland.\textsuperscript{141} The Sunningdale Agreement represented the first inclusion of nationalists in government but comprised only those parties of the “moderate middle” thought most willing to compromise across the divide,\textsuperscript{142} and has been dubbed “the high watermark for the moderates.”\textsuperscript{143}

The short-lived coalition faced a number of destabilizing forces from the outset, including the existence of extremist elements within the Assembly as well as those extremist groups with links to paramilitaries who had boycotted the election. Many UUP members were leery of their own party’s cooperation with nationalists; this intra-group split lessened the perceived legitimacy of the coalition among the unionist community. Under the leadership of Brian Faulkner, the UUP was a party marked by intra-party fragmentation, particularly on the issue of supporting the White Paper proposals for a Council of Ireland. Though in March 1973, the party voted 381 to 231 to support the White Paper, that support declined over the course of the year. The election itself was marked by two competing factions of the UPP, Faulkner’s pro-White Paper followers and an Anti-White Paper contingent led by Harry West. In October 1973, the UUP’s Standing Committee voted by only a slim margin (132 to 105) in favour of participating in a power-sharing executive with nationalists.\textsuperscript{144} Then, in January 1974, the Ulster Unionist Council, the UUP’s governing and policy-making body, voted to reject the proposed Council of Ireland by a count of 427 to 374. While some within the unionist community were

\begin{footnotesize}
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\end{footnotesize}
prepared to support the idea of power-sharing with moderate nationalists, they were much less inclined to support what came to be known as the “Irish dimension.” A ruling of the Irish Constitutional Court suggesting that the Agreement was merely a transitional period before eventual Irish reunification only served to reinforce the apprehension with which the unionist community viewed the provisions on cross-border linkages.

Not only were the unionist moderates outflanked by extremists in the Assembly, both sets of moderates were outflanked by rejectionist “ultras” outside the Assembly in the shape of the Provisional IRA (nationalists) and the Ulster Workers Council (unionists). Violence on the streets served to further delegitimize the coalition and did not create an atmosphere conducive to compromise within the Executive. From the time of the Sunningdale Conference in December 1973 to the collapse of the coalition in May 1974, at least 159 deaths were attributed to the conflict, with 57 of those deaths in the month leading up to the collapse.\footnote{Calculated from Malcolm Sutton, “Chronological Lists of Deaths,” An Index of Deaths from the Conflict in Ireland, available at: \url{http://cain.ulst.ac.uk/sutton/chron/index.html}, accessed 31 May 2008.} The decision of UUP moderates to support the White Paper was presented by their opponents, most prominently by the DUP leader Ian Paisley, as a selling-out of the unionist community and as the launch pad for the incorporation of the North into the Republic: “Dublin is only a Sunningdale away” as their posters put it.\footnote{Gordon Gillespie, “The Sunningdale Agreement: Lost Opportunity or an Agreement too Far?” \textit{Irish Political Studies} 13 (1998): 100-114, p. 109.} An Anti-Sunningdale coalition, consisting of extremist unionists, including the DUP, Vanguard and the Orange Order as well as the extremist UUP members opposed to Sunningdale, joined together as the United Ulster Unionist Council (UUUC) to contest elections to Westminster, unfortunately called for February 1974. The unionist extremists were, of course, helped by their nationalist extremist rivals in the IRA, which, while they boycotted elections, polarized politics by their attacks on the security services, including the largely Protestant police,
as well as on Protestant civilians. The UUUC won all but one seat and captured a majority of votes. The moderate middle thus lost much of its support base.

By May 1974, popular discontent was growing and a general strike organized by the loyalist Ulster Workers’ Council, prompted the failure to pass legislation on the Council of Ireland and brought about the resignation of the executive and the abrogation of the Assembly. Following the Sunningdale collapse, direct rule from Westminster was re-instated, in part because there was no consensus on how best to devolve power. Attempts at conflict management, including provisions on ‘rolling devolution’ and the Anglo-Irish Agreement of 1985, which enjoyed the support of nationalists but was rebuffed by unionists, did little to resolve the conflict and, in some respects, served to deepen division between the two communities.

By the early 1990s, however, the political situation began to change. The peace process, now characterized by the recognition that both North-South and East-West arrangements were needed, was buttressed by the IRA’s 1994 and 1997 ceasefire declarations. Multiparty talks, which from 1997 included the Provisional IRA’s political wing, Sinn Féin (which had begun to contest elections in the early 1980s) eventually culminated in the Good Friday Agreement in April 1998. The following month, concurrent referenda were held in Northern Ireland and in the Republic of Ireland with the Agreement receiving overwhelming support. Support for the GFA in the Republic was 94.4 per cent while 71.1 per cent in Northern Ireland gave their consent to the Agreement. While approved by only a narrow majority of unionists, the Agreement was

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very popular within the nationalist community. Of the major political parties, only the DUP opposed the Agreement.

The Agreement is organized along three strands: Strand One outlines the democratic (consociational) institutions in Northern Ireland; Strand Two details North-South relations, including the North-South Ministerial Council and several all-island implementation bodies in such areas as agriculture, tourism, transport and waterways; Strand Three in turn covers East-West relations, including the set-up of a British-Irish Council and a British-Irish Intergovernmental Conference. The Agreement also addresses issues intrinsic to the conflict, including decommissioning, the release of political prisoners, police reforms, and provisions on rights, safeguards and equality of opportunity. It also includes a provision that accepts Irish reunification should a majority in Northern Ireland desire such an outcome, though this prospect is currently only supported by less than a quarter of the population in Northern Ireland.152

The GFA’s Strand One calls for democratic institutions that are recognized, even by critics such as Donald Horowitz, as “consociationalism to the maximum degree.”153 Indeed, all four consociational institutions are on display. Executive power-sharing is evident in both the dual premiership (that is, a First Minister and Deputy First Minister which, despite their titles, have identical powers), election to which, between 1998 and 2007, was contingent upon parallel consent from nationalists and unionists in the Assembly (Strand One, Articles 15), and in appointment to the executive, which follows the d’Hondt formula (Strand One, Article 16). The d’Hondt formula, in allocating ministerial posts to parties in proportion to their numbers in the Assembly, ensures proportionality in the executive. It is moreover an inclusive form of proportionality; it ensures that the coalition also includes the extremist parties. Entry into the

153 Horowitz in fact argues that the GFA is “not merely consociational, but consistently so.” Horowitz, “Clear, Consociational, and Risky,” p. 91. See Paul Dixon, “Why the Good Friday Agreement in Northern Ireland is not Consociational,” Political Quarterly 76, 3 (2005) for an opposing view.
coalition is tied to a party’s share of the vote rather than to its orientation; this means that moderates, extremists, and even nonethnic parties all stand a chance of executive participation, as long as they have sufficient community support.

Proportionality rules are also found in election to the Assembly, which uses the Single Transferable Vote in multi-member constituencies (Strand One, Article 2), and in terms of the formation of legislative committees and for public sector positions (Strand One, Article 8). Representatives elected to the Assembly must also declare a unionist, nationalist or “other” affiliation (Strand One, Article 6). This is meant to facilitate veto rights for the groups, which are afforded to both communities by way of cross-community voting rules on important laws, including by weighted majority (approval of 60 per cent of the Assembly and 40 per cent each from the unionist and nationalist groups) and by parallel consent (a majority in the Assembly in addition to majorities in the respective unionist and nationalist communities) (Strand One, Article 5 (a)). While the principle of segmental autonomy is least evident, the GFA provides for continuing support for Catholic, Protestant and integrated schooling, and increased protection of the Irish language (Rights and Safeguards and Equality of Opportunity, Articles 3 and 4). The Agreement further addresses the psychological dimension to the conflict as it calls for a “parity of esteem” between the communities (Constitutional Issues, Article v). Such phrasing was both highly symbolic and substantive. It not only signaled the centrality of national identity to the conflict, it also recognized that mononational responses could no longer be sustained. In so doing, it captured the need for reciprocity between the groups and the recognition of a shared fate.154

4.3.3 Institutional Assessment

The implementation of the GFA design has been called a “stop-start experience,” with the institutions hovering “between stability and collapse.”\textsuperscript{155} Between 1998 and 2002, there were repeated suspensions of the devolved government and the reinstatement of British direct rule. During this time, the comprehensive components to the Agreement have also proven controversial. Seemingly slow progress on decommissioning by the IRA, reforms to the Royal Ulster Constabulary and the early release of political prisoners were all at the forefront of political debate. Nevertheless, this “stop-start” depiction downplays the success of the GFA framework in bringing about a stable political environment in which moderation has been rewarded.

A shift in electoral support since 1998 has served to reorganize the configuration of the political party system. Prior to the 2003 Assembly elections, the party configuration was one in which unionist support went primarily to the UUP and nationalists supported the SDLP both of which were considered as moderate ethnic parties. There were also the so-called “Other” parties, the Alliance and the Women’s Coalition, both of which operated across the ethnic divide. By 2003, however, the Others were losing their support base, the DUP outpolled the UUP among unionists and Sinn Féin had overtaken the SDLP among nationalists. Sinn Féin, with its close relationship with the IRA, and the DUP, which was vehemently Anti-Agreement, are considered as the extremist political parties in Northern Ireland.

The increasing electoral appeal of both the DUP and Sinn Féin, as highlighted by election results to the Northern Ireland Assembly shown in Figure 4-8, at first glance, appear to support the centripetalist argument that coalitions should be restricted to moderates, and to counter the consociationalist claim that inclusive grand coalitions can moderate divisions. After all, by 2003,

**Figure 4-8: Assembly Elections in Northern Ireland, 1998-2007**

<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>Ulster Unionist Party (UUP)</td>
<td>28</td>
<td>27</td>
<td>18</td>
</tr>
<tr>
<td>Social Democratic and Labour Party (SDLP)</td>
<td>24</td>
<td>18</td>
<td>16</td>
</tr>
<tr>
<td>Democratic Unionist Party (DUP)</td>
<td>20</td>
<td>30</td>
<td>36</td>
</tr>
<tr>
<td>Sinn Féin (SF)</td>
<td>18</td>
<td>24</td>
<td>28</td>
</tr>
<tr>
<td>Alliance Party of Northern Ireland (APNI)</td>
<td>6</td>
<td>6</td>
<td>7</td>
</tr>
<tr>
<td>Progressive Unionist Party (PUP)</td>
<td>2</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Northern Ireland Women’s Coalition (NIWC)</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>United Kingdom Unionist Party (UKUP)</td>
<td>5</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Independent Unionists</td>
<td>3</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Green Party</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Other</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
</tbody>
</table>

The institutions lay suspended, whilst the extremists on either side were able to claim victory over their respective moderate counterparts. However, there is evidence to suggest that the hardliner victories can instead be explained not by the argument that the voting public has become more extreme but by the fact that consociational practices have made the political parties more moderate in their demands and actions. That is, the electoral strength of Sinn Féin and the DUP may at first appear as “the triumph of the extremists,” but it can hardly be considered “a victory for extremism.”

Trends in electoral support are demonstrated in Figure 4-9.

This is particularly the case with Sinn Féin, which has transformed from the political arm of the IRA to a well-established and legitimate political party willing to participate in government. It thus makes sense, “given Sinn Féin’s clear movement from endorsing physical force republicanism to constitutional politics,” to view its increasing electoral appeal as a product of...
Indeed, a number of “political U-turns” have bolstered both the legitimacy and popularity of the party. These political changes include the rejection of political violence and abstensionism, the removal of its demand that the British withdraw from Northern Ireland within a specified time frame, acceptance that the principle of consent should inform any change to the constitutional status of Northern Ireland, support for power-sharing, and, importantly, support for the Police Service of Northern Ireland. Its experience helming the two largest ministries, health and education, during the 2003 Assembly session, has also bolstered its image as a party capable of “delivering government.” Sinn Féin’s growing electoral support is

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also attributed to its image as a more youthful and dynamic party fronted by charismatic leaders.\(^{159}\)

The DUP has also undergone a striking transformation. Formed in 1971 and originally led by Rev. Ian Paisley of the Free Presbyterian Church, the party is as well known for its extreme unionism—it proclaims to “defend the way of life for the Protestant, loyalist, unionist and British people of Ulster”\(^{160}\) as for its leader’s antics and rhetoric. Nicknamed Dr. No for his intransigence, Paisley has built his political career on a policy of “no surrender.” When Sinn Féin joined the multiparty peace talks that would produce the GFA, Paisley walked out, and once the Agreement was reached he remained staunchly opposed to its power-sharing provisions. He has previously rejected partnership in a mandatory coalition and as late as July 2006, he argued that Sinn Féin was not fit for partnership with “decent people” and suggested that the DUP would share power with Sinn Féin only “over our dead bodies.”\(^{161}\) However, these comments are more indicative of Paisley’s penchant for hyperbole than they are evidence of deepening extremism. In fact, they belie his move to a more moderate stance, one that is highlighted by such actions as his decision to meet with the Irish Taoiseach in 2004 and which culminated in the March 2007 decision to enter into a government coalition with Sinn Féin. Paisley has since argued that the decision to share power with Sinn Féin has been “vindicated” and has also proclaimed, “the Ice Age is over.”\(^{162}\) The electorate appears to agree with his new stance: A poll conducted by the Belfast Telegraph put Paisley not only as the best known politician in Northern Ireland but also as one of the most favoured among both communities: 56 per cent of Protestants gave him a

\(^{159}\) Wolff, “Between Stability and Collapse,” p. 54.

\(^{160}\) Quoted in Tonge, Northern Ireland, p. 24.


In 2006, a series of multiparty talks were held with the intent of restoring devolved power. Out of this process came the St. Andrew’s Agreement (SAA), which is credited with laying the groundwork for the March 2007 pact. It set out many of the conditions for such an agreement, including Sinn Féin’s support for the Police Service of Northern Ireland and the DUP’s commitment to share power with nationalists. The SAA, in setting out a timetable for restored devolution, thus confronted the two major sticking points between nationalists and unionists: the DUP’s reticence to accept power-sharing with Sinn Féin and Sinn Féin’s reluctance to support the PSNI. What is important here is how one of the major comprehensive features of the design was tied to the successful functioning of the consociational institutions. Indeed, the recent coalition successes were contingent upon Sinn Féin’s acceptance of the PSNI, as the DUP made it a precondition to power-sharing. In turn, Sinn Féin’s acceptance of the PSNI, successor to the Royal Ulster Constabulary (RUC), would not have been forthcoming without significant restructuring. The police force, for much of the conflict, appeared as the exclusive domain of the Protestant community and was in fact only eight per cent Catholic at the time the RUC transitioned to the PSNI. In 2005, that number had increased to thirteen per cent Catholics and is progressing toward the stated threshold of 30 per cent by 2011.\footnote{164}{Jonathan Tonge, \textit{Northern Ireland} (London: Polity Press, 2006), p. 196.} It was the connection between the comprehensive component and the consociational institutions that facilitated an increase in political stability.

The follow-up to the 2007 Sinn Féin-DUP coalition is illustrative of growing political stability and moderation. Not only has the language of politics changed but there is evidence of a
shift from “bombs and bullets” to “bread-and-butter” issues.\textsuperscript{166} Moreover, political moderation has had significant social implications, with lethal political violence declining by three-quarters and intra-group violence now more common than intergroup violence. While there have been more than 3,700 deaths attributed to the conflict, the number of casualties has dropped dramatically. In the ten-year period since the signing of the GFA, there has been a cumulative total of 123 deaths due to the security situation, with only one such death reported in the 2007-2008 year.\textsuperscript{167} Overall levels of crime are also down, with the 2007-2008 year marking not only a steady downward trend but also the lowest level of crime since 1998-99.\textsuperscript{168} The region is also experiencing economic growth, with high levels of employment, a surge in property prices, and


an influx of foreign direct investment.\textsuperscript{169} The stability of the Sinn Féin-DUP pact was tested with Paisley’s retirement announcement in May 2008, though his successor, Peter Robinson, dismisses the prospect of the dissolution of the power-sharing government as “ludicrous” and both Gerry Adams and Martin McGuiness suggest that Paisley’s retirement would not undermine the coalition.\textsuperscript{170} Robinson officially replaced Paisley as First Minister on 5 June 2008.

Overall, both Sinn Féin and the DUP have taken advantage of the institutional incentives to moderate their positions. One major incentive is the use of the d’Hondt system of ministry allocation which gives parties a clear stake in the system by ensuring that they have access to executive decision-making. Boycotting ministerial entitlements would lead to losing their ministries to others, potentially from the other community. Moreover, adopting a more moderate platform also provides parties with more ministries: the more people to whom they can appeal, the more likely they are to increase their share of the vote.

This is an important rebuttal to two of Donald Horowitz’s central claims, first, that consociations are built only on constraints and contain no incentives for intergroup cooperation, and second, that centripetal incentives are sufficient to bring about moderation and cooperation between deeply divided groups. Moderation is much more forthcoming under the current GFA framework than it was at Sunningdale, which may be considered a centripetal experiment. The incentives for moderation are also more extensive under the consociational arrangement. Sunningdale contained incentives for the moderates to remain moderate but not for extremists to


become moderate. The current Agreement, in turn, contains incentives for those that are already moderate (e.g., the UUP, the SDLP, and the Alliance) as well as for those who may want to become more moderate (e.g., Sinn Fein and the DUP).

The comprehensive components to the design have also facilitated a growing sense of stability by keeping the parties committed to the peace process. This is obviously the case with the negotiations over the SAA and the linking of police reforms to power-sharing between Sinn Fein and the DUP. These sorts of tradeoffs, however, have also been consistently negotiated throughout the peace process, beginning with Sinn Fein’s commitment to the Mitchell principles (the requirement that all parties to the talks had to commit to non-violence) during the GFA negotiations.\(^171\) Other examples include progress on arms decommissioning on the part of the IRA enabling UUP support for a power-sharing executive that included Sinn Fein in 1999.\(^172\) The release of political prisoners, as stipulated in the GFA, served as an incentive to proceed with decommissioning. The cross-border arrangement with the Republic of Ireland lowers the zero-sum sense of British sovereignty for nationalists while the GFA provisions on Irish reunification (e.g., a majority in Northern Ireland must support such a process) lessen the sense of insecurity with which unionists view cross-border institutions. These examples suggest that the incorporation of comprehensive issues helps to give the parties the incentive to maintain the consociational system.

The March 2007 SF-DUP agreement to enter into a power-sharing government should be seen as a watershed moment in a peace process historically characterized by intransigence.\(^173\) Indeed, it has been called both “the most dramatic melting of the political permafrost anyone in

\(^{171}\) Tonge, *Northern Ireland*, p. 59.


\(^{173}\) Text of the St. Andrew’s Agreement can be found at: [http://www.nio.gov.uk/st_andrews_agreement.pdf](http://www.nio.gov.uk/st_andrews_agreement.pdf), accessed 8 June 2008.
Northern Ireland could have imagined” and as “the successful sloting-in of the last piece of a jigsaw which has taken a painstaking decade to put together.”\textsuperscript{174} Through both its inclusion of extremists in the consociational arrangement and its comprehensive incorporation of issue like the cross-border provisions, Northern Ireland has been able to pursue a “parity of esteem” between the two rival groups, as pledged in the GFA. Perhaps the most obvious indicator of Northern Ireland’s successful conflict management is that it is now marketed as a model of emulation for other divided places, such as Sri Lanka, Kashmir, and Iraq.\textsuperscript{175} All of this suggests that Northern Ireland is moving from “hot spot to lukewarm area.”\textsuperscript{176} The comprehensively consociational framework adopted in 1998 has helped to attenuate divisions and to promote political stability.

4.4 Conclusion

This chapter has considered the track record of three prominent consociational cases—Burundi, Bosnia and Herzegovina, and Northern Ireland. All three cases display some degree of political stability. What is more, all three cases share a commitment to a comprehensive form of consociation. Northern Ireland represents a clear case of political stability with the return to a divisiveness of the past an increasingly unlikely prospect. Burundi, as it begins the process of consolidating the stability achieved during the Arusha process, also represents a tentative


\textsuperscript{176} Tonge, \textit{Northern Ireland}, p. 207.
example of political stability brought about by consociation. Bosnia and Herzegovina, meanwhile, represents a case of imposed political stability. Without the active role of international actors, much of the stability the country currently experiences would not be forthcoming. Nevertheless, the country is beginning to show signs of endogenous stability with the growing acceptance of consociational practices and the recognition that once the international community leaves, the power-sharing institutions will persist. Overall, the consociational track record includes two cases of political stability and one case of imposed stability. This ability of consociation to generate stable politics makes it the preferred choice in the design of power-sharing institutions in deeply divided places.
Building on the case study analysis presented in the preceding two chapters, I outline in this chapter the general implications of deep division for the institutional models of centripetalism and consociationalism. I also touch upon the relationship between demography and institutional design. In so doing, I argue, first, against recommending centripetalism in cases of deep division. Its demonstrated failure to promote political stability in such places makes it an ill-advised institutional choice. Secondly, I argue for the adoption of comprehensive consociation in deeply divided places. While it is important to remain critical of some of the ways in which consociation has been implemented, it is also the case that its track record is much stronger in terms of promoting political stability. This makes it an important conflict-managing tool in cases of deep division. I conclude the chapter with a brief examination of Ontario, Canada, which is ethnically diverse but only very mildly divided. This is done to show that consociation should not be considered as a universal tool for managing diversity. It has advantages for polarized places, but may well exacerbate difficulties in diverse places. The section also shows that centripetalism, which does not work in deeply divided places, and which might be seen as more appropriate for a place that clearly has a moderate political core, is not necessary in such a context.

5.1 The Centripetal Context

A summary of the most prominent cases of centripetalism in practice, Fiji, Sri Lanka, and Nigeria’s Second Republic as well as the subsidiary cases of the Republika Srpska and Northern Ireland during the Sunningdale period, presents important lessons for the prospects
of centripetalism as a general model of ethnic conflict management. As a whole, the cases suggest that the model has a poor track record in both promoting and fostering political stability. As presented in Figure 5-1, all five cases have had problematic experiences with centripetal practices. While Nigeria has arguably had some success with centripetalism, albeit only after imposition, the other four examples can be considered as decided failures.

In this section, I show that the poor track record of centripetalism is a result of the heightened sensitivity to context intrinsic to the model. The model comprises two contextual imperatives that must be in place for it to accomplish its intended goal of political stability: it requires a preexistent level of moderation as well as a sufficient level of heterogeneity in order for its incentives to be realized. In almost all of the cases discussed, centripetal institutions have been adopted in situations that lack these contextual factors. This disjuncture between context and design offers considerable insight into how both the depth of divisions and demography affect the course of design adoption and implementation.

5.1.1 Lessons of Deep Division

The first lesson to be gleaned from an analysis of centripetal institutions is that there needs to be a significant level of pre-existing moderation if centripetal incentives are to be realized. For centripetal institutions (the Alternative Vote, centrist coalitions, single-person presidency with distribution requirements and administrative federalism) to produce moderate outcomes, there must already be a well-established core of moderate politicians and voters. The
lesson of deep division for centripetalism thus suggests a paradox: while the prior establishment of moderation functions as a contextual imperative for the model, deeply divided places suffer a dearth of moderation. Indeed, it is the extreme polarization between groups that sets them apart as divided places. As a result, the model is confronted with two core problems that limit its ability to promote political stability in situations of deep division—one related to its adoption potential and one related to its level of system maintenance.

As first suggested in Chapter Two, one of the perceived weaknesses of the model is that there is a limited universe of centripetal cases: there are no examples of divided polities that have concurrently adopted all four centripetal institutions. Moreover, of those places that have adopted centripetal institutions at an individual level, as in the cases presented in this thesis, only Fiji appears to have adopted the Alternative Vote on a purely voluntary basis. In the other four cases, some degree of imposition or coercion was at work. This was most pronounced in Nigeria, where the outcome of the constitutional proceedings was pre-determined by military preferences. Imposition was also at work in the Republika Srpska where the Organization for Security and Cooperation in Europe (OSCE) chose the preferential voting system for the 2000 presidential election. In Northern Ireland, meanwhile, the Sunningdale Agreement was the upshot of the British White Paper proposals while in Sri Lanka, the Supplementary Vote system was adopted by the majority in a context of deepening division and without any serious consultation with the minority. Not only was SV not a form of accommodation requested by the minority, over time it has also shown to not provide any real incentives for their accommodation. Of the five examples of centripetal institutions in practice, then, four required some form of external push in order to adopt centripetal arrangements.

This tendency of centripetalism to be imposed, rather than willingly adopted, can be explained in part by its misreading of the depth of divisions. In deeply divided places, minorities prefer the idea of office-holding to the opportunity to influence majority decision-making and not,
as Horowitz sees it, the other way around. While some forms of accommodation, particularly consociation, are criticized for reifying ethnic identities, centripetalism does not take them seriously enough. Donald Horowitz speaks of the “plasticity of group identities”\(^1\) and assumes that representation via benevolent majorities will suffice for minority groups. Yet he also argues that, “[i]f the need to feel worthy is a fundamental human requirement, it is satisfied in considerable measure by belonging to groups that are in turn regarded as worthy.”\(^2\) To suggest that the majority can do the work that this sense of worth provides for the minority is to denigrate the sense of worth to which minority groups are entitled. Centripetalism then privileges the majority identity and consequently creates a situation in which only the minority identity is considered as malleable.

The model is characterized by a sense of uni-directionality in which incentives are directed almost exclusively at the majority group. The Alternative Vote, as a majoritarian electoral system, privileges those parties with the largest numbers. Where voting occurs along group lines, party support may read as proxy for ethnicity. Parties from the majority group have a tremendous advantage over minority parties in this regard, as they are closer to (or may even surpass) the electoral threshold (50 per cent plus one) than are parties that represent the minority. It thus becomes much easier for them to get elected, irrespective of whether they appeal to the minority or not. Moreover, the majority must be able to co-opt the minority and the only way in which that will work is for the minority to make changes in its orientation and political claims. The model demands that the minority move to a more moderate position and accept representation by majority proxy. That is, it assumes moderation on the part of both majorities and minorities, but only provides incentives, and mild ones at that, for moderation by majorities.


What is more, even some centripetalists concede that the sort of moderation needed is unlikely to be found in the most deeply divided places, as recognized by Benjamin Reilly, “it may be difficult to create or even envisage conditions under which electors of one group would be prepared to vote for candidates from another.”\textsuperscript{3} Importantly, he also recognizes that “it cannot invent moderation where none exists.”\textsuperscript{4} It is also worth recalling in this context that while Fiji’s decision to adopt AV flowed from a pact between the ethnic Fijian Soqosoqo ni Vakavulewa ni Taukei (SVT) and the Indo-Fijian National Federation Party (NFP), both parties were perceived in the ensuing election as selling out their constituents and lost large swathes of their support bases. The issue of preexisting moderation, then, affects both the likelihood of adoption and the prospects for system maintenance over the long-term.

The problem of system maintenance is manifested in the distinction between moderation and extremism. Horowitz argues that centripetalism provides electoral incentives that make moderation politically rewarding. Institutions, such as the Alternative Vote and distribution requirements for presidents, which require a candidate to have majority support in order to get elected, bring these incentives to the fore. In order to reach this high threshold for election, winning candidates will likely be those who have reached out to members of other groups and who have adopted a moderate stance on ethnically divisive issues. It rests on a sort of intuitive logic that suggests that political parties closer to the middle will find it easier to engage in cross-group cooperation and to sell such cooperation to their constituents. This in turn is meant to enhance the prospects for political stability. In addition, by making moderation pay, centripetal institutions are intended to facilitate the exclusion of extremists who may make cross-community cooperation difficult. This is most obviously the case with its advocacy of centrist coalitions,


which limits access to executive decision-making to parties willing to campaign outside of their own ethnic constituencies. What this argument overlooks, however, is that centripetal institutions in practice demonstrate the opposite incentive structure at work. Rather than making moderation pay, centripetal practices have frequently made extremism politically rewarding.

The model assumes that voters wish to elect moderate parties but this assumption does not always hold. In Fiji, Sri Lanka and Republika Srpska, the use of centripetal institutions not only facilitated extremist victories, it also served to solidify the identities on which the conflict is based. And in Fiji, as in Northern Ireland’s Sunningdale period, the moderate parties were depicted as sellouts by the extremist parties and were subsequently punished by voters at the polls. The SVT and NFP both touted the shift to the Alternative Vote as a way to enhance cross-community cooperation and yet both parties were roundly defeated in Fiji’s first AV election in 1999. Since then, the system has tended to turn out victories for the extremist parties, the SDL and FLP. Similarly, in Northern Ireland, by the time of the Westminster elections in February 1974, the pro-Sunningdale unionists had lost most of their support base and were surpassed by the anti-power-sharing UUUC. There thus exists an inherent risk to the adoption of such strategies: “If the circumstances are wrong in any one or more of a number of ways, the incentives will not take and the country will be left with institutions too easily dominated by one group or region.”

It is consequently the case not only that the voluntary adoption of the model is rarely realized but also that the adoption of the model in situations of deep division is more likely to exacerbate divisiveness than it is to reduce it.

Moreover, the centripetal model is designed, through its facilitation of centrist coalitions, to deliberately exclude extremists from power. While this may appear as an intuitively attractive proposition, at a practical level, it is problematic because the centre is liable to be quite small in deeply divided polities. That is, in such places, it is generally the extremists who enjoy the bulk of

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popular support. This is why SDS was able to easily win the 2000 presidential election in Republika Srpska, why the SDL and the FLP have been able to monopolize the support of their respective communities in Fiji, and why Mahinda Rajapaska, and not Ranil Wickremesinghe, won the 2005 presidential election in Sri Lanka. In all these cases, extremists were more popular amongst the electorate. The exclusion of radicals, then, is problematic from both a standpoint of democratic accountability and in terms of promoting political stability. To exclude the parties democratically chosen by the voters not only denies large portions of the population authentic representation and is thus dubiously democratic; it also actively supplies the excluded groups with incentives to promote political instability. Centrist coalitions also have to contend with the outbidding and opposition of omitted extremists and, in some cases, with the reactionary violence that the formation of such coalitions may cause. Northern Ireland’s centrist coalition was formed in a context of high conflict intensity, which actually increased over the course of the coalition’s existence while the coalition formed following Fiji’s first use of AV in 1999 caused a backlash from extremists who then overthrew the government in a coup. It is difficult to see why extremists would contribute to the political stability of a system from which they have been purposively excluded.

Nonetheless, it is easy to see why centripetalists see the incorporation of extremists as undesirable. Such inclusion, particularly in post-conflict situations, undoubtedly has serious moral implications; the leaders of extremist parties often have unsavory pasts as warlords, murderers, and the like. It risks lending political legitimacy to illegitimate political behaviour. However, these moral implications need to be tempered with a realist assessment. Parliamentary representation of extremist parties may serve to temper their extremism. Participating in and

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reaping the rewards of representation provide group representatives with the incentive for system maintenance. Parliamentary representation also provides them with resources to address their grievances without the resort to violence, to “press their case with ballots rather than bullets.”

Given that centrist coalitions are designed for their exclusion, extremists would be unlikely to agree to the model in the first instance. Even if the model is imposed by an external force which excludes extremists at the negotiation stage, such groups would then also be excluded from government by the coalition of commitment. Neither scenario would seem conducive to political stability.

Finally, centripetalism’s misreading of the depth of divisions also extends to its depiction of voters as the vehicle of moderation. According to Reilly, an important component to the centripetal approach is “its reliance on mass rather than elite activity as the driving force for moderation: while vote-pooling deals are made between candidates, the ultimate success of such strategies is dependent on the behaviour of their supporters ‘on the ground.’” Centripetalism assumes moderation not simply on the part of politicians but also that moderate tendencies will be displayed at the voter level. Yet, where levels of violence have been high, where atrocities have been committed, voters may not be, nor should they be expected to be, forthcoming with such moderation. At a basic level, it is both fundamentally unrealistic and intrinsically unfair to expect, for instance, a Bosniak in the Republika Srpska or a Tamil in Sri Lanka to be satisfied with Serb and Sinhalese representation, respectively. It is equally unlikely that Bosniak or Tamil representation would comfort the Serbs and Sinhalese. This is the problem with prescribing majoritarian institutions, like the Alternative Vote electoral system or single-person presidential systems, in deeply divided places. It overlooks the basic mistrust and insecurity that characterize

9 Reilly, Democracy in Divided Societies, p. 176.
inter-group relations. Moderation at the voter level is the outgrowth of extended periods of cross-community cooperation, not something that precedes it.

The conclusion, then, is that if centripetalism requires pre-existing moderation in order to promote political stability, this would effectively render it useless to deeply divided places where such moderation is not extant. Deeply divided places require institutions that can encourage the emergence of moderate politics, not institutions that assume its functionality in the first place. Even if the adoption problem can be circumvented by exogenous imposition, the lack of widespread moderation that characterizes deeply divided places will curtail the long-term maintenance of a centripetal system.

The fact that the model requires the preexistence of elite and mass-based moderation, then, suggests one of two scenarios. On the one hand, it may mean that centripetalists, as a whole, present a shallow and ultimately misguided interpretation of divisiveness. This implies that the institutions they suggest would be equally misguided and that as a result it would be best to abandon the model in its entirety. This scenario considers centripetalist practices, while “well-intentioned,” as the product of “wishful thinking.” The other scenario, in turn, suggests that centripetalism is contextually specific: while the model may not be appropriate to cases of deep division, it may still be of some utility to situations of mild division. Under this formulation, we need to recognize that the centripetal universe is constrained by its context. If the model cannot create the sort of moderation it requires to function, the implication is that it can only be pursued in those cases that already have a core of moderate leaders and moderate followers. Further, the moderate middle should take up the most space on the political spectrum; that is, it should account for majority support. The coalition of commitment has to be able to effectively counter the power held by the extremists. Moreover, voters must be willing to accept the pursuit of

moderate politics on the part of their leaders. This would effectively preclude places like Sri Lanka and Bosnia, where there has been severe and protracted ethnic conflict. From the perspective of deep division, the adoption of centripetal institutions may be more effective as a preventive measure, as a way of preventing deep division from emerging, rather than as a strategy of post-conflict management and reconciliation.

5.1.2 Demographic Lessons

While the lesson of deep division provides a serious indictment of centripetalism’s capacity to promote political stability, it is also important to highlight just how sensitive the model is to the demographic configuration of the polity in question. Specifically, the model requires a sufficient level of heterogeneity in order to function as intended. This need for heterogeneity operates at multiple levels: at the level of party system, at the level of electoral riding, at the level of federal constituent unit, and in terms of the polity’s overall level of heterogeneity. This in turn is directly linked to the size, number and spatial distribution of a polity’s ethnic groups. What the case studies presented in Part II demonstrate is that the particular demographic heterogeneity required by centripetalism is difficult to obtain in practice. That is, the model’s demographic sensitivity represents a further indication of the difficulty of centripetal institutions in promoting political stability.

First, for the electoral incentives of centripetalism to work, heterogeneity must be found within the political party system. Preferential voting will only be conducive to moderation and to the formation of centrist coalitions if there exists a wide range of political parties vying for election. Horowitz states: “Without party proliferation, AV is of less utility. If a party can win on first preferences, second preferences are irrelevant.”

incentives to cooperate across group lines than do entirely cohesive groups.”

Where multiple political parties compete for support within each community, it will be easier to form pre-election coalitions across the ethnic divide. While some sections of a group will support extremists, other sections will want to promote cross-group cooperation and will thus give their support to moderates. This assumes that no ethnic group is a monolithic entity but will instead be characterized by varying degrees of opinion on interethnic cooperation. This within-group heterogeneity allows for the development of cross-group linkages. Political parties that cannot secure full support from their own ethnic group will, according to this view, moderate their ethnic demands in order to capture votes from members of other ethnic groups. A heterogeneous party system, centripetalists argue, will allow for more fluidity in terms of voter preferences and will consequently open up the political space for moderation.

Of course, a major irony of Horowitz’s commendation of AV is that such a system in fact contains disincentives for party proliferation. The effective number of parties is much more likely to increase under systems of proportional representation, which Horowitz explicitly dismisses, than under a majoritarian system like AV. This is precisely what happened in Fiji with the adoption of AV. While the 1999 election was marked by a range of political parties willing to make cross-community electoral pacts, by the time of the 2006 election, the effective number of parties had been reduced to two main ethnic parties, the SDL and the FLP, with all other parties essentially shut out of parliamentary representation. In a bipolar setting like Fiji where only one political party represents each community, it becomes difficult to forge electoral linkages that encourage moderation. Rather, the parties are more inclined, as the sole representatives of their communities, to push only for their own group.

Secondly, there must also be sufficient heterogeneity within electoral ridings for the effective use of the Alternative Vote. That is, for the logic of vote-pooling to work at the legislative level, constituencies must be ethnically heterogeneous. Without an appropriate ethnic demographic breakdown wherein groups are geographically interspersed, the Alternative Vote is prone to overly majoritarian results unlikely to mitigate conflict. Where one ethnic party can capture a majority of first-preferences, cross-ethnic vote-pooling is rendered redundant. In such a scenario, incentives for moderation are lacking.\(^\text{13}\) This is illustrated in Fiji’s 2006 election: the SDL and FLP not only captured their respective communal seats on first preferences, they also split the open constituencies, where they also managed to secure large majorities. This constrained the need for cross-ethnic appeals or for the counting of lower preference votes. In fact, only nine open seats needed a second count and in only one riding did the second preference votes change the outcome. Additionally, though the open constituencies were meant to have a “good proportion of people from the different ethnic communities,” they were actually designed to have either an ethnic Fijian or an Indo-Fijian majority.\(^\text{14}\) At the time of the 2006 election, ethnic Fijians accounted for the majority in thirteen ridings while Indo-Fijians held majorities in ten constituencies. Only two open seats were without a clear ethnic majority.\(^\text{15}\) Voting in the open constituencies closely followed ethnic composition, with the FLP winning all the seats in which Indo-Fijians constituted the majority, as well as the mixed riding of Samabula/Tamavua Open and the riding of Nadroga Open where ethnic Fijians constituted a small majority. The SDL captured all the remaining seats. While there existed an overall distribution of seats, vote-pooling was hindered at the constituency level due to a lack of heterogeneity.

\(^{13}\) Reilly, *Democracy in Divided Societies*, p. 23.


Centripetalists explicitly acknowledge this demographic contingency. For instance, Reilly concedes: “centripetal methods can only work to encourage inter-ethnic accommodation when constituency boundaries can be drawn in such a way as to create ethnically heterogeneous districts.”\textsuperscript{16} Horowitz similarly states: “heterogeneous constituencies together with incentives to vote pooling across ethnic lines are the key to moderate behavior.”\textsuperscript{17} He further suggests that where heterogeneous constituencies are difficult to craft, it may be necessary to adopt AV in multi-member ridings or to make the entire country one large heterogeneous constituency.\textsuperscript{18}

Yet when applied to legislative elections this recommendation of multimember AV is decidedly problematic. This electoral system retains the preferential logic of AV (i.e., ranking candidates in order of preference) as well as its majoritarian threshold but it increases the district magnitude to two or more seats per constituency. Essentially, each seat is run as its own contest with the same electorate voting on each seat. As Reilly argues, this makes for overwhelming disproportionality: because the same preferences are being used to fill different seats, it typically results in one party capturing all or most of the seats in the district. For this reason, he cautions against its use in such places: “the extreme disproportionality and unpredictability of multi-member AV makes it an inappropriate system for any society, not just a divided one.”\textsuperscript{19} He points to the use of AV in multi-member districts for the Australian Senate between 1919 and 1948, where more than ninety per cent of the time, it resulted in the same party grouping winning all the seats in each riding.\textsuperscript{20} Indeed, he goes so far as to argue that Horowitz’s recommendation of multimember AV represented the “serious flaw” in his constitutional prescription for South Africa. More generally, “it also served to some extent to overshadow the merits of his basic

\textsuperscript{16} Reilly, Democracy in Divided Societies, p. 165.
\textsuperscript{18} Horowitz, A Democratic South Africa, p. 195; “Making Moderation Pay,” p. 472.
\textsuperscript{19} Reilly, Democracy in Divided Societies, p. 151.
\textsuperscript{20} Reilly, Democracy in Divided Societies, p. 153.
proposal for electoral engineering, and may well have retarded more serious investigation of the
benefits of single-member AV."\textsuperscript{21} The recommendation of multi-member AV, even by
centrifugalist standards, then, is ill-advised.

Horowitz’s proposal of a single constituency also fares poorly in elections to single-
person presidencies, when an overall level of ethnic heterogeneity is lacking. This was the case in
the Sri Lanka and Republika Srpska presidential elections. In these cases, the entire polity
functions as a single constituency and yet both these cases turned out victories for majority
candidates of an extremist persuasion. The major problem in these two cases is not necessarily
preferential voting. Rather it is the association of majoritarian-preferential voting with the
institution of a single person presidency in a scenario where there is a large and dominant
majority. Preferential voting in such a scenario provides only the mildest of incentives for
 moderation, though admittedly more than a simple plurality system, like first-past-the-post. The
point, however, is preferential voting or not, single person presidencies do not breed confidence
that the state belongs to all of the groups resident in its territory. It is often the case that either one
group is large enough to pass the threshold, as the elections in Sri Lanka clearly demonstrate, or
that no candidate can meet the criteria, in turn creating further instability.\textsuperscript{22} While Shehu Shagari,
the leading candidate in the 1979 Nigerian presidential election, initially failed to meet this
threshold, a court ruling circumvented this problem. Nevertheless, this sort of arrangement is
institutionally risky given that both these scenarios fail to achieve stability.

Finally, the centrifugal commendation of administrative federalism is premised on an
assumption of territorial heterogeneity. That is, it assumes a spatial distribution of ethnic groups,
rather than their territorial concentration. The type of federalism advocated by Horowitz is meant
to ensure that “no single group [is] able to leverage its territory in order to dominate the entire

\textsuperscript{21} Reilly, Democracy in Divided Societies, p. 165.
\textsuperscript{22} Andrew Reynolds, quoted in Timothy D. Sisk, Power-Sharing and International Mediation in Ethnic
country.” In order to devise federal boundaries that cut across group lines, there should be some level of intermixing already existing on the ground so as to avoid severe gerrymandering. Given the tendency toward territorial concentration of groups, as in Sri Lanka, Bosnia and Nigeria, this may prove a difficult task. It also raises the question of who is doing the drawing of boundaries. Politically mobilized majorities may be willing to accept the partition of federal units, as they may still be able to collectively dominate at the centre. Politically mobilized minority groups, on the other hand, would be unlikely to agree to a system in which parts of the group are cut off from each other. They would worry about their ability to ensure protection of their rights and mobilization potential if their members are spread across numerous federal units. This is a central concern for Iraq’s Kurdish community who see a federation in which they retain control over their own unit as the next best alternative to independence. Having suffered tremendously under the previous Ba’athist regime, they view strong autonomy provisions as an important strategy by which to protect their interests and identity. This again reminds us that in order to be adopted, some form of external oversight may be necessary for adoption.

The contextual imperative of heterogeneity implies a demographically contingent quality to centripetal institutions. Specifically, it is particularly inappropriate to predominantly monoethnic areas (i.e., where one group has an overwhelming majority, as in Republika Srpska) and bipolar settings (i.e., where there are two main groups, as in Fiji and Sri Lanka). In both these settings, ethnic majorities can become political majorities without any significant degree of minority influence. Given this specificity in terms of where it should not be pursued, it is thus possible to identify at least two demographic scenarios where centripetal measures may potentially work: either in those places with extreme fractionalization, that is, a high number of ethnic groups, where no single group could constitute the majority or conversely in places with a

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low number of groups but where such groups are territorially dispersed.\textsuperscript{25} In places with extreme fractionalization, as in, for example, Papua New Guinea (PNG) where there are estimated to be at least 840 different languages spoken, the sheer number of groups ensures that a single group cannot dominate in the legislature or executive. Indeed, the largest group in PNG numbers only 150,000 out of a population of over four million.\textsuperscript{26} The prospects for centripetal functioning in places like PNG are bolstered by a demographic configuration where there exists no majority group or even a substantial plurality.

Similarly, if groups are territorially dispersed, as in many immigrant-dominated polities, as in parts of Canada or Australia, constituencies may be designed in such a way that encourages majority candidates to take minority concerns into account and that encourages minorities to accept such majority representation. Immigrants may also be more willing to integrate into existing political cultures.\textsuperscript{27} Territorially dispersed groups are further conducive to centripetalist measures because such groups face logistical obstacles to mobilization and are thus unable or disinclined to push for more accommodative measures.\textsuperscript{28} The spatial distribution of groups is consequently fundamental to the effective working of the centripetal system.

The demographic lesson for centripetalism, then, is that widespread heterogeneity is required. This heterogeneity must be present within the political party system, within electoral constituents, within the units of the federation, and within the entire polity. Without such heterogeneity, centripetal institutions not only privilege the majority, they lack the incentives for moderate political behaviour.

\textsuperscript{25} Reilly, Democracy in Divided Societies, pp. 187-8.
\textsuperscript{26} Reilly, Democracy in Divided Societies, pp. 60-1.
5.1.3 Centripetal Outcomes

The need for both heterogeneity and preexisting moderation presents serious implications for the range of cases to which the centripetal model applies. If the logic can be made to work as intended, it may create a scenario in which an ethic of multiethnicity would thrive, wherein both individual and group identities are respected. There is little to criticize in such a scenario; the point, however, is to find such a set of auspicious circumstances. The centripetal model rests on an inherently plausible logic—moderation as the avenue by which to facilitate intergroup peace and stability—but the institutions proffered by Horowitz are unlikely to promote the sort of incentives he imagines. Given this, the contextual imperatives severely curtail the universe of cases to which the model can apply.

The centripetal argument hinges on the claim that majoritarian-preferential voting arrangements, “can encourage party aggregation by rewarding joint campaigns, pre-election coalitions, and other forms of inter-party collaboration with increased prospects of electoral success.” Yet as the examples presented here suggest there is an important contingency to this claim. It only holds in the context of moderation and heterogeneity. These two conditions are not only necessary, they are mutually reinforcing and must both be present for the approach to operate successfully. In Fiji, centripetal institutions have made extremism more politically rewarding and have precipitated two military coups. In Sri Lanka, they both prolong and exacerbate the self-determination struggle. In Nigeria, not only were the institutions not self-sustaining, they exposed the loopholes that exist within the model. The federal character principle, despite its incentives to the contrary, worked more like consociation than centripetalism. In Northern Ireland, the centrist coalition quickly collapsed under pressure from

outbidders. In Republika Srpska, centripetal institutions reinforced the ethnic divide and consolidated support for the extremist wartime party. Where the approach has been attempted, the model has only been implemented in partial form and has failed shortly after implementation. It has not been proven to facilitate political stability in deeply divided places.

The overall lesson from centripetalism in practice is that context matters. Deeply divided places generally have a party system in which there exists only one principal issue axis on which all parties are positioned: the ethnic conflict axis.\textsuperscript{30} The floating vote is minimal at best and the constituency of each political party remains stable as support is drawn chiefly from the ethnic group that it represents. In such deeply divided places, there is little incentive to pool votes across ethnic lines, a practice essential to centripetalism. Of course, not all divided places are characterized by extreme polarization and an absence of trust; some do, in fact, show fluctuation in political party preference and not all voting falls along ethnic lines. Where these conditions obtain, consociation’s extreme guarantees may not be needed and something along the integrating lines of centripetalism may be all that is necessary. These conditions, however, failed to obtain in five of the six deeply divided places considered in Part II and were only partially realized in Nigeria. In those places where the groups are extremely polarized, where there is no floating vote of which to speak and where deep division characterizes group relations, centripetalism is unable to promote political stability.

5.2 The Consociational Context

The core consociational cases of Burundi, Bosnia and Herzegovina and Northern Ireland respectively reveal a track record capable of promoting political stability in situations of deep division. All three cases, as of June 2008, remain consociational and all indicate that some level of political stability has been achieved. Northern Ireland has come the furthest and represents a

\textsuperscript{30} Horowitz, \textit{Ethnic Groups}, p. 346.
### Figure 5-2: Consociational Outcomes

<table>
<thead>
<tr>
<th>Case</th>
<th>Institution</th>
<th>Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bosnia and Herzegovina (1995-)</td>
<td>Dayton Accords (comprehensive consociation)</td>
<td>Imposed stability</td>
</tr>
<tr>
<td>Burundi (2000-)</td>
<td>Arusha Accords (comprehensive consociation)</td>
<td>Slow but steady progress toward political stability</td>
</tr>
<tr>
<td>Northern Ireland (1998-)</td>
<td>Good Friday Agreement (comprehensive consociation)</td>
<td>Political stability</td>
</tr>
</tbody>
</table>

reasonably strong example of political stability; not only has it been successful in achieving civil order as demonstrated by the remarkable decline of intergroup violence, the consociational design has also proven capable of system maintenance, although not without some hiccups, over the past decade. Burundi has also made tremendous advances in the post-Arusha period, most obviously with the renewed commitment to the ceasefire between Palipehutu-FNL, the final major rebel group, and the government. As a result, it too is classified as a case of political stability, albeit a tentative one. Bosnia, meanwhile, has also made significant progress in terms of achieving a stable political environment. This progress, however, is qualified by the fact that the stability forthcoming in the post-Dayton period is primarily a product of international imposition. For this reason, Bosnia is best considered an example of imposed stability. It is nevertheless also moving towards a situation of self-sustaining political stability. These classifications are presented in Figure 5-2.

In what follows, I explain why the universe of consociational cases is substantially larger than that of centripetalism as well as why its prospects for political stability are also better. In so doing, I highlight the demographic and depth-related factors that account for this assessment. I also outline some potential problematic areas in the adoption and maintenance of consociational designs and provide examples of how these problems can be overcome within a comprehensive consociational framework.
5.2.1 Lessons of Deep Division

The recommendation of consociation is generally premised on the argument that it represents a form of “necessary triage.” Its appeal in this sense stems from a standpoint of necessity in which “it is best not to have to build democracy after filling graveyards.” Consociation is contrasted with the far worse alternatives of armed conflict, genocide, ethnic cleansing, or control, that tend to predominate in deeply divided places. In the most deeply divided places, strategies short of consociation are not only unlikely to mitigate conflict, they are liable to make the situation worse. Consociational pacts are often perceived as “the most rational choice to be made in the circumstances of potential or actual civil strife.” Such power-sharing arrangements, likely to be the only common ground of agreement between deeply divided groups, are premised on pragmatic grounds.

The argument from necessity is evident in all three cases of consociationalism. British policy since the 1970s has assumed that power-sharing must be part of the solution to the conflict in Northern Ireland. In Burundi, the recognition that the 1993 power-sharing pact did not go far enough was built into the Arusha framework. And the notion of necessary triage was most manifest in Bosnia where “the settlement seemed morally wrong and politically impractical, but still necessary in order to end violence of a scale and intensity not seen in Europe since the end of the Second World War.” Thus, while the institutions adopted at Dayton take the logic of consociation to an extreme, and as such are not the sort of power-sharing arrangements that most consociationalists would recommend, it is worth recalling that to even get agreement on these

institutions was a grueling process.\textsuperscript{36} Common to all three cases, then, was the belief that consociational rule was the only arrangement likely to promote stability and the only arrangement likely to gain cross-community assent at the adoption stage.

What counts as necessity in the immediate post-conflict period, however, may not be as effective outside of that context. The way in which consociation is implemented and the sort of institutions adopted will have implications for the long-term prospects of system maintenance. In Bosnia, it can be argued, triage has given way to imprudent convalescence which is itself largely a product of the imposed nature of the design. That is, the international community continues to be excessively interventionist. As Gerald Knaus and Felix Martin, in an article highly critical of the OHR, write: “In BiH, outsiders actually set [the] agenda, impose it, and punish with sanctions those who refuse to implement it.”\textsuperscript{37} The routinization of the Bonn powers promotes a scenario in which politicians are exculpated from making difficult political decisions. This is a major drawback to the Bosnian design as the purpose of consociation is to provide the political space in which political elites can develop interethnic compromise and trust. The politicians in BiH have been deprived of this conflict-reducing opportunity. The moderating effects of consociation are only partially accessible, which helps to explain why the reconciliation process is so slow. Given the fact that major political decisions are often taken by the OHR and not by the Bosnian politicians, opportunities for the lessening of divisions are rare. The Bosnian case, then, serves as a warning against the use of excessive exogenous oversight.

This interpretation of the necessity of consociation differs from the perspective put forward by critics of consociation who argue that such practices can exacerbate divisions within the polity by encouraging those ethnic elites who have an interest in sustaining the conflict and by

reinforcing the loyalties on which such divisions are founded. Donald Rothchild and Philip Roeder adopt this perspective in arguing that power-sharing institutions “empower ethnic elites from previously warring groups, create incentives for these elites to press radical demands once the peace is in place, and lower the costs for these elites to escalate conflict in ways that threaten democracy and peace.”

That is, there are three interrelated consequences of consociational power-sharing: it casts all policy disputes in ethnic terms thereby leading to the eradication of crosscutting cleavages; it institutionalizes “a cross-group contagion of escalating demands,” whereby groups attempt to outdo one another at being the most “ethnic”; and it provides ethnopoliticians with the sort of “institutional weapons” needed to make good on their threats of escalation. In other words, consociational power-sharing aggravates ethnic divisions. This view is most pronounced in the corporate or pre-determined version of consociation, as the Bosnian case illustrates. The Dayton Peace Accords set up a series of institutions in which ethnicity is the primary criterion for representation. All levels of government require positions to be filled by members of the three constituent groups so that, for example, the presidency includes a representative from each group and deputy ministers may not come from the same ethnicity as their cabinet ministers. By explicitly casting all political positions in ethnic terms, the Dayton framework sanctions the perpetuation of ethnic politics. It is useful to note in this context that even Richard Holbrooke, the main architect of the Dayton Accords, now thinks that a shift towards a more integrationist approach is in order.

By reifying such divisive identities, this entrenchment view purports, consociation does not minimize ethnic conflict but instead provides legitimate channels for the re-emergence and perpetuation of conflict. The “hidden costs” of power-sharing are that it not only provides incentive structures for the continuation of existing conflicts, it also notifies would-be insurgents that such tactics have political rewards.\(^{41}\) Certainly, one of the main negotiation demands from the Palipehutu-FNL in Burundi has been some form of political and military power-sharing.\(^{42}\) On this view, the pursuit of power-sharing settlements is not only futile; it is also dangerous. Because it seemingly rewards leaders who perpetuate ethnic divisions—that is, ethnic institutions manifest ethnic politics—power-sharing, its critics argue, “cements the divisions that it is meant to cure.”\(^{43}\)

Yet this criticism misses the normative point: consociation is founded on the very acceptance and protection of such groups. The goal is neither to negate nor assimilate the segments of a divided polity. Rather, it is to facilitate their cooperation and in so doing make moderation politically beneficial. According to Arend Lijphart, “[i]t is in the nature of consociational democracy to make plural societies more thoroughly plural. Its approach is not to abolish or weaken segmental cleavages but to recognize them explicitly and to turn the segments into constructive elements of stable democracy.”\(^{44}\) What follows from the accommodation of rival communities is that “an extended period of inter-group cooperation should reduce divisions rather

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\(^{41}\) Tull and Mehler, “Hidden Costs,” p. 391.


\(^{44}\) Lijphart, Democracy in Plural Societies, p. 42.
than maintain or deepen them.”45 Acknowledging divisions between groups does not automatically deepen divisions.

Deeply divided places run short on mutual trust and in many respects epitomize the security dilemma where the distinction between offensive and defensive tactics is blurred.46 Each group cannot count on the other to engage in cooperative behaviour; as a result of this mistrust, the groups and their representatives become increasingly polarized. The affording of equal worth works to promote political stability and facilitates an environment in which groups can overcome the security dilemma and engage constructively with each other. It is this emphasis on inclusion as a political value that makes consociation a key tool of conflict management. It is by being as inclusive as possible, by turning “opponents into partners,” that consociation promotes political stability.47 Through the concurrence of shared- and self-rule, previously marginalized segments can come to be insiders in more than one political community simultaneously. That is, groups are allowed to be in the larger political community without having to get out of their ethnic or national identities. Part of the success for the Good Friday Agreement framework in Northern Ireland is attributed to the fact that the groups did not have to sacrifice their basic positions. Equally, the Dayton framework attempts to appease the three constituent groups. This recognition of group worth and entitlement helps to explain the lessening of divisions under consociational arrangements.

In Burundi, the Arusha framework has managed, through its explicit enshrinement of ethnicity in the institutional structure of the state, to attenuate ethnic tension to the point where the success of the framework is now measured by its effectiveness in addressing issues of poverty, corruption and standards of good governance in non-ethnic terms. In Northern Ireland,

this process of normalization, or the facilitation of conventional politics, has gone even further. The perceived extremist parties on both sides, Sinn Féin and the DUP respectively, have both moved toward more moderate positions and have been rewarded by voters for such moderation. It was inclusion in the GFA framework that allowed them to embrace moderation without the fear of a loss of electoral support. Exclusion, by contrast, would have allowed both parties to become more extreme, as they would have little incentive to promote the stability of the GFA. This would have posed a greater threat to system maintenance. As major players in government, they are faced with considerable incentives for system maintenance. This has mandated the willingness to compromise and the need for moderation. It is from the inclusion of both moderates and extremists that political moderation is forthcoming.

Yet the process by which consociation can come to have such moderating effects is decidedly difficult. Divided places are faced with a design dilemma that relates to the depth of their divisions. On the one hand, since corporate consociation provides the incentive for continued ethnic mobilization, liberal arrangements ought to be pursued. Liberal arrangements are those that allow voters to decide what issues are politically salient. Instead of reserving a number of seats for a specific group, as is done in a corporate consociation, a liberal consociation would set a threshold on executive participation (i.e., any party that reaches, say, ten per cent of the vote is entitled to cabinet positions) or employ a system like the d’Hondt formula which allocates ministerial positions in relation to a party’s share of the vote. Under a liberal arrangement, the parties that get elected may be ethnic but there is nothing that mandates this orientation. On the other hand, liberal arrangements are not sufficiently strong and may not appease minority concerns about representation. Minority groups may therefore be more likely to press for corporate guarantees. Consociational solutions are seen as attractive to conflict groups in

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deeply divided places precisely because they offer explicit guarantees of participation and representation. That is, the places that most need consociation are the ones where the groups are unlikely to settle for anything other than strong guarantees of their place in power. Here incentives are insufficient; enshrined assurances are instead required. This is the paradox of the Bosnian case: while corporate institutions were necessary to reach agreement at Dayton, such arrangements encourage the perpetuation of the sort of ethnic politics that necessitated Dayton in the first place. While corporate arrangements are more likely to be adopted, it is the liberal version that is most likely to bring about political stability.

A concomitant lesson is that consociation should be implemented alongside other conflict management strategies. That is, the comprehensive components, both internal and external, are critical for stable consociational designs in deeply divided areas. Not only are all three cases examples of comprehensive consociation, the collection of comprehensive provisions has played a significant role in facilitating stability. While it has been rightly argued that consociation plus is needed in self-determination disputes,⁴⁹ the argument should be taken one step further and be extended to all deeply divided places, particularly those in which violent interethnic conflict has recently occurred. That is, in order for consociation to promote political stability it must be of the comprehensive variant, both internally and externally. Internally, these arrangements should address such conflict-specific issues as security sector reform, decommissioning and demobilization, as well as the return of refugees and the internally displaced. Externally, when group boundaries spill across state frontiers, as in self-determination disputes but also in many post-colonial places where ethnic groups span arbitrarily drawn borders but are not necessarily engaged in self-determination struggles, cross-border arrangements may need to be adopted.

This argument is supported by the consociational cases reviewed in this thesis, which have the comprehensive components. In post-Arusha Burundi, without the facilitating role of

Tanzania and South Africa and without the presence of African Union troops, there was little prospect of reaching a peace agreement. These external components, when complemented by the internal provisions on military reform, have facilitated the movement away from conflict. While there is an international component to Burundi’s design, it does not supplant decision-making between the groups in the same way that Bosnia’s Office of the High Representative does. This sort of international involvement is preferable to the overly interventionist form such involvement has taken in Bosnia. In Northern Ireland, political stability could not have been promoted without the explicit “bi-national compromise” at the heart of the GFA. Stability moreover could not have been forthcoming without significant progress on paramilitary decommissioning and the restructuring of the police force, with these issues being explicitly tied to the power-sharing agreement between Sinn Féin and the Democratic Unionist Party (DUP). These additional components then were instrumental in getting the groups to come together in government.

What the cases demonstrate is that the relationship between deep ethnic division and consociation is twofold. On the one hand, it is likely to be seen as the only form of governance on which groups can agree. It accounts for and explicitly addresses the insecurity with which intergroup relations are conducted in situations of deep division. On the other hand, consociational practices alone may prove insufficient to promote political stability if they do not address the underlying motivations for conflict. As a result, consociational designs should be as comprehensive as possible and include additional provisions that get at the heart of the conflict. These two points, then, go a long way toward explaining why comprehensive consociation has been able to promote political stability in the three core consociational cases.

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5.2.2 Demographic Lessons

Drawing on the cases presented in Part II, it can be argued that the consociational model is not as demographically sensitive as the centripetal model. There exists a multitude of ways in which to institutionalize consociational logic in a number of different demographic settings. It has been adopted in bipolar and multipolar settings, where groups are territorially concentrated and where they are not, and where there are big discrepancies in group size and where the groups are of relatively the same size. Nonetheless, demographic considerations pose some potential problems for the adoption and maintenance of consociational practices. On the one hand, the size and location of groups will influence design adoptability, with a demographic configuration in which groups are of roughly similar sizes and are territorially concentrated most amenable to consociational adoption. On the other hand, the long-term stability of consociational arrangements is called into question by the volatility of demography. Demographic configurations are rarely static, with fluctuations in the numbers of births, deaths, and migrations suggesting a shifting dynamic between conflict groups. These shortcomings can, however, be overcome within the consociational framework, first, through the distinction between the liberal and corporate versions of consociation, and second, through the inclusion of comprehensive provisions that deal with the specific conflict in question.

Of the four consociational institutions, segmental autonomy is the most sensitive to demographic considerations. The principle of segmental autonomy is generally thought to represent a federalization of the polity. Certainly, the most obvious way in which to ensure that groups have autonomy over issues exclusive to their domain is to provide them with their own territorial unit in which they may be self-governing. Of the cases considered in this thesis, this form of autonomy is most obvious in the Entity and canton structure of Bosnia and Herzegovina, where the groups are resident in primarily monoethnic areas. Despite the Dayton provisions on

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51 Lijphart, *Democracy in Plural Societies*, p. 56.
refugee returns and the return of over one million refugees and IDPs since the end of the war, this relative monoethnicity remains. This has allowed many within the Bosnian Croat community to consistently argue for the establishment of a third Entity in which it would constitute the majority. The design of federal units in the Nigerian Second Republic also facilitated the continuous demand for new states, many of which came from minority groups in search of a measure of autonomy.

It is important to bear in mind that the consociational recommendation of autonomy is contingent upon demographic context. The absence of segmental autonomy in Burundi and the relatively weak manifestation of it in Northern Ireland, then, do not do damage to their standing as consociational cases. Rather, they demonstrate consociation’s flexibility in design implementation and ability to conform to a range of contexts. In Northern Ireland, for instance, much of the group concentration is at the residential level, which results in education, housing and workplace segregation unlikely to be rectified by territorial autonomy. Here, cultural autonomy provisions have been adopted in relation to language protection and schooling. The cross-border linkages with the Republic of Ireland, which constitute a comprehensive component to the consociational arrangement, also facilitate a sense of autonomy for the nationalist community. In Burundi, neither territorial nor corporate autonomy is needed. Where cross-community organizations are extant, as they are in Burundi, there is little purpose in demobilizing such coexistence by means of corporate autonomy. While the four consociational institutions have traditionally been presented as a concurrent package—that is, they must all be

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adopted alongside one another in order to count as consociational—this depiction is slightly deceptive. Consociationalists recommend autonomy arrangements only as a means by which to help protect minority interests. Where such arrangements are not needed, they see no inconsistency in not implementing autonomy provisions.\(^55\)

The adoption of consociational institutions, however, is made easier where certain demographic conditions are in place. In particular, it is easier to adopt a consociational framework where groups are of roughly the same size. In Northern Ireland, it became easier for unionists to accept power-sharing as the demographic margin between the groups narrowed. At the time of partition, the province was sixty-five per cent Protestant and only thirty-five per cent Catholic; today, the numbers are fifty-five per cent Protestant and forty-five per cent Catholic with the Catholic population set to outpace the Protestants within three decades.\(^56\) The unionist recognition that it may eventually become the minority, and thus on the receiving end of majority-rule, provided a strong incentive to concede power-sharing arrangements while still in a majority position.\(^57\)

The connection between the relative size of groups and consociation’s adoption potential is also highlighted in places where the discrepancy in the size of groups is strikingly disproportionate, as in the 85:14 split between Hutu and Tutsi in Burundi. Here, the principle of strict proportionality poses potential difficulties for the pursuit of political stability. Certainly, part of the problem in the 1993 design was that parliamentary representation mirrored the two groups’ respective share of the population. This left the Hutu with a large parliamentary majority.

and the Tutsi minority without any form of protection for their vital interests. Lijphart has highlighted the need for revisions to the proportionality principle where there are two groups of unequal size. Parity and overrepresentation, he suggests, offer additional protection and security to small groups. This is the rationale of the 40 per cent Tutsi representation in parliament and 50 per cent representation in the armed forces built into post-Arusha politics.

Yet both of these strategies can be problematic. First, since they require a gesture of good will on the part of the majority, they may prove difficult to adopt without some form of external constraint. The Burundi design was only adopted with some strong-arming by lead negotiator Nelson Mandela and other international and regional actors. Second, minority overrepresentation necessitates corporate guarantees, in that such representation is group-specific. That is, the only way in which to ensure overrepresentation is to pre-determine the group entitled to such protection. This means adopting the corporate, rather than liberal, version of consociation.

Another potential shortcoming of consociation is that it deals awkwardly with exceptionally small groups, as with the Twa in Burundi and the so-called Others in Bosnia, both of which account for roughly one per cent of the overall population. The most common strategy for such groups is the constitutional reservation of communal seats, as in the three seats in the National Assembly and Senate for the Twa in Burundi and strategies like the guarantee of “Other” representation in the constitutional court in Bosnia. It remains the case, however, that the “Others” in Bosnia are in effect disenfranchised from the electoral process, and in particular from the highest offices such as the joint presidency. The Jewish population in Bosnia, numbering roughly 500, has taken the issue to the European Court of Human Rights, in the quest to see the

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58 Lijphart, Democracy in Plural Societies, p. 41.
The implication is that consociations do not allow for the effective participation of those groups not aligned with the power-sharing executive and of those individuals not aligned with the constituent groups.

The approach would, similarly, be problematic in situations of extreme fractionalization, as in Papua New Guinea or Tanzania, where groups number into the hundreds. In such places, the principles of executive power-sharing and proportionality would produce bloated and unmanageable governments and veto powers would quickly result in immobilism. The perpetual push for new states in Nigeria may be also indicative of this problem. Consequently, the consociational approach is best suited to places in which there is a relatively small number of groups of similar sizes, with the optimal number probably between three to five groups.

Though, as Northern Ireland and Burundi illustrate, the approach can also be beneficial to bipolar polities.

Demographic change can also render consociations unstable. Paul Brass contends that consociation reduces the process of political accommodation to “formulas that can work only as long as processes of social, economic, and political change do not upset them.” This charge is both fundamental and not without merit. Many consociations mandate numerical enshrinement of the groups party to the consociational agreement, as in the 60:40 ratio in Burundi, parity provisions of the constituent groups in Bosnia, the 6:5 ratio for Christian to Muslim representation used in Lebanon during the National Pact era (1943-1975) and parity provisions for the two groups under the Ta’if Accords (1989-) as well as the 7:3 Greek to Turkish ratio used

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in Cyprus from 1960 to 1963. Such arrangements necessarily entail the continuing identification and mobilization of ethnic groups. That is, they represent not just the protection of groups but also their explicit promotion.\(^{64}\) This charge, however, only holds under specific manifestations of consociational design. That is, a crucial distinction exists between corporate and liberal forms of consociation. This critique, then, generally fails to recognize that consociations need not entrench group identities. In a liberal consociation, groups are not pre-determined but are instead able to self-determine via open elections. They are rewarded by virtue of their electoral support rather than by their standing as a group. By contrast, corporate consociations pre-determine groups, as in Bosnia, Lebanon, Cyprus and Burundi, and this assumes that “group identities are fixed and that groups are both internally homogeneous and externally bounded.”\(^{65}\) This leaves little latitude for the reduction of politicized ethnicity, and consociations organized along corporate lines are prone to instability because they remain static in the face of demographic change.\(^{66}\)

The argument for allowing groups to self-determine themselves, then, appears significant. Because of demographic fluidity, there is a need to be wary of corporate provisions that assume a static demographic composition. Once groups have been given specified rights and accommodation, they are unwilling to forsake these rights, even in the face of demographic change. This “irreversibility” makes for instability over the long term. This was the case in Lebanon where, as the percentage of the Christian population began to fall, it became increasingly difficult for it to justify—but remained unwilling to sacrifice—its privileged

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position. The National Pact not only ensured that Christians would outnumber Muslims on a 6:5 basis in parliament, it also ensured that the position of president would be permanently occupied by a Christian. These numbers were based on the 1932 census, at which point Christians were a majority and Muslims a minority. While the numbers in parliament remained static, demographic change led the Muslim community to eventually become the majority in the country. The corporate consociation had difficulty keeping pace with social change and this, in part, contributed to its collapse.

Liberal consociational arrangements are further advantageous because they provide the political space for the lessening of ethnic divisions. It rewards those issues and identities that resonate with voters, whether they are ethnic, ethnonational or otherwise. It is also flexible enough to incorporate whatever divisions may arise in the future. As such, a preference for liberal rather than corporate consociation seems clear. The interrelated factors of the size and number of groups suggest, however, that this preference confronts its own adoption dilemma. Two of the three full consociations considered here have pre-determination criteria for group representation. Only Northern Ireland does not specify exact numbers, though it does require the specification of a national affiliation (unionist, nationalist or other) and its parliamentary voting provisions on cross-community consent and weighted majorities read, in some sense, as a proxy for corporate guarantees. The extent to which it is liberal is thus suspect. Burundi’s 1993 power-sharing arrangement failed in large part because it did not provide enough reassurance to the much-smaller Tutsi population that its vital interests would be respected. Yet the 2005 constitution, which provides for the pre-determination of the numerical representation of the two groups, has

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been much more effective at promoting political stability. The Croats in Bosnia, considerably fewer in number than their Serb and Bosniak counterparts, also benefit from pre-determined thresholds. Indeed, Lijphart acknowledges that the major problem with the self-determination or liberal consociation principle is that it precludes the application of minority overrepresentation.\textsuperscript{70} This suggests that the proportionality principle is often difficult to effectively implement. Overall, however, the demographic implications for consociation suggest that liberal arrangements are preferred as they are better able to account for the inevitable variations in the demographic configurations of deeply divided places.

5.2.3 Consociational Outcomes

The cases reviewed here suggest a track record of growing political stability. Consociational arrangements are now proving successful in Northern Ireland and, more recently, in Burundi. Burundi witnessed isolated incidents of intergroup violence in September 2007 and into early 2008 but with the Palipehutu-FNL committing itself to the Arusha peace in May 2008, the country is clearly moving forward. The fact that the country has maintained an overall commitment to peace and has been able to bring all the major groups into the peace process should thus not be discounted. Northern Ireland, for its part, has entered a new stage in its peace process with the introduction of second-generation leadership following the retirement of Ian Paisley, First Minister and leader of the DUP. Bosnia, meanwhile, is moving toward its own authentic political stability. While much of the problem in BiH stems from the international community curtailing the effective power-sharing ability of the Bosnian politicians by way of the Bonn powers, the Dayton institutions have also made some space for moderate politics.

The consociational cases reviewed here also illustrate the point that context does indeed matter. The demographic issues of group configuration (i.e., group size, number and location) and changes to that configuration over time suggest a preference for liberal variations. Yet the issue of deep division suggests that the choice between self-determination and pre-determination may be more nuanced than Lijphart, McGarry and O’Leary contend. The issue of deep division suggests, secondly, that comprehensive consociation is preferable to the Lijphartian state-centered version. The record of consociational solutions suggests that some restrictions qualify its claim to function as a general model of conflict management and institutional design. Yet, while not a panacea, in its comprehensive form consociation has proven capable of promoting political stability in deeply divided places.

5.3 Centripetalism versus Consociationalism in Mildly Divided Places

This thesis has examined six cases of deeply divided places wherein either consociational or centripetal arrangements have been implemented. In so doing, I have argued for the adoption of consociational practices in deeply divided places and have further suggested that centripetalism in such places may produce some unintended incentives for extremism over moderation, which makes the pursuit of political stability an elusive goal. To reinforce this argument, it is useful to briefly consider one additional example: the Canadian province of Ontario, which proves an effective counter-example to the six deeply divided places considered in the thesis. Ontario has a high level of ethnic diversity, but it is not deeply divided. If anything, it can be considered as an example of mild division, or a plural rather than a divided polity. In this outlier case, Ontario almost went in a partly consociational direction in the lead-up to the 2007 provincial election but has since retained its majoritarian/integrationist status quo. The point of the exercise here is to explain further why context matters. Consociation is appropriate to deeply divided places but may
prove inflammable outside of this context. However, centripetalism would also be an unlikely choice for mild division. As the case of Ontario shows, mildly divided places do not require special conflict-managing institutions. They are able to get on with typical majoritarian institutions of the integrationist (not centripetalist) variety.

Ontario is the largest of Canada’s ten provinces, in terms of geography, economy, and demography. Covering over one million square kilometres, accounting for 40 per cent of Canada’s total GDP, and with a population of twelve million, “no other province approaches it in population, in the size and diversity of its economy, in accumulated wealth, or in the amount of financial, corporate, and media power concentrated in its capital city.” While Quebec and French-English relations have dominated much of the national political landscape, Ontario has quietly served as a model of political stability. What is striking about this stability is that it has occurred in an environment of increasing ethnic diversity.

Despite the number of French-speakers comprising four per cent of the population, the province itself is not officially bilingual. The occasional overture towards unilingualism is also made, with a number of municipalities declaring themselves unilingual (i.e., English). On the whole, however, French-English relations in Ontario are reasonably depoliticized. In addition to its linguistic diversity, the province is also home to an expanding number of immigrants. At 39.5 per cent and 11 per cent respectively, British and French origins still inform much of Ontario’s demographic picture. However, changing immigration patterns are painting a new “ethnocultural portrait”: new immigrants now account for 27 per cent of the provincial population and roughly 20 per cent identify as visible minorities. This makes the province home to 54 per cent of all

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visible minorities in Canada and more than half of all new immigrants. More than two and a half million Ontarians have a language other than English or French as their mother tongue. According to the 2006 census, the three largest groups of visible minorities include 794,200 Ontarians of South Asian origin, 577,000 Chinese, and 473,800 Black. Much of the ethnic diversity is concentrated in the southern part of the province. Toronto, Ontario’s capital and the largest city in Canada, is particularly diverse, with 44 per cent of its residents born outside of Canada. Of Toronto’s foreign-born population, 79 per cent are visible minorities. Toronto’s outlying areas are equally multiethnic: Markham counts 65.4 per cent of its population as visible minorities, while visible minorities account for around 45 per cent each in Richmond Hill, Mississauga and Brampton. By contrast, visible minorities account for only two per cent of the populations of the more northern cities of Greater Sudbury and Thunder Bay, where population numbers in general are considerably lower.

The province has always been thought of as “relatively easy to govern.” Though part of a larger Canadian context that exhibits semi-consociational attributes, Ontario is organized as a typical integrationist democracy. It uses the single-member plurality electoral system where broadly centrist political parties compete in 107 ridings. As is typical under such a system, there are two large parties and one smaller party. The political party system, inclusive of the right-leaning Progressive Conservatives, the leftist New Democratic Party, and the Liberal Party, which tends toward the centre, is organized primarily along ideological lines and is also broadly

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76 Ontario, “Census 2001 Highlights.”
integrative in composition. One-party governments of lengthy tenure are also the norm; the
Progressive Conservative Party, for example, enjoyed 42 consecutive years in power, from 1943
to 1985.78

The 1980s and 1990s witnessed several alternations in governing party: the Liberals in
1985, the New Democratic Party in 1989, followed by two terms under the renewed Progressive
Conservatives. The Liberal Party, under leader Dalton McGuinty, received its second consecutive
popular mandate with the 10 October 2007 election. In this election, the party captured 66 per
cent of the seats and 43 per cent of the vote, having campaigned on a “middle-of-the-road”
platform.79 The election campaign itself was dominated by two issues: funding for faith-based
schools and the issue of electoral reform, with the holding of Ontario’s first referendum in 83
years on a proposed move to a mixed-member proportional (MMP) electoral system. The faith-
based funding initiatives, spearheaded during the campaign by Conservative leader John Tory,
would have given greater segmental autonomy to Ontario’s religious communities. Had the
referendum on electoral reform passed, it would have brought the principle of proportionality
firmly into the political system. In so doing, it would have likely brought coalition governments
and a proliferation of political parties to Ontario politics. With an end result affirming the status
quo on both accounts, these two issues, had they proven successful, would have given a
consociational edge to the majoritarian system.

The issue of public funding for faith-based schools has always been “one of the
province’s most contested issues.”80 Its political pedigree dates back to the time of Confederation,
when Ontario consisted of a large Protestant majority and a substantial Catholic minority,
accounting for roughly seventeen per cent of the population. Assurances of cultural survival were

78 Elections Ontario, “Composition of Legislatures Following Ontario Elections,” available at
80 Jennifer Wilson, “Faith Based Schools” Canadian Broadcasting Corporation, 17 September 2007,
granted to the Catholic minority in the form of public funds for elementary schooling in the Catholic religion. This policy was later extended to secondary schooling under the Conservative government in 1984. Thus, while Catholic schools receive one hundred per cent of their funds from the provincial government, all other faith-based schools remain part of the private education system. This stance has proven controversial in the past, with at least two court challenges brought against the provincial government on this policy of perceived favouritism. In *Alder v Ontario* (1996), the Supreme Court of Canada found in favour of the government, arguing that parents were free to send their children to public secular schools or private religious ones.\(^81\) In *Waldman v Canada* (1999), which was brought before the United Nations Human Rights Committee (HRC), the plaintiff, a Jewish parent from Toronto who argued that the funding of only Catholic schools violated his right to “equal and effective protection against discrimination” as prescribed in Article 26 of the International Covenant of Civil and Political Rights, won. The government, in its defence, argued that its public education policies represented a “rational means of fostering social cohesion” (i.e., integration) and that the elimination of funding to Catholic schools would be seen as “undoing the bargain made at Confederation.” The HRC, however, concurred with Waldman but left it to Canada to decide on a corrective course.\(^82\) The Ontario government, however, chose to maintain the status quo.

The issue was again revived at the June 2007 Conservative party convention where party leader John Tory announced a proposal to extend public funding to all faith-based schools in the province along the lines of the Catholic schools. The proposal then found its way into the party’s election manifesto in which it was argued that the policy would “achieve more effective

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integration of Ontario’s increasingly diverse student population into the mainstream of our province.”83 Both the NDP and the incumbent Liberal Party quickly voiced their dissent. Liberal Minister of Education Kathleen Wynne argued that such funding strategies would only lead to social fragmentation in a setting as diverse as Ontario. Rather, what Ontario needed was “to be promoting inclusion and to be promoting understanding among different people, and that can best be done in the publicly funded system as it exists now.”84 Despite warnings from party insiders that the policy would be divisive, Tory kept with the proposal.

Though the Conservative plan had the support of the Multi-Faith Coalition for Equal Funding of Faith-Based Schools, a small organization which represents a variety of religious private schools across Ontario, the Tory policy appeared as very unpopular with the general population and served to fracture the party itself. An Environics poll conducted at the mid-point of the election campaign noted that 58 per cent of Ontarians opposed the policy while only 35 per cent supported it. Forty-three per cent of Conservatives, meanwhile, supported the proposal but another 48 per cent opposed it.85 A poll conducted by The Strategic Counsel uncovered even further opposition; in that survey, a full 71 per cent of voters opposed the policy. Even among religious communities and visible minorities, support was minimal: 69 per cent of visible minorities opposed the policy as did large majorities among the religious communities, with only the Evangelical Christian community actively supporting the policy.86 Though he held firm to the funding proposal throughout most of the campaign, Tory did concede in the week leading up to the election that, if elected, he would put the issue to a free vote. By this point, however, Tory’s

decision to back down from the controversial policy had little electoral impact; he not only lost his own riding, but the Conservatives captured only 26 seats to the 71 won by the Liberals.\(^{87}\)

The impetus for the referendum on electoral reform, meanwhile, came out of a Liberal-appointed multiparty legislative committee established in 2005. From this the Citizens’ Assembly on Electoral Reform was established, which drew together 103 voters, one from each of Ontario’s then 103 ridings. From September 2006 to April 2007, the Citizens’ Assembly familiarized themselves with the politics of electoral reform and engaged in public consultations and town hall meetings. The Citizens’ Assembly recommended a mixed member proportional system (MMP) in which 90 members of provincial parliament (MPPs) would be elected under the current first-past-the-post system while another 39 would be elected by the list form of proportional representation (PR). The Assembly put forward three main reasons for its recommendation of the MMP system: it would enhance the level of choice for voters, it would produce fairer election results and it would give rise to stronger representation.\(^{88}\) The recommendation was then put to a public vote; a referendum was organized to occur alongside the legislative elections on 10 October 2007. In order to pass, the proposal needed to achieve a super-majority—sixty per cent of the total vote and at least fifty per cent in half of all constituencies.

While the faith-based funding issue was hotly contested, electoral reform proved to be a non-issue. Voter awareness of the referendum and the issue it addressed was minimal; in one poll, only twelve per cent of voters claimed to “know a lot” about the issue while 47 per cent admitted to knowing “nothing at all about the proposal.”\(^{89}\) This lack of voter awareness was compounded


by a formal stance of neutrality by the two largest parties, the Liberals and Conservatives. Only the NDP came out in favour of the proposal. The Conservatives, however, at the last minute, decided to reject it, arguing that it would create “two classes of MPPs,” and would only serve to empower party bosses and not voters. The initial platform of neutrality, however, made it difficult for electoral reform to become a publicly debated issue. In the end, it failed to resonate with voters. The proposal was roundly rejected; 63.1 per cent of voters in 102 ridings opted to keep the existing first-past-the-post system. Only five districts met the 50 per cent requirement for accepting the MMP proposal.

The election campaign was consequently an exercise in the status quo. With the Liberals returning with a majority for a second term and with policies on both faith-based school funding and electoral reform defeated, the post-election period represented a return to integrationist politics as usual. From the perspective of ethnic conflict management, this represents a positive development, as Ontario is the sort of place in which consociational practices are unnecessary. MMP has a number of worthwhile attributes, such as enhanced female representation and a reduction in the number of wasted votes; yet, as a device for the management of ethnic diversity, it would likely breed more division than would the existing system. List-PR systems are known for their tendency to fragment the party system and to empower small, extremist parties. Where ethnic divisions are acutely felt and where, as a result, groups feel marginalized from the system, list-PR acts as an important tool of inclusiveness. Yet, the political parties in Ontario are already

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92 The five ridings were: Beaches-East York, Davenport, Parkdale-High Park, Toronto-Centre, and Toronto-Danforth. See Elections Ontario, “Statistical Results.”
broadly inclusive and able to attract support from among the different communities. In the 2007 election, for example, support for the Liberals among visible minorities was 42 per cent, and 29 per cent for the Progressive Conservatives. As a result, there is no need to empower smaller parties. Similarly, the faith-based funding initiatives would have reinforced differences between groups and the fact that such policies attracted little support from even the religious communities at which the policies were directed, suggest the redundancy to the Tory plan.

This is precisely the sort of problem with Kenneth McRae’s proposal that Canada requires a clearer articulation of subcultural difference in the form of ethno-linguistic parties. As McRae sees it, Canada’s catch-all political parties which practice an internal form of accommodation should be replaced with political parties organized along segmental lines. Brian Barry has rightly taken issue with this prospect, calling it “reckless” and arguing that it would inevitably result in citizens lining up behind extremist leaders, which in turn would produce the very sort of instability McRae seeks to avoid. Indeed, McRae misses the point: consociation should be a policy of last resort; places that have diversity but not deep division are unlikely to require such excessive measures. Consociation is a strategy for places that already have political mobilization along segmental lines; it is not intended to create such mobilization. This is illustrated in the political history of Ontario. The province is ethnically diverse and as a result of widespread immigration is home to a large number of groups. Yet it has a long pedigree of moderate politics and integrative practices. According to a leading Canadian consociationalist Sid Noel, “in Ontario, which has received immigration on a scale matched by few other societies, the political culture tends on the whole to be strongly integrative in that the great bulk of new

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94 The Strategic Counsel, Race for Queen’s Park, p. 23.
95 Kenneth D. McRae, “Consociationalism and the Canadian Political System,” in Consociational Democracy: Political Accommodation in Segmented Societies, Kenneth D. McRae, ed. (Toronto: McClelland and Stewart, 1974).
immigrants readily absorb it. Indeed, most seem to find it very much to their liking." Politics in Ontario works with a set of conventional majoritarian institutions that have proven to be sufficiently integrative for both the immigrant population and the Franco-Ontarians. A special package of consociational institutions is thus not only unnecessary, but would also be potentially dangerous.

Similarly, a package of centripetal institutions is not needed in Ontario. This is, in part, because the sorts of incentives centripetalists recommend (electoral incentives to attract broad-based support and centrist political parties) are already in place: the political parties that practice moderation and which are widely inclusive are rewarded at the polls. Moreover, when they do tend to more narrowly group-defined platforms, they risk losing electoral support, as the Conservatives learned in 2007. A further reason why a shift to centripetalism is not in order is that such a move would not guarantee that the incentives remain in place. The example of Fiji is illustrative here, where the introduction of the Alternative Vote exacerbated divisions between the groups and tended to reward the more extremist parties at the expense of the moderates. Centripetalism contains many integrative features but it is useful to recall that, as with consociation, it too begins with the starting point of parties organized along ethnic lines. It assumes that ethnicity is already a politically salient cleavage but it does not set out to make it politically salient. Making the move to such an arrangement may very well lead to this happening. The point is that the system in Ontario works as it stands, a point reaffirmed by the voters in 2007. Adopting either consociational or centripetal institutions could potentially jeopardize the province’s political stability.

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5.4 Conclusion

In this chapter, I have outlined the overarching implications for the institutional design of power-sharing practices stemming from a review of the case studies presented in this thesis. I have explained why centripetalism suffers both an adoption problem and a problem of system maintenance in deeply divided places. The model requires a sufficient degree of preexisting moderation and heterogeneity in order for its incentives to work. Yet a preexisting level of moderation implies the absence of deep division. This makes it a particularly inappropriate tool of conflict management for deeply divided places. I have also suggested that comprehensive consociation is capable of promoting political stability in deeply divided places. This is because it takes seriously the depth of divisions between groups and offers guarantees of protection for insecure groups. Yet I have also highlighted consociation’s own adoption problem: to receive consent, consociational institutions are often of the corporate variety, which may make for longer-term problems of system maintenance. Nevertheless, I have argued that, based on the core consociational cases covered in this thesis, comprehensive consociation has a solid track record of promoting political stability in deeply divided places. I then followed up this argument by demonstrating, via a brief examination of Ontario, that both consociation and centripetalism would be ill-advised for mildly divided places.
Chapter 6

Conclusion: Context Reconsidered

The study of ethnic conflict management and institutional design for divided places represents what can be called a “first-order question” in that it is not only a question to which scholars repeatedly return, it is also a question of importance for non-specialists and average citizens.¹ It is of a first order because intellectual knowledge is meant to translate into policy outcomes. Not only is it meant to contribute to academic debate, but it is also intended to trigger more effective political action.² “The principal impediments to democracy in severely divided societies do not derive from deficiencies of knowledge,” Donald Horowitz argues; “[t]he problems are not intellectual but political.”³ More astutely, the problems are both political and intellectual. The study of institutional design for divided places is plagued by an intellectual conflict that constrains the prescriptive value the field is intended to offer.

The upshot of the intellectual conflict over power-sharing practices has been to create a dichotomous choice in recommendations for institutional design in divided places. As a result, consociationalism and centripetalism are generally considered the only democratic alternatives on offer. Yet it would seem, as outlined in Chapter Five, a plethora of restrictions need to be placed on the recommendation of centripetalism as a general model of conflict management in cases of deep division. This creates a situation in which, if centripetalism is too context-sensitive and too

¹ On first-order questions, see James Mahoney, “Knowledge Accumulation in Comparative Historical Research: The Case of Democracy and Authoritarianism,” in Comparative Historical Analysis in the Social Sciences, James Mahoney and Dietrich Rueschemeyer, eds. (Cambridge: Cambridge University Press, 2003), p. 132.
under-tested to have wide-ranging appeal, then the only other available alternative is some form of consociational democracy. The track record of consociation in deeply divided places can breed some confidence in this statement. Northern Ireland is on track to be a consociational success, or as Rupert Taylor, a critic of consociation, puts it, it “shines as the brightest star in the new consociational universe.” This is followed by the more tentative but nonetheless still positive case of Burundi. Bosnia may be an example of imposed stability, initially held together by international resolve, but it too is showing signs of an emerging endogenously-based stability.

However, considerations of context remain, largely due to the intellectual conflict, insufficiently studied in the literature on institutional designs for power-sharing practices. Too much emphasis is instead placed on disparaging the rival approaches of consociationalism and centripetalism rather than on explicating the context conducive to either. The intent of this thesis has been to suggest that the context in which either model is applied will have important implications for the ability of either to promote political stability. Specifically, I have argued that centripetalism is unable to promote political stability in situations of deep division. Further, it can actually contribute to an escalation of political instability when adopted in such places. I have also argued that consociation represents a vital tool of conflict management in cases of deep division. Its ability to promote political stability makes it a superior choice in the institutional design of power-sharing practices. In order to promote stability, however, it should be used as part of a wider package of conflict-managing tools known as comprehensive consociation. Indeed, it is the collection of comprehensive components that allows the consociational institutions to get on with the business of political stability. By this I mean, consociation acts as

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the facilitating framework in which important questions of accommodation can be addressed, which the comprehensive components do.

The starting point for this research project was the problematic presentation of consociationalism and centripetalism as universal prescriptions of ethnic conflict management. These presentations stemmed from Arend Lijphart’s arguments about “consociational democracy or no democracy at all” and from Horowitz’s argument that only a modified majoritarianism is needed in even the most severely divided places. The findings presented in this thesis suggest that the universal marketing of consociationalism and centripetalism does not withstand empirical scrutiny. In other words, the “either-or” presentation of the models should be supplemented with a “where-and-when” understanding that favours the adoption and maintenance of consociational institutions in deeply divided areas.

Consequently, it can be argued that the “where-and-when” of centripetalism is decidedly narrow, perhaps in pre-conflict situations of mild division and where certain demographic criteria, such as the geographical spread of groups, hold. Further, the necessity of centripetalism in mildly divided places is also open to debate. As the case of Ontario demonstrates, such places can enjoy political stability without centripetal practices. The “where-and-when” of consociation, alternatively, includes places with very deep divisions, as in post-conflict zones, and where the groups are limited in number but high in their proportion of the population. The overall implication, then, is that a polity’s depth of divisions will inform prospects for both the design of institutions and for their ability to promote political stability. A further implication is that a polity’s demographic configuration will limit the range of places to which the models should apply in the first instance and it will also suggest the specific manifestation of power-sharing required in the last instance.
From the overarching argument that context matters follows a number of ways in which it matters. Here, I outline four such arguments: (i) centripetalism does not work in deeply divided places; (ii) consociation, especially when of the comprehensive kind, can work in deeply divided places; (iii) both centripetalism and consociation are sensitive to demographic factors; and (iv) because consociation works now does not mean that it will always be necessary. In what follows, I briefly discuss these points.

### 6.1 Rejection of Centripetalism

The most important lesson to be drawn from this thesis relates to the recommendation of centripetal practices in deeply divided places. I have argued in this thesis that an intellectual conflict over the respective merits of consociationalism and centripetalism hinders the practical application of power-sharing practices in deeply divided places. The evidence presented in this thesis confirms that the consociational-centripetal dichotomy is indeed a false one: centripetal practices rarely promote political stability in situations of deep division and should not, as a consequence, be considered a serious alternative for deeply divided places. The Second Republic of Nigeria worked, albeit very briefly, primarily because of military imposition (thereby skirting the issue of voluntary adoption). By comparison, Fiji, Sri Lanka, Northern Ireland—Sunningdale, and Republika Srpska failed to promote moderation and political stability. Not only are centripetal practices overly context-specific, the adoption of such institutions outside of an appropriate context may actually serve rather to deepen divisions than to mediate them. As Donald Horowitz’s explicit recommendation of centripetal institutions for deeply divided places

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like Sri Lanka, Fiji and Republika Srpska suggests, this nuance in context is greatly underappreciated.

The major constraint placed on the ability of centripetalism to promote stability in situations of deep division is its need for a sufficient level of pre-existing moderation. “Making moderation pay,” as Horowitz recommends, assumes that politicians will want to reach out to voters across the ethnic divide and that voters will want to support the politicians of other groups. This, however, may not always be the case. The model may require moderate platforms, but deeply divided places, because they are deeply divided, often lack such moderation, at least the sort of level sufficient for centripetalism. As a result, where extremist parties already enjoy widespread support, centripetal arrangements like the Alternative Vote may facilitate their victory. It may, in this sense, be more politically advantageous to present extremist platforms rather than ones premised on cross-community cooperation. In so doing, it brings to power the very parties the model is intended to shut out of the political process. What is more, when it does result in centrist coalitions, excluding extremists does not make them go away. It can, however, make them even more inclined to foster a setting of political instability.

To be clear, I am not suggesting that moderation does not bring about political stability; in fact, quite the opposite. The willingness of groups and their leaders to engage in cross-community accommodation for the purposes of political stability presupposes some moderation. What I am suggesting, however, is that centripetal institutions cannot induce the sort of moderation it requires in order to promote political stability. This point can thus be formulated accordingly: *centripetalism is of limited value to deeply divided areas and should not be recommended as an institutional strategy of conflict management in such places.*
6.2 Recommendation of Consociation

“Free institutions,” John Stuart Mill once argued, “are next to impossible in a country made up of different nationalities.” There is an intuitive undercurrent to this argument in that deep division is often what triggers political instability in the first place. It is this intuition that prompted Mill and subsequently Alvin Rabushka and Kenneth Shepsle to argue that democratic government is not possible in divided places. The argument presented in this thesis, however, is that political stability is possible in divided polities as long one gets the institutions right. On this Arend Lijphart is correct: “it may be difficult, but it is not at all impossible to achieve and maintain stable democracy in a plural society.” In order to get the institutions right, I have argued, they should promote a consociational form of government. Consociational arrangements can be defended both on pragmatic grounds as a form of triage that can stop the fighting, and on the normative grounds that it promotes a sense of equal worth between groups, or a “parity of esteem,” as it is phrased in Northern Ireland’s Agreement.

I have argued further that where consociation has promoted stability in the cases examined in this thesis, it has done so as part of a broader package of conflict-regulating mechanisms I have called comprehensive consociation. Certainly, all three of the consociational cases—Bosnia and Herzegovina, Burundi and Northern Ireland—have such comprehensive elements as part of their designs. Moreover, it is also the case that these comprehensive features go a long way toward stabilizing intergroup relations. The link between these comprehensive elements and political stability is most manifest in the Northern Ireland case where progress on

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police reforms and arms decommissioning was expressly tied to the functioning of the consociational institutions. What this means is that while consociation may work as a facilitating environment in which to pursue other forms of conflict management, it cannot do all the causal work in the promotion of political stability.

In many deeply divided places, then, consociation represents the preferred option, but only with the qualifier that it should function as one part of a broader institutional strategy for conflict reduction. That is, its success will likely stem from its inclusion in larger conflict-regulating packages. The ability of consociation to promote political stability in these places has been buttressed by the inclusion of issues traditionally outside the scope of consociational settlements into the overall institutional design. Where group boundaries spill across state lines, as in Bosnia and Northern Ireland, the regional dynamic may need to be worked into the design. Where the security apparatus, as in Northern Ireland’s police force or Burundi’s armed forces is the exclusive domain of one group (Protestants and Tutsi, respectively), security sector reform can be worked into the institutional design. In cases with large numbers of displaced persons, as in Burundi and Bosnia, that too may need to be incorporated into the design stage. These additional components can be geared to the specific conflict issues that the polity in question is confronting, and are thus able to be much more context-specific. In so doing, they are able to get to the heart of what motivates conflict. This lesson can be formulated accordingly: comprehensive consociation can promote political stability in deeply divided places.

A caveat to the recommendation is in order. Consociational institutions are thought to work best when they distribute executive seats among parties based on election results, i.e. when consociation is “self-determining” in nature.10 The difficulty is that many consociational

agreements are actually based on “pre-determined” or corporate categories, i.e. they distribute seats to particular communities in advance of election results. However, while self-determining institutions are superior to the pre-determined variety, which specify in advance which groups will be party to the consociational arrangement, they run into an important practical difficulty: consociational settlements are generally negotiated at the very point at which group identities are most politically salient. That is, consociation is of most value to places where groups are highly skeptical of the intentions of other groups. This mistrust makes it difficult to concede liberal consociational arrangements, which in turn presents the model with an adoption dilemma.

This is most potently illustrated by the Bosnian example. From the position of a liberal consociationalist, there is little of redeeming value in the Dayton design other than its rejection of ethnic majoritarianism. Its rigid institutional rules on ethnic representation combined with its static interpretation of ethnicity make for a protracted reconciliation process. Yet, if liberal consociational designs were easily adopted, then we would not be left with Dayton-style designs. The reality, however, is that corporate guarantees à la Dayton are often the only form of power-sharing groups will concede. Groups with any type of bargaining leverage will not see liberal arrangements, which provide only the possibility of a share in power rather than a guarantee of it, as acceptable. That is, they will push for pre-determined, not self-determined institutional arrangements. As a result, liberal consociation may be preferred for the purposes of promoting long-term political stability but corporate consociation is more likely to be adopted. This point can thus be formulated accordingly: despite its intrinsic merits, liberal consociation suffers a serious adoption problem.
6.3 Demographic Destiny?

The next point is that demography also plays an important, if secondary, role in the adoption and maintenance of specific designs. This prompts the question, first asked by Myron Weiner: is demography destiny? The answer appears to be: only partially. Demographic considerations will play an integral role in shaping the path of institutional design by limiting the range of political institutions that may contribute to political stability. Demography appears as most important at the design adoption stage. Because of its appeal to majority groups, centripetal institutions may be adopted but not contribute to conflict abatement or political stability. This is the case in Sri Lanka. The demographic superiority of the Sinhalese facilitated the adoption of the Supplementary Vote, which, while it gives the illusion of minority consideration, offers only the mildest of incentives for moderation on the part of the majority group. Nigerian federalism, in turn, worked because of its ability to simultaneously cut across the core groups while empowering minority groups.

Consociational solutions, by contrast, appear as more attractive to minority groups because they include explicit provisions on their empowerment and provide them with a sense of equal worth. This is especially the case with smaller minorities, like the Tutsi in Burundi and the Bosnian Croats in Bosnia. The implication is that, if given the choice, centripetalism is likely to be preferred by majorities who do not, under centripetal arrangements, have to sacrifice their share of power but need only take account of minority interests (i.e., institutions that facilitate minority influence). Minorities, on the other hand, will be more likely to push for consociational institutions that sanction both a degree of self-rule as well as a share in power (i.e., institutions that facilitate minority office-holding). Before agreements on institutional design can be reached,

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it is important to recognize that majorities and minorities begin from radically different starting-points.

The system maintenance of either design is affected by demographic considerations. Centripetalism, for example, needs widespread heterogeneity (i.e., in the party system, in individual constituencies, territorially, and polity-wide) for the realization of its electoral incentives. Even where the adoption dilemma can be skirted by way of imposition, a polity’s demographic composition plays a significant role in system maintenance. Unipolar and bipolar settings, as in Republika Srpska and Sri Lanka, where the majority is considerably larger than the minority, allow for majority victories whether or not they adopt moderate stances. In addition, the unit boundaries of administrative federalism are much easier to draw where groups are territorially dispersed.

The connection between demography and system maintenance is most direct under consociational arrangements of the corporate variety, which pre-determine the level of representation of relevant groups. The problem here, however, is that a group’s demographic share of the polity may not always correspond with its share of political representation. This is true in two ways. First, provisions on parity and overrepresentation may give a group a larger role in government than its relative size vis-à-vis other groups would suggest. While this may go a long way toward minority empowerment, it may not be as readily accepted by the majority, which, as a consequence, has less representation than its demographic numbers would suggest.

Secondly, these provisions may need to be re-negotiated over the medium to long term in order to keep abreast of demographic change. Indeed, the self-identification of groups as minorities may be temporally contingent; this will also affect prospects for system maintenance. That is, due to demographic variables like migration patterns and birth rates, over the long term today’s majority may be tomorrow’s minority and vice versa. It is at least in part this fluctuation
in demographic standing that brought a more flexible unionist majority to the negotiating table in Northern Ireland. Even when it does not result in a reversal of majority and minority position, any significant change in the size of groups may make for instability where corporate guarantees are in place. Demographic change is intimately connected to long-term system maintenance. As a result, demographic considerations influence the adoption potential and system maintenance of specific power-sharing designs.

6.4 Consociation’s Long-Term Prospects

As a whole, these points suggest that the intellectual conflict can be resolved in favour of consociation. Centripetal arrangements have largely proven incapable of promoting political stability, and in situations of deep division may in fact serve to deepen divisions rather than to promote moderation, as centripetalism claims to do. Consociation, however, has been able to not only promote stability; it has also facilitated the growth of moderate politics in deeply divided places. The consociational inclusion of both moderates and extremists holds some of the explanatory power here. Bringing extremists (i.e., extremists who are ready for a degree of compromise) into the institutional fold may prove tumultuous, at least initially, but in the end provides incentives for system maintenance associated with the privilege and perks of governing. Reaping the benefits of being in government gives parties the incentive to keep the system going. By contrast, centripetalism is insufficiently inclusive: in purposely excluding extremists, the model provides those very groups who gain the most from instability reasons to reject political stability. That is, extremists can do as much damage outside government as they can inside. The intellectual conflict, by creating this false choice between consociationalism and centripetalism in deeply divided places, detracts from the more important question of how to best implement consociational institutions without succumbing to the shortcomings of its corporate version.
The final concern relates to the long-term utility of consociation as a means of conflict management, a point not explicitly addressed in this thesis. Consociational democracy is generally recognized by its supporters as necessary to deal with deep divisions and conflict, as involving emergency “triage.” However, underscoring this idea is the suggestion that consociations should only be temporary in nature and should be capable of evolving into more traditional (impartial) majoritarian forms of democracy, once divisions have lessened and the emergency has passed. One way to ensure this happens is to explicitly provide in the terms of the settlement that consociational provisions have an expiry date; this was, for example, the strategy employed in South Africa (1994-99).

The difficulty here, however, is that conflict groups, particularly minorities, are usually unwilling to agree to expiry dates in advance, as they cannot be certain of when the transition to a “normal” society will occur. The question then arises: are consociational institutions that do not have expiry dates capable of organic decay? Are they “biodegradable” and exactly under what conditions? A potential line of future research, then, would be to follow the long-term political trajectory of consociational cases to see if consociation can be made to be, as is claimed by Lijphart, “superfluous.” A guiding question for this research would be to ask what institutions should follow consociation in order to protect against a slide back into political instability.

None of what has been argued in this thesis should preclude the point that ethnic relations are inherently dynamic and ever-evolving. It is, as such, important to stress that while a particular design may well be suited to a particular divided polity at a specific point in time and space, it does not imply that that design should be a permanent fixture of the political terrain. The choice between consociation and other forms of conflict management does not simply occur within

13 Lijphart, Democracy in Divided Societies, p. 228.
different polities; it is a choice that must be made within particular places at different historical junctures. This is precisely the argument presented in this thesis: context does, in fact, matter.
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