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Economic Welfare, International Business and Global Institutional Change

Edited by

Ram Mudambi
Associate Professor, Fox School of Business, Temple University, US and Reader in International Business, University of Reading, UK

Pietro Navarra
Associate Professor of Economics, University of Messina, Italy and Research Associate, CPNSS, London School of Economics, UK

Giuseppe Sobbrio
Professor of Public Economics, University of Messina, Italy

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Edward Elgar
Cheltenham, UK • Northampton, MA, USA
5. Institutional design in plural societies: mitigating ethnic conflict and fostering stable democracy*

Bernard Grofman and Robert Stockwell

A fundamental challenge faced by many countries is the accommodation of ethnic and religious diversity (Diamond and Plattner, 1994). Nations which are multiethnic in character but in which ethnic differences have been minimized in importance are commonly referred to as pluralistic. In contrast, plural, or 'deeply divided,' societies are those where politics is organized largely or entirely along ethnic lines, and two or more ethnic groups compete for power at the center of the political system. The potential for severe ethnic conflict is greatest in plural societies. In the worst case, in plural societies we may have civil wars between competing ethinies that are fought with genocidal fury, as in Rwanda. But even in pluralist societies there are many domains where ethnic conflict remains possible, even if it is confined to individual acts of intolerance or small-scale protests or the occasional so-called 'race riot.'

In the post-World War II period, transnational migration, including an influx of people from former colonies (for example, Algerians into France, Indians and West Indians into the UK) and international refugees (whose recent impact, relative to total population, has been especially marked in Scandinavia), has led to significant changes in the ethnic composition of a number of industrialized nations. Moreover, ethnic issues that had previously been kept off the political agenda (for example, Quebec nationalism in Canada, Catalan nationalism in Spain, Scottish nationalism in the UK) have led to ongoing negotiations and/or major political reorganizations, including in many instances a large dollop of devolution/decentralization. In the US, changes associated with the Immigration Reform Act of 1965 and the Immigration Reform and Control Act of 1990 have led to a remarkable transformation of the ethnic landscape, with Hispanics soon to eclipse African-Americans as the nation's largest ethnically-defined minority, and substantial increases in immigration from various Asian nations as well. Moreover, in 'settler' nations such as Canada, New Zealand and the United States, long-buried issues about land claims and other rights of 'first peoples' reemerged. In these and other pluralist nations, issues of national identity and of the meaning of citizenship have risen in political importance. Elsewhere in the world, the ending of colonial empires, including most recently the breakup of the Soviet Union, has created a multiplicity of states whose borders do not coincide neatly, or at all, with ethnic territorial boundaries, but where repressive former colonial regimes are no longer in place to suppress ethnic conflict.

In the study of the link between ethnic diversity and the prospects for democracy, two key questions are debated: 'Is democracy possible in plural societies?' And, if so, 'What are the mechanisms by which democracy might be achieved/strengthened?' Students of ethnic conflict are deeply divided over the prospects for democracy in plural societies. One camp argues that, in plural societies, democracy is inherently unstable. In such societies, it is argued, conflicts over division of resources will inevitably be fought primarily along ethnic lines, and thus will be inherently unresolvable, especially if the ultimate question is 'Who owns the state?'.

Indeed, it can even be argued that democracy, or at least attempts at democracy, can exacerbate conflicts in plural societies. As Brendan O'Leary, Chair of the Political Science Department at London School of Economics, and an expert on Northern Ireland, observed in a panel broadcast on BBC radio in April 2000: 'Democracy can cause conflict because it nationalizes territories, suggesting exclusive rights for one people, the Staatsvolk, the nation... Unchecked democracy... can drive conflict.' On the other hand, Sisk (1996, p. ix) observes that 'democratic practices offer greater promise for long-term peaceful conflict management.'

In this chapter we will be interested in political arrangements in both pluralistic and plural nations, but almost all our attention will be on nations in the latter category. Our concerns in this chapter are also limited in a variety of other ways. Our focus will be on the impact of ethnic conflict on the prospects for democratization, and conversely. Even more importantly, our discussion will deal exclusively with institutional arrangements that might facilitate inter-ethnic accommodation and/or might mitigate the importance of ethnicity for political decision making so as to permit democracy to survive. Also, because the literature on ethnicity and ethnic conflict is vast, we will deal with many of the central issues in this literature (for example the debate about the extent to which extent identities are primordial in nature as opposed to manipulable at both the personal and the societal level, and the debate about whether particular ethnic conflicts, such as that in the former Yugoslavia,
could have been avoided) either not at all or only in passing. Similarly, we will only touch upon important questions such as when does ethnicity become politicized, or what are the conditions that lead from mere ethnic differences to actual ethnic conflicts (especially the likelihood of ethnic hostilities that lead to loss of life), or how can we best negotiate reduction in/reconciliation of ongoing ethnic conflicts. Moreover, we make no claim to new major theoretical insights. Rather, we wish merely to provide a useful literature review based on a simple (2 x 2) typology of institutionalist approaches that is original with the present authors.

Because we focus on institutions, a few words about how we view institutions are in order.

First, we share with Madison and Hamilton the Federalist’s assertion of the importance of political institutions and the notion that political institutions can be viewed as matters of explicit choices and tradeoffs.

Second, institutions may be thought of as either dependent or independent variables; sometimes used to explain and sometimes themselves in need of explanation (for example, as to origins and continued existence).

Third, when thinking about institutions as objects of choice, by and large, we share the view expressed in John Ferejohn’s pithy observation (personal communication, 1981): ‘Preferences for outcomes condition preferences for institutions.’ In that context, we would emphasize how the power of different actors affects the choice of institutional rules. Frequently institutions are merely crystallizations of societal power relationships. Of course, this is not always true. Like the verminum principle, some institutions (for example, in the US, a bicameral legislature with two equally strong chambers) remain and have consequences long after the power relationships that brought them into being (for example, concerns about the relative power of large states and small states) have little or no current importance.

Finally, sometimes, especially where there are sufficient aspects of (long-term) choice behind a veil of ignorance and/or non-zero sum problems of coordinating collective action, institutions are better viewed primarily as problem-solving mechanisms. Thus, unless we understand the nature of the problem(s) to which particular institutional solutions are being directed, we are not likely to correctly understand the bases for the choices being made or the likely consequences of those choices.

This role of institutions as problem-solving devices is neglected if we look at institutions as a set of norms or as a synonym for a set of game-rules, or if we view institutions as primarily naturally evolving entities rather than objects of choice. Unfortunately, in what is the closest to definitive review of different theoretical approaches to the study of institutions, Crawford and Ostrom (1995), the problem-solving aspect of what an institution is all about is not even mentioned explicitly, despite its centrality in Ostrom’s own seminal work

on institutions to solve collection action problems for common pool resources. Moreover, even those economists or political scientists who see institutions as problem solvers tend to focus on only one kind of problem, for example, how the organization of the firm provides a way to minimize transactions costs (Coase, 1937), or how choice of a particular kin rule can solve the problem of balancing off costs and gains from collective action (Buchanan and Tullock, 1962), or how institutions can solve the problem of cycling among multidimensional alternatives (Shepsle, 1979 and Shepsle and Weingast, 1981). In contrast, earlier students of institutional design such as Madison and Hamilton, emphasized plural goals: in the Federalist, we see the notion that institutions can be the solutions to important problems: for example, harnessing self-interest, preventing factionalism, assuring that choices reflect long-term perspectives that resist the passions of the moment.

Elsewhere, one of the present authors (Grofman, 2000) has identified seven specific problems that constitutional arrangements might be directed to solving: to assure popular sovereignty, to prevent the rise of tyranny, to improve the competence of decision making, to prevent corruption, to foster participation, to protect liberty, and to strengthen the power of the polity to act collectively. Here we are interested in institutions that can facilitate political stability within societies divided along ethnic or religious lines, within the context of democratic politics.

**INSTITUTIONAL DESIGN AND ETHNIC CONFLICT IN PLURAL SOCIETIES**

In line with an insight of the noted sociologist Robin Williams (personal communication, February 2000), we believe it important to distinguish two bases for ethnic conflict: (1) fundamental conflicts over national identity, that is, over ‘Who owns the state?’ and (2) more focussed conflicts over particular resources or competition for jobs (for example, perceived unfair competition from immigrant Chinese vis-à-vis native Malays in the rubber business, or disputes about mineral or grazing or fishing rights).

For modernization theorists in political science, economic and political development is supposed to promote integration of ethnic groups based on national identities that override and displace ‘parochial’ attachments (Almond and Powell, 1966; Deutsch, 1953; Huntington, 1968). For Marxists, ethnicity has always represented a form of false consciousness that masks the class character of society; for them, to focus on ethnicity is to miss the ‘real’ driving force behind political conflicts (Brown, 1989). Similarly, economists who look at ethnic conflicts tend to view ethnicity as an epiphenomenon to ‘real’ interests in which an economic calculus of greed is masked in the guise of ethnic
conflict. For example, Paul Collier, of Oxford University, an economist who is presently Director of Research at the World Bank in Washington DC, in the same April 2000 panel discussion broadcast on the BBC from which we have taken a previous quote stated: 'A lot of rebellions are either directly motivated by looting of natural resources or are financed and sustained by looting of natural resources. If we look at Africa, we find a number of rebellions, which are clearly related to diamonds. In the recent rebellion in one West African country, as soon as the rebel leader was offered the Ministry of Natural Resources, he stopped the combat. He was getting what he wanted without having to fight for it.'

However, it may not be possible to assuage ethnic conflict simply by bribing or otherwise coopting ethnic leaders, settling property rights disputes, or limiting economic competition between ethnicities. Sometimes one group is seen by another as 'polluting' by their mere presence or by virtue of the 'heretical or blasphemous' nature of the ideas they espouse (Moore, 2000). As Brendan O'Leary observed on the same radio program, in rejoinder to Collier: 'Paul Collier's thesis that our conflicts are primarily about greed and resources rather than grievances or inequality should prompt the question "Where are the diamonds in places like Northern Ireland or the Balkans?" Surely there, if not everywhere, what's at stake are group identities and insecurities, self-determination, sovereignty and allegiance.'

A failure to reach an adequate political accommodation of how ethnic issues will be resolved may trigger the demise of democracy and/or the escalation of ethnic conflict. In societies that are ethnically divided, politics may be the continuation of war by other means. The dominant ethnicity (ethnies) may resort to undemocratic forms of governance to keep other ethnies in a subordinate position, and a government under the control of the dominant group may even institute (or at least do nothing to stop) an ethnically-based reign of terror directed against other ethnies.

Students in the camp who emphasize the strong impediments to stable democracy in plural societies include not just the ‘usual suspects,’ that is, anthropologists, sociologists, and other theorists who take a ‘cultural’ perspective in which ethnicity is central to social identity, but Public Choice theorists who argue that ethnic resentments will be exploited by political entrepreneurs. Indeed, two noted Public Choice scholars, Alvin Rabushka and Kenneth Shepsle (1972) offer the clearest exposition of why we ought to be pessimistic about the prospects for democracy in plural societies. In the Rabushka and Shepsle model (laid out in more detail in Appendix 5.1), in plural societies, ethnic salience and ethnic outbidding undermine multi-ethnic cooperation and inevitably lead to nondemocratic, ethnically-exclusive states. The key difference between the Public Choice perspective on ethnic conflict and that of 'cultural' theorists is that scholars with a more economic perspective tend to look closely at the structure of incentives (especially for elites), rather than regarding ethnic conflicts as completely foreordained. We shall be reexamining the bases for the Rabushka–Shepsle pessimism in the light of more recent work on incentive aspects of various specific features of constitutional design.

Pessimism about plural societies is empirically grounded in the large number of plural societies that have failed to sustain democracy, or suffered repeated lapses. An abbreviated list includes Burundi, Fiji, Guyana, Lebanon, Myanmar, Nigeria, Northern Ireland, Rwanda, Sri Lanka, Suriname, and Sudan, and now, of course, most of the parts of the former Yugoslavia.

Quantitative research that looks at the link between ethnic diversity and degree of democracy is generally consistent with the expectation of a negative relationship (Bollen and Jackman, 1985; Diamond, 1992; Hannon and Carroll, 1981; Muller and Seligson, 1994; Powell, 1982). On the other hand, a few researchers find no statistically significant linkage between the two variables once other factors are controlled for (Thomas et al., 1979); and others, while recognizing the difficulty of achieving ethnic accommodation in deeply divided societies, reject the claim that stable democracy is impossible in such societies. In defense of their more optimistic appraisal, they point to plural societies that have achieved democratic accommodation (Austria, Belgium, Canada, India, Mauritius, the Netherlands, South Africa, Switzerland, and Trinidad and Tobago). The case for at least partial optimism is bolstered by the fact that at least some of these plural societies lack the wealth (and substantial middle class) that are often held to be prerequisites of stable democracy. 12

Those who hold out hope for democracy in plural societies are virtually unanimous in their belief that institutional design is the key to avoiding disaster, with constitutional engineering, particularly of electoral systems, treated as an important lever. 13 Prominent scholars of comparative politics (perhaps most notably Arend Lijphart) have asserted that majoritarian political institutions, especially single member district elections conducted under a first-past-the-post (plurality voting) rule and presidential (as opposed to parliamentary) systems, are not suited to plural societies and must be replaced. Because, in plural societies, ethnic issues are likely to be ‘trump’ cards in the quest for votes, and radical outbidding on divisive ethnic issues is pervasive (Rabushka and Shepsle, 1972; Sisk, 1996, p. 32), majority rule in such societies often ends up in permanent control over the political process by the largest (or most war-like) ethnic group, and permanent exclusion of minority ethnic groups. Similarly, the existence of a president, and the inevitable winner-take-all conflict for that office is also argued to be a factor that exacerbates ethnic tension, on the one hand, and provides a power base to the winner to use for ethnic subordination, as well (compare Lijphart, 1992; Linz and Valenzuela, 1994).
This anti-majoritarian point of view is well summarized in the remarks of Brendan O'Leary (BBC Radio, April 2000):

Democracy is understood in two ways: consensually, the rule of as many as possible; or as majoritarian, the rule of the current largest number. Where majorities change frequently these rival understandings may not matter much, but where there are peoples with different ethnic allegiances, elections may become censuses, and majoritarian democracy an engine of domination and stored grievance – as it was in Northern Ireland for fifty years; and as it was in the Republic of Serbia when it included Kosovo.

The most prominent alternative to a majoritarian design is consociationalism (Lijphart, 1968, 1969, 1977, 1991, 1996). Lijphart argues that stable democracy in plural societies requires power-sharing arrangements, where by power-sharing is meant `practices and institutions that result in broad-based governing coalitions generally inclusive of all major ethnic groups in society' (Sisk, 1996, p. vii). To achieve this end, the most clearly articulated form of power-sharing arrangements (Lijphart, 1977), consociationalism, has a particular constellation of institutional features as its hallmarks/defining characteristics: grand coalitions in parliament, proportionality rules for allocation of ministries and at all levels of government, group autonomy and minority veto. The consociational approach to democratic politics is one in which membership in discrete ethnic/religious/sociocultural groups is explicitly acknowledged, with a set of socially defined and governmentally recognized groups serving as the `pillars' of civic inclusion. Also, consociational arrangements for power sharing are based on arrangements for accommodation and bargaining among political elites. 14

However, there is a fundamental dispute between advocates of communalist perspectives (of which consociationalism is perhaps the best known variant) and those of a more integrativist bent. Thus, there is dispute between those who propose electoral systems that could be expected to strengthen party elites in ethno-based parties and foster allocation rules based on ethnic identification versus those that wish to create incentives for pan-ethnic parties and/or candidates who make cross-ethnic appeals and/or to minimize the importance of ethnicity, per se, as a basis for allocation/redistribution of societal resources. Also, there is a cross-cutting dimension: the degree of importance to be attached to designing mechanisms affecting the nature of the accommodations negotiated among political elites versus the need to affect the shape of broader social institutions and policies such as schools and language laws.

Even some who share Lijphart's lack of total pessimism regarding the prospects for democracy in plural societies question the wisdom of consociational arrangements. Among mainstream political scientists, the most forceful critic of consociationalism is Donald Horowitz (1985, 1991a, b, 1993).

Horowitz questions the consociational focus on accommodation at the elite level, and is concerned that consociational arrangements reinforce the importance of ethnic or religious cleavages. He argues for an integrative approach that seeks to deal with ethnic conflict potential through fostering political arrangements that will lead to bridging or transcending ethnic group differences. As laid out by Sisk (1996, p. 5), the goal of the integrative approach is to structure politics in such a way as to provide incentives for inter-ethnic cooperation and the creation of pre-election coalitions between ethnic parties or broad multi-ethnic parties based on interests (for example, region or common economic interests) that transcend ethnic identities.

Moreover, just as there is a dispute between advocates of communal and advocates of integrative approaches to mitigating ethnic conflicts, there are further divisions among those who advocate institutional solutions to mitigate ethnic conflict or reduce its political significance. In particular, even those who are sympathetic to the integrative approach do not have the same views about the specifics of choice among electoral rules. Horowitz (1985, 1991a, b, 1993) has been rather insistent that the alternative vote is the best electoral rule to foster voting patterns and that will cross ethnic lines and parties that will have a multi-ethnic base. 15 In contrast, Reynolds (Reynolds, 1999a; Reynolds and Grofman, 1994; Reynolds and Reddy, 1999) has argued for use of the single transferable vote (STV), 16 as have various authors familiar with its use in Northern Ireland (for example, O'Leary et al., 1993).

Our discussion of strategies to foster democratic modes of accommodation/dispute resolution in plural societies leads us to four-fold (2 x 2) categorization, whose horizontal axis represents communalist vs. integrative perspectives and whose vertical axis is the degree of emphasis on institutional mechanisms that foster elite accommodation as compared to institutional arrangements that affect the society as a whole (see Table 5.1).

The argument over the merits of mass-centered vs. elite-centered approaches can be thought of in political economy terms as, at least in part, a debate about the optimal tradeoffs between (a) making changes in those aspects of the incentive structures that are most easily changed and (b) making changes where changes are likely to have the greatest impact. Most students of ethnic politics would agree with Suzanne Lohmann's observation (personal communication, December 1999) that 'it is easier to change institutions than it is to change people.' Yet, if we succeed in changing people, that is, in leading citizens of a state to conceive of their self-interest in a different way or to see more commonalities between themselves and their fellow nationals regardless of ethnicity, this may have a far more profound effect on societal cohesion than negotiating elite deals that may, ultimately, come unglued (as in Lebanon, for example).

In contrast, the debate between integrative and communal approaches to
Table 5.1  Categorizing institutional approaches to fostering stable democracy in plural societies

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Institutions that perpetuate the importance of ethnicity but seek to minimize its negative consequences (communal institutions)</td>
<td>Institutions that seek to minimize the importance of ethnicity and/or foster a multi-ethnic character to the state (integrative institutions)</td>
</tr>
<tr>
<td>Mass-oriented</td>
<td>Specific provisions for group rights</td>
</tr>
<tr>
<td></td>
<td>Separate legal systems</td>
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<tr>
<td></td>
<td>A legal system with a strong emphasis on individual rather than group rights</td>
</tr>
<tr>
<td></td>
<td>Separate school systems</td>
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<td></td>
<td>Political distributions that are not tied to ethnicity</td>
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<td></td>
<td>Ethnically-based allocative rules for jobs, etc. that draw on the norm of proportional representation</td>
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<tr>
<td></td>
<td>Requiring a single common language or requiring multilingualism of all citizens</td>
</tr>
<tr>
<td></td>
<td>Forbidding certain markers of group distinctiveness (e.g., the veil)</td>
</tr>
<tr>
<td>Elite-based</td>
<td>Ethnically rooted (territorial) federalism with considerable autonomy for subunits</td>
</tr>
<tr>
<td></td>
<td>Forms of federalism that either do not coincide with ethnicity or that divide up ethnic blocs into multiple units so as to diminish prospects of ethnic solidarity</td>
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<tr>
<td></td>
<td>Mono-ethnic electoral constituencies (or, in the extreme, communal rolls)</td>
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<tr>
<td></td>
<td>STV in multi-ethnic constituencies (Reynolds and Reilly, 1999)</td>
</tr>
<tr>
<td></td>
<td>Elite power-sharing mechanisms (e.g., grand coalitions; minority veto, ethnically-based political parties, or, in the extreme, ethnically designated office-holding)</td>
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<td></td>
<td>The alternative vote in multi-ethnic constituencies (Horowitz, 1985)</td>
</tr>
<tr>
<td></td>
<td>Electoral rules that foster centralized elite control (e.g., list PR)</td>
</tr>
<tr>
<td></td>
<td>Use of a parliamentary rather than presidential system</td>
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</table>
The optimal set of rules is simply that in which the sum of ‘external costs’ plus ‘decision-making costs’ is minimized. Because choices that lower one of these two forms of cost tend to raise the other kind, Buchanan and Tullock emphasize tradeoffs between the two kinds of costs and complementarity across these variables, that is, we need to look at the costs consequences of each choice in the context of the full institutional specification, that is, we need to look at ‘partial derivatives.’ Hence, the costs and benefits of a particular institutional choice can only be properly weighed in the light of the total institutional package. In the context of plural societies, as noted earlier, we may readily translate from the purely individualist language of Buchanan and Tullock to one where here we may think of (some of) those whose interests need to be protected as members of a particular ethny.

A potentially important implication of the Buchanan and Tullock approach is that it suggests ‘extreme solutions’ (that is, those in which all institutions are ‘of a piece’ in terms of which type of costs they are most concerned with minimizing) are probably unlikely to be minimizing of total cost (and thus optimal from the Buchanan and Tullock perspective) in that the gains to be achieved by bringing down one type of cost are likely to be paid for by raising the other type of cost to a very high level. Thus, ‘hybrid’ sets of institutions may well prove more desirable than ones whose motivation is singularly in terms of minimizing one of the two types of institutional costs.

Before we turn to any further consideration of various of the specific mechanisms enumerated in Table 5.1 a few comments about the issues of secession/rectification of borders are in order.

The Secessioon/Partition Option

‘Self-determination’ is the rallying cry of many aggrieved ethnic groups in every . . . region of the world. In 1992 a study [commissioned by] the Carnegie Endowment for International Peace identified more than sixty states with active subnational movements seeking self-determination (Sisk, 1996, p. 1). Many of these groups were seeking their own state. Yet, as the political scientist, Samuel Huntington (1972, quoted in Sisk, 1996, p. 1) has noted, after the breakup of (colonial) empires into their component parts there has been a strong opposition to further proliferation of nation-states on the part of the major world powers. Some advanced industrial nations had minority populations with separatist leanings; to keep the lid on at home they may have sought to keep the lid on secessionist (and even regional autonomy) movements abroad. Perhaps even more importantly, during the Cold War, any changes in national boundaries were feared as destabilizing, and those on different sides in a civil war or war for independence often sought allies from opposite sides in the Cold War.

In the US, of course, secession still brings up memories of the War Between the States (a.k.a. the Civil War). Among Yankees, at least, the movement to secede is associated with a desire to oppress minorities. But the strong bias among US policy makers and academics against any further partition to create (more) ethnically homogeneous states has at least two other sources.

First, the US is committed to the nation-state as a form of voluntary social contract, joining those with a commitment to freedom and not merely those who share ties of blood or culture. Everyone can become an American. Ethnically defined states do not leave open the possibility of choice. Moreover, the exclusivity of the ‘ethnic state’ is thought likely to give rise to illiberal and even undemocratic policies – policies that do not recognize natural rights and that are likely to lead to various forms of ethnic segregation, ethnic cleansing or even genocide. Here memories of Nazi Germany still shape policy preferences.

Second, the partition of existing nations into ethnically defined segments will, if carried out to its ‘logical’ conclusion, lead to the proliferation of mini- and micro-states. Such small-scale states are thought not to be economically viable. And economic hardship is viewed as a near sure route to dictatorship, as well as a continuing push toward illegal immigration from these ‘basket cases’ to the wealthier nations of the world.

Furthermore, despite clear language about ‘self-determination’ in Article
1.2 of the UN Charter, there remains a strong ‘bias against secession in international law and practice’ (Sisk, 1996, p. 2). Still, recent events (including the end of the Cold War) have made secessionary movements at least somewhat more palatable (Sisk, 1996, p. 2). For example, the ‘clean’ separation of Czechoslovakia into Slovakia and the Czech Republic, the so-called ‘velvet divorce,’ was taken with equanimity in the West, largely because of the democratic way in which the sundering occurred and because the ethnic geography (and historic borders) allowed for partition without the gut-wrenching (and violence-ridden) movement of peoples that accompanied, say, the partition of British India into India and Pakistan. Moreover, we are unaware of any argument contemporaneous with partition that Slovakia and the Czech Republic would separately, be any less democratic than Czechoslovakia as a whole was expected to be.

Sometimes secession/partition might seem the only viable option. Nonetheless, US (and UN) policy in the former Yugoslavia has exhibited remarkable naivete about the possibility of restoring a multi-ethnic character to various regions of that war-torn area and about the need to think about ‘rectification’ of borders. Certainly the Hutu–Tutsi conflict might have been mitigated by some form of ethnic partition, with an externally monitored exchange of both territory and persons (albeit complicated by the problems of specifying who is Hutu and who is Tutsi). An attempt at international mediation in Rwanda in the early 1990s was a failure. But, as far as we are able to tell from secondary sources, neither boundary adjustment nor movement of persons was ‘on the table’ then (Kaufmann, 1997, pp. 297–8; Ganguly and Taras, 1998, pp. 241–4).

However, it is in large part a counsel of despair to think that moving borders or moving people are our only choices. There are simply too many different ethnic/linguistic groups for us to look to crafting of lines (or even movement of peoples) to be a viable solution to the ‘problem’ of plural societies. Moreover, as Sisk (1996, p. 2) reminds us, ‘formerly internal conflicts may be transformed into international conflicts,’ as with India and Pakistan and the continuing controversy over the fate of Kashmir. Thus we now wish to turn to a consideration of some of the more important of the specific mechanisms proposed in Table 5.1 as means for mitigating ethnic conflict within existing states. We may think of these as a menu of options, but recall that, following Buchanan and Tullock (1962), we are reluctant to view institutional design as ‘either/or,’ for example, designed exclusively with communalist aims in mind or designed to foster integration. Mechanisms of both types can coexist within the same political system, even if they fail to follow one or another ‘grand logic.’

The discussion that follows in no way pretends to be exhaustive. We merely illustrate some of the cases where the mechanisms referenced in Table 5.1 have been put into use.

**Territorial Federalism vs. a Unitary State**

The American poet, Robert Frost, once proclaimed that ‘Good fences make good neighbors’ (Frost, 1919). Territorial mechanisms of various sorts may be employed to minimize contacts/conflicts between ethnicities. While it might be thought that differences in patterns of ethnic concentration across wide territorial areas may be used as the basis for ‘natural’ divisions into federal units, ethnic segregation is often ‘unnatural,’ that is, fostered by both state and private action, an extreme case of which would be the creation of ethnic ‘reservations.’ In such cases, ‘fencing off’ is synonymous with oppression. In many settler states, ‘first peoples’ were driven off valuable land and confined to reservations in less desirable parts of the country (for example, the Cherokee and Seminole being transported from Georgia and Florida, respectively, to reservations in Oklahoma in the nineteenth century, or apartheid-driven white South Africa attempting to force its black population into Bantustans occupying only 13 per cent of the nation’s land surface).

Still ‘fencing-off’ of ethnicities via territorial federalism in settings where geography and ethnicity are highly coincident may be a sensible mechanism to maintain national unity in the presence of strong ethnic and linguistic divisions. The model for a federal state is one in which the central government has responsibility for matters affecting the polity as a whole, for example, national defense and foreign policy, while the states (and subunits within them) deal with more ‘local’ matters. Territorial federalism is commonly advocated as the institutional design appropriate for plural societies – at least in contexts where ethnicities are geographically concentrated. For example, Donald Horowitz, on the same April 2000 BBC radio show from which we have taken earlier quotes asserts:

I think there’s very good evidence that a great many countries could benefit from federalism and regional autonomy. Regional autonomy and federalism started out in the post-colonial world as dirty words because they were thought to be late-day versions of techniques that the colonialists used to divide and rule, but slowly over the decades many states have come to realize that there’s real utility in bringing government down to lower levels where members of ethnic groups will have more of a say over their own destiny. We’re slowly learning that.

On the other hand, because federal arrangements are seen as concessions to (separatist) minorities that challenge the dominant ethnicity’s perception of the nature of the state they may be strongly resisted. In Estonia, for example, with its large proportion (over 30 per cent) of Russian ‘colonizers,’ native Estonians are unwilling to define the state in federal terms despite the geographic concentration of Russian speakers. Similarly, in Sri Lanka, history as ‘remembered’ by
the Sinhalese majority defines the Tamils as interlopers – not entitled to a share in the state (Eller, 1999, chap. 3). At first blush there is little apparent relationship between the nation’s degree of ethnic homogeneity (or even ethnic dispersion) and its likelihood of adopting federal arrangements: some federal nations are effectively mono-ethnic (for example, Austria, Australia, Germany, Venezuela) or do not have ethnic divisions as the basis for territorial units (for example, the US), and some multi-ethnic nations are unitary in form (for example, Mauritius, Botswana, Indonesia). Nonetheless, at least if we confine ourselves to long-term democracies, a relationship between ethnicity and adoption of federal institutions does seem to emerge. As Lijphart (1999) summarizes the evidence, in long-term democracies, federal arrangements are most common in societies that are geographically large and/or ethnically and linguistically diverse, while the vast majority of monolingual and mono-ethnic states are unitary in form. India is perhaps the most striking example of a multilingual and multiethnic federal nation. While the original division of India into states did not match that well with the linguistic divisions in the country, additional states were created along linguistic lines and there was also some realigning of state boundaries in the 1950s and thereafter (Brass, 1990, pp. 146–56). Belgium (after 1993) and Switzerland also leap to mind. In both countries, language and territory tend to coincide and federal arrangements obtain.

Mono-Ethnic Electoral Constituencies/Communal Rolls vs. Multi-Ethnic Electoral Constituencies

The greater the residential concentration of ethnic groups the harder it will be to create multi-ethnic constituencies. When there is virtually perfect residential segregation it may appear inevitable that we will end up with mono-ethnic constituencies. Still, in plural societies, if we are willing to allow for very large constituencies (in the limiting case the nation as a whole), or to engage in very creative gerrymandering, we can always create constituencies with substantial proportions of more than one ethny. However, we are unaware of any country that explicitly mandates the creation of multi-ethnic constituencies. But, there are many countries where the opposite is true.

For example, in the US, as a result of recent constitutional interpretation of the Equal Protection clause of the 14th Amendment (added to protect the rights of newly freed slaves after the Civil War) and of language in the Voting Rights of 1965 and the 1982 amendments to that Act, race-conscious districting (including the drawing of ‘majority-minority’ districts) is mandated in situations where minority candidates of choice can be shown to regularly lose because of patterns of same-race voting and where there exists minority populations large enough and geographically concentrated enough to form the majority in a single member district (Grofman et al., 1992; Grofman and Davidson, 1992; Davidson and Grofman, 1994; Grofman, 1998).

The extreme case of a mono-ethnic constituency is the communal roll, where only members of a given ethny may participate (Lijphart, 1986), as in the Maori seats in New Zealand. Involving only a handful of seats, the Maori seats are relatively noncontroversial (although there have been proposals to do away with them). In contrast, in Fiji, communal seats (and communal quotas) are much more controversial because what is at stake is who will control the state (Stockwell, 2000).

Ethnically-Based vs. Non-Ethnically-Based Party Systems

When territory and ethnicity coincide, at least some parties are likely to be ethnically-based parties. There have been attempts to prevent the formation of ethnically-based parties, for example, Nigeria’s constitution had an explicit prohibition against such parties (Sisk and Reynolds, 1998, pp. 37–54). But such attempts are both anti-democratic and futile, since they may be circumvented by ethnically-based parties who officially organize around ostensibly non-ethnic issues. One of the more peculiar responses to the problem of ethnic-based conflict tied to the actions of ethnically-based party leaders came in Uganda. A June 29, 2000 referendum sponsored by President Yoweri Museveni was held on whether or not to make a multi-party system illegal, that is, to endorse a ‘non-party’ system. With 51 per cent turnout, the referendum carried, with 90.7 per cent of those voting expressing support! (Wasswa, 2000).

However, even if parties form on the basis of ethnicity, this need not be the whole story; there still may be mechanisms that allow for foster cross-cutting cleavages. For example, in Belgium, while almost all parties are either Flemish parties or Walloon parties, by the 1980s most of the major parties can be viewed as language-based halves of a larger entity which is, at root, ideologically defined, for example, the Greens have been split (since 1981) into a Flemish and a Walloon half (Ishiyama and Breuning, 1998, p. 123).

Majoritarian vs. Proportional Electoral Rules

In post-1994 South Africa, even though the ANC could have virtually eliminated any competitors if it instituted a majoritarian electoral system, it deliberately chose PR (Reynolds and Grofman, 1994) partly to reassure whites and partly because it was ideologically committed to the principle of inclusive representation.
Use of a Parliamentary rather than Presidential System

Several leading students of comparative politics (perhaps most notably Juan Linz) have argued that presidential systems are particularly pernicious in their potential for conflict, especially when coupled with constitutional arrangements that create rival centers of power. For example, ill-defined borders between presidential powers and those of the legislature can be continual irritants leading to political unrest and may trigger crises that lead to the end of democracy. These scholars call attention to the instability in presidential systems, signaled by phenomena such as the high probability of military or other coups (for example, the self-coup by Fujimori in Peru). However, this point of view remains controversial, with some scholars (notably Shugart and Carey, 1992) arguing, *inter alia*, that we need to take into account regional controls (a high proportion of all presidential regimes are in Latin America, as are a high proportion of all coups). Lijphart (1992) offers a collection of many of the most important essays bearing on this debate.

The same arguments that are used against presidentialism, *per se*, have been used to argue that presidentialism exacerbates ethnic conflicts. In particular, presidentialism implies a single powerful office that tends to generate a strong likelihood of winner-take-all competition between rival ethnicities.

Elite Power-Sharing Mechanisms

Grand coalitions

Sometimes the more comprehensive forms of power-sharing may be used only for transitional purposes. For example, in South Africa the transition from white rule took place under negotiated power-sharing arrangements that guaranteed every major (more than 5 per cent) party with a proportional share in the governing coalition. This arrangement for a ‘grand coalition’ was, however, only temporary (Sisk, 1995; Glickman, 1998; see also Johnston, 1994; Reynolds, 1994, 1999a, b).

Ethnically designated office-holding

Various countries have experimented with rules that specifically require that particular office-holders be of a given ethnicity or religion. In pre Civil-War Lebanon, there were power-sharing arrangements that made sure that not all major office-holders were from the same religious community. Similarly, constituent communal arrangements intended to provide guarantees of Fijian majorities in the legislature regardless of changing demographic realities (Lal, 1999), with 23 of the 71 seats reserved for native Fijians and only 19 for those of Indian descent.

In general, in our view, fixed quota rules are unlikely to prove stable. The problem with such rules is that they often attempt to preserve a particular status quo against changing demographic realities. Maintaining them almost invariably means refusing to permit new censuses to take place. The arrangements in Fiji, for example, have proven short-lived and the use of the alternative vote there did not have the desired consequences. In 1999, the Fijian Labor Party (FLP) not only won all 19 of the Indian communal seats but it also won 18 of the 25 geographically defined ‘open’ seats (each filled using the alternative vote), thus controlling a majority (37 of the 71 seats) in the Fijian legislature.

The FLP leader was Indo-Fijian, and assumed the position of prime minister – outraging some ethnic Fijians and leading to a successful coup (initiated in May 2000) by a group advocating a ‘Fiji for Fijians’ policy and arguing that existing constitutional arrangements failed to provide sufficient guarantees of native Fijian political control.

We are much more optimistic about a feature of the British–Irish Accord of 1998 (the ‘Good Friday’ agreement) that generated political inclusion without the need to treat religious identification as the sole touchstone of political identity in Northern Ireland and without attempting to freeze into place a particular (and otherwise temporary) balance of power. The ‘trick’ used was to require minimal representation for various parties, but to define those groupings entitled to special representation not by the religion of their supporters/representatives but by the policy positions they espouse (pro-Union, anti-Union, other).

Another intriguing and unusual feature of the ‘Good Friday’ accord that we wish to call attention to because of the potential for its adoption in other settings is the mechanism the Accord specifies to determine the allocation of ministries across parties. After the prime minister (and associate prime minister) positions are allocated, the remaining ministries are determined by using the d’Hondt rule for proportional representation. However, the rule is used to do more than just determine what proportion of the ministries each party will be entitled to – a share proportional to its share of seats among the parties in the governing coalition. The sequencing aspects of d’Hondt are used to determine which party would get the first seat, which the second, and so on. The party that is entitled to the first seat gets first pick of the ten ministries. The party that is entitled to the second seat gets second pick among the nine remaining ministries, and so on. The first use of this mechanism worked smoothly (O’Leary, 1999).

To see how this sequencing works, we observe that any method for proportional representation that can be characterized as a divisor method (Balinski and Young, 1982) can be characterized by a unique vector of divisors $(d_1, d_2, d_3, \ldots)$. These divisors are $(1, 2, 3, \ldots)$ in the case of Jefferson/d’Hondt, and $(1, 3, 5, \ldots)$ in the case of Webster/Sainte Lagüe. If there are $m$ seats to be allocated,
Table 5.2a  Illustration of d'Hondt divisor rule (elect 7)

<table>
<thead>
<tr>
<th>d'Hondt divisor</th>
<th>Party 1</th>
<th>Party 2</th>
<th>Party 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>0.47</td>
<td>0.32</td>
<td>0.21</td>
</tr>
<tr>
<td>2</td>
<td>0.235</td>
<td>0.16</td>
<td>0.105</td>
</tr>
<tr>
<td>3</td>
<td>0.157</td>
<td>0.107</td>
<td>0.07</td>
</tr>
</tbody>
</table>

Table 5.2b  Illustration of Ste Laguë divisor rule (elect 7)

<table>
<thead>
<tr>
<th>d'Hondt divisor</th>
<th>Party 1</th>
<th>Party 2</th>
<th>Party 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>0.47</td>
<td>0.32</td>
<td>0.21</td>
</tr>
<tr>
<td>2</td>
<td>0.157</td>
<td>0.107</td>
<td>0.07</td>
</tr>
<tr>
<td>3</td>
<td>0.094</td>
<td>0.064</td>
<td>0.042</td>
</tr>
</tbody>
</table>

and the \(i\)th unit (or party) has a population (vote) share of \(p_i\), the \(m\) highest quotients of the form \(p_i/d_j\) determine how many seats each geographic unit or party receives (Rae, 1971). For example, if three of the \(m\) highest quotients have \(p_{i1}\) in the numerator, then unit one/party one gets exactly three of the \(m\) seats.

Consider, for example, the allocation of seven seats among three parties, with vote shares of 47 per cent, 32 per cent and 21 per cent, respectively, as shown in Tables 5.2a and 5.2b. Here the d'Hondt and Ste Laguë rules give us different allocations.

The seven highest entries (highlighted in bold) in Table 5.2a give us three seats for party one, three seats for party two, and one seat for party three under d'Hondt; in contrast, for Ste Laguë, while we again get three seats for party one, we now get two seats for party two and two seats for party three. If we arrange the ratios, \(p_i/d_j\), from highest to lowest, the allocation of the \(m\) seats can be thought of as occurring in a particular sequence. If we are allocating seats to political parties, the party associated with the highest quotient from the set \(p/d\) can be thought of as being given the 'first' seat; the party with the second highest quotient can be thought of as getting the 'second' seat; and so on. From this insight, it is easy to think of generalizing this sequencing rule to the allocation of non-interchangeable units, for example, ministerial portfolios. Now, the party associated with the highest quotient from the set \(p/d\) can be thought of as being given the 'first pick' of ministerial portfolios; the party with the second highest quotient can be thought of as getting the 'second pick' among the set of (still open) ministerial portfolios; and so on.

For the data shown in Table 5.2a, under d'Hondt, party one gets the first, third, and sixth picks; party two gets the second, fifth, and seventh picks; and party three gets the fourth pick. For the Sainte Laguë allocation rule, as shown in Table 5.2b, in contrast, party one gets the first, third, and sixth picks, while party two gets the second and fifth picks, and party three gets the third and seventh picks. In this example, different aggregate allocations lead to different sequencing under d'Hondt and Sainte Laguë; however, O'Leary et al. (manuscript in progress) show that, even if the PR allocations are identical under two divisor rules, the sequencing need not be.

Minority veto

By requiring more than a simple majority or imposing especially complicated procedures, something very close to a minority veto may be implemented. For example, the transition phase of South Africa's transition to democracy imposed supramajoritarian requirements for certain kinds of decisions (Sisk and Reynolds, 1998).

Constitutional protection of rights

Many states have constitutions whose provisions regarding rights (or federal arrangements) either cannot be amended or require supermajorities or a popular referendum. In the 1999 Fijian Constitution, various quite specific safeguards pertaining to native Fijian rights and customs are written in. Moreover, amendment of these provisions required supermajorities in parliament (three-quarters approval) and the concurrence of the Council of Chiefs (Lal, 1999; Stockwell, 2000). Similarly, amendments to rights provisions of the new Spanish constitution require a two-thirds vote of both chambers, and automatically dissolve parliament if passed, with the proposed amendment submitted to the people for ratification by amendment (Stone Sweet, 2000, p. 59). Writing unamendable provisions into a constitution is also not unheard of. For example, it is a relatively little known fact about the US Constitution that the provision that each state must have at least one representative in the US House cannot be amended.45

Citizenship and Language Policies

Lijphart (1999, p. 196) observes that, although the Swiss Federation has four official languages, 22 of the 26 cantons (and half-cantons) are officially unilingual, only three (Bern, Fribourg, and Basel) are bilingual, and even the most linguistically polyglot (GrUBern) has only three official languages. In Belgium, the 'natural' division of the country is threefold, a Flemish-speaking area, a French-speaking area, and a bilingual area around Brussels. Nonetheless, in both countries, school policies encourage/require basic literacy in more than one language. In Spain, too, linguistic divisions are largely territorial in nature. A series of recent decisions there has given legitimacy to
Catalan, whose speakers are concentrated in Catalonia. In a number of economically developed countries (for example, Luxembourg, par excellence), virtually all citizens are, at minimum, bilingual, and many under the age of 40 are trilingual (with English as an additional language). In contrast, in Canada, while the central government has been committed since the 1960s to a policy of promoting bilingualism throughout Canada, this has been countered by Quebec insistence on French monolingualism in that province — the province in which the vast bulk of French speakers are located.

Many countries permit schooling in a ‘native’ language alongside schooling in the ‘official’ language of the country, and often such provisions are constitutionally embedded. In some countries the state takes responsibility for providing such instruction. In the US, for example, the Supreme Court held in the 1970s (in an important and still controversial decision) that students have a constitutionally protected right to be taught in a language that allows them to learn, such as their mother tongue.

When bilingual education is seen as compromising language learning in the ‘official language,’ it is often the subject of backlash. In the US, ‘bilingualism’ in the form of Spanish language instruction has been called for by some Hispanic activists, with the main pedagogical arguments being that instruction of particular topics in one’s native language speeded learning and that grammatical skills developed in learning one’s native language would carry over to acquisition of other languages. While there was little general resistance to ‘transitional bilingualism,’ when it appeared that some schools were requiring bilingual education for students for whom it had no compelling educational justification, and Spanish language instruction was being continued throughout the schooling process as a form of ‘cultural preservation’ rather than being viewed as temporary, with bilingual education serving a secondary role as a jobs program for Spanish speaking teachers and paraprofessionals (a portion of whom were effectively monolingual), given the poor performance of Hispanic students on standardized exams, the backlash was great. In California, in particular, there was a recent successful referendum to end (non-transitional forms of) bilingual education.

More generally, the growing presence of large numbers of people whose English language skills are minimal to nonexistent, symbolized in the public mind by the large influx of Spanish speakers to the US (a large number of whom are in the US illegally) has led to a number of campaigns for making English the official language of various states (most often states with large foreign-born populations), and for making English the official language of the US as a whole. (The US does not have an official language; and one state, New Mexico, is officially bilingual.)

Similar phenomena are found throughout the world. For example, in post-Soviet Bulgaria, where Article 36 of the 1991 Constitution guarantees that ‘citizens whose mother tongue is not Bulgarian shall have the right to study and use their own language alongside the compulsory study of the Bulgarian language,’ demands by the Turkish minority for ‘the recognition of Turkish as an official language [in addition to Bulgarian] . . . have enraged xenophobic Bulgarian nationalists’ (Ishiyama and Breuning, 1998, p. 25).

In many countries some level of demonstrated competence in the ‘official’ language is required for an immigrant seeking citizenship. Sometimes this language requirement is used as a barrier to limit naturalization; often it is used as a litmus test of a willingness to ‘assimilate.’ It plays both roles in parts of the former Soviet Union where there are ‘leftover’ Russian-speakers.

In Latvia, for example, knowledge of spoken Latvian is required as a prerequisite of naturalization. In 1994, Latvia also sought to set quotas on naturalization that would dramatically slow the rate at which Russians living in that country could gain citizenship. However, protest from within and outside the country led to an elimination of the quota, and in 1995 the language provisions of the citizenship law were further eased to allow those who had obtained language instruction in Latvian only schools or schools with Latvian language classes to automatically satisfy the language competence requirement (Ishiyama and Breuning, 1998, p. 95).

DISCUSSION

Even if one believes that institutional solutions can mitigate ethnic conflict and foster stable democracy, the fact that such mechanisms exist does not mean that they will be adopted. Rabushka and Shepsle (1972) warn about the incentives for elites to engage in ethnic outbidding; even the much more optimistic Sisk (1996, p. xiii) warns about the likelihood that there will only be certain brief windows of opportunity. On the other hand, integrative solutions may take decades before they shift political attitudes and reduce ethnic tensions, and there may be sparks that trigger ethnic conflicts long before these integrative solutions have had an opportunity to work. Gurr (1993) has identified 275 ‘politically significant’ ethnic groups, in the ‘Minorities at Risk’ project that he headed. Fifty-seven of the 275 groups were in open rebellion, with 21 fighting medium-to-large-scale guerrilla war, like the KLA in Kosovo (Gurr, 2000b).

Still, not all plural societies fail. Democracy has been multiply interrupted in Fiji and nonexistent in Guyana, but there have been clear democratic successes in Mauritius and Trinidad. Perhaps most importantly for optimism, India, despite a period of presidential rule under Indira Gandhi, clearly deserves to be labeled a democracy. Indeed, Lijphart (1999) treats it as one of his 36 major long-term democracies.
In the view of Stockwell (2000), democracy in plural societies depends upon the existence of cross-cutting class cleavages that mitigate ethnic divisions and the actions of ethnic elites who pursue inclusive, multi-ethnic coalitions and policies that promote relative equality in representation, appointments, and distribution. He emphasizes the choices made by ethnic elites in deciding whether or not to pursue a policy of multi-ethnic inclusiveness or ethnic exclusion. In addition to these social structural/class and elite-driven explanations of the democratic successes and failures of plural societies, here we would add the importance of good institutional design.48

But, alas, there does not seem to be a single royal road to success, nor does there even appear a royal road to failure vis-à-vis institutional design. Democratic success in Mauritius and Trinidad has been based on modified majoritarian institutions. Thus, power sharing is not a necessary condition for ethnic accommodation and relatively stable democracy in plural societies. Democracy has succeeded in Mauritius and Trinidad to the extent that it has49 because cross-cutting class cleavages provided the foundation for moderate, nationalistic ethnic elites to pursue inclusive, multi-ethnic strategies, which mitigated the centrifugal force of ethnicity and contributed to the development of civic (national) identities that tempered ethnic attachments and deepened commitment to the democratic process among all ethnic groups.50 Moreover, Fiji, which possessed semi-consociational arrangements and made use of the alternative vote, illustrates that even attempts to mix integrative and communal solutions may not overcome historical feelings of displacement generated by ethnic immigration.

Still, we do not wish to end on a negative note. Roughly 80 per cent of the ethnic groups identified in Gurr (1993) only pursued ‘ordinary’ politics, or at most engaged in non-violent protests such as mass demonstrations, to achieve their goals. For example, it was through ordinary politics that Inuits in Canada were given their own territory (Gurr, 2000b). Also, we would call attention to the incredibly complex yet very well-thought-out institutional design aspects of the British-Irish Agreement of 1998 for Northern Ireland (O’Leary, 1999).

In the end, this agreement may not work, but at least it offers hope.51

NOTES

1. We use the term ‘ethny’ to designate groups that are viewed both by themselves and by non-distinguishable from other citizens in terms of genotype, phenotype, or language, or religious (personal communication, Robin Williams, February 2000).

2. In Canada, in 1999, 20 per cent of the country’s land was used to create a new territory, Nunavut, for first peoples - with a considerable measure of self-governance and control over the area’s rich natural resources for the 22,000 Inuits who reside there (Gurr, 2000a and b).

3. This land area is rich in natural resources, so the decision to turn its resources over to native control did not come easy.

4. To observers concerned with the expansion, consolidation, and deepening of democracy around the world, the second half of the twentieth century presents a mixed picture. On the positive side, more states than ever before have made transitions to democracy (Huntington, 1991). The recent wave of democratization has seen the end of dictatorships in Greece, Portugal, and Spain; democratic openings in Eastern Europe associated with the end of the Cold War; and births and rebirths of democracy in Africa, Asia and the Pacific, as well as North and South America. These developments support a cautious optimism about the prospects for the furtherance of human rights, increased economic development, and peace. But there remain a large number of states securely locked in authoritarian rule - half or more depending on how lenient a definition of democracy is used. Also, many democratizing states subsequently reverted back to authoritarianism. Moreover, most democratic transitions remain frail, unstable, and restricted; and many face severe economic and social problems that make democratic consolidation highly unlikely (Diamond, 1999; Huntington, 1996; Schmitter, 1994; Sørensen, 1998).

5. An immense amount of energy has been spent on the ‘primordial’ vs. ‘constructed/instrumental’ debate about the meaning of ethnicity. The use of the term ‘primordial’ to refer to ethnic and kinship attachments that are thought to be virtually impossible to change and providing fundamental social identity is commonly attributed to Stilts (1957). Erell (1999, pp. 78–9) suggests that primordial theorists attribute three features to ethnicity: apriority, ineffability, and affectivity. Apriority means that ethnicity is ‘just there, sacred or founded upon characteristics that individuals are born into and cannot deny.’ Ineffability means that ‘primordial ethnic groupings are inexpressible, inexplicable, overpowering and coercive in their social effect.’ Affectivity emphasizes ‘the essentially emotional nature of ethnicity (with constant reference to ties, bonds, attachments, and sentiments).’ For primordialists, the combination of these aspects of ethnicity makes ethnicity something whose effects can best be thought of as “irrational or at least nonrational”. Some primordialists even offer a sociobiological basis for the intensity of ethnic attachments (van den Berghe, 1967).


7. Our typology has a strong resemblance to that in Sisk (1996, pp. x–xi), but we have added a second dimension to better structure the discussion about alternative perspectives.


9. This perspective is closely related to that common in the political economy ‘new institutionalist’ literature, in which institutions are viewed as game-theoretic equilibria, but we would pay far more attention to considerations of political, military and economic power and considerably less to formal definitions of equilibrium than most game theorists do.

10. Grofman (2000) matches these problems (not intended to be an exhaustive list) with institutional solutions offered by three different schools of thought: the classic Athenian approach to direct democracy, the Madisonian approach to representative democracy, and contemporary Downswian and neo-Downswian approaches. Each of these traditions tends to address only some of the seven problems identified above.
11. One of the present authors is completing a dissertation that involves a comparative analysis of ethnic conflicts and democratization in Fiji, Guyana, Mauritius, and Trinidad (Stockwell, 2000).

12. In its classic articulation, Seymour Martin Lipset (1959, p. 75) writes, ‘[t]he more well-to-do a nation, the greater the chances that it will sustain democracy.’ High levels of wealth provide resources that mitigate the tensions produced by political conflicts. Economic development brings about higher rates of literacy and education, urbanization, and the development of mass media, factors conducive to democracy. A large and educated electorate are especially good candidates for addition to the selective list of key representational variables: equality of treatment of voters, committee structure within the legislature, ease of constitutional amendment, and degree of legislator/legislative accountability. In addition, the domain of governmental action, a central concern of the early chapters in Calculus in our view, ought, we think, to be explicitly identified as one of the key variables in determining an optimal form of representation.

13. However, even scholars who disagree with what my colleague, A Waffle (personal communication, April 1, 1996), has referred to as the ‘dough and gloom’ view of the potential for democracy in plural societies would be likely to recognize the importance of other conditioning factors: perhaps, most notably, overall economic productivity and growth, degree of income inequality across ethnic groups, and the demography of ethnicity—which with highly fractionalized plural societies generally regarded as having more hopeful prospects for democracy than those in which there is a single dominant ethnic and one (or more) major contender(s). For example, work by one of the present authors, Stockwell (2000), argues that there are two critical factors that can operate in plural societies to prevent the consolidation of a multidimensional ethnic politics. The first is demographic/socioeconomic, and has to do with the existence of cross-cutting class cleavages that mitigate the effects of ethnicity, by providing the material basis for ethnic elites to forge and sustain multiclass and multi-ethnic coalitions and strategies. The second is the actions of ethnic elites themselves. Also, students of international relations (see for example, Grew and Tausch, 1998) have looked at the role of external (uninvolved) players in either helping to resolve or helping to exacerbate ethnic past involvements in ethnic conflicts in parts of Africa, such as Mozambique, that became proxies for Cold War conflicts between the US and the Soviet Union.

14. We take the key distinction between power sharing and majoritarian approaches to be the former’s emphasis on consensus and fall inclusion. We take the key element of consociationalism to specify a particular form of power sharing (compare Saks, 1996; Ferejohn, 1983). If a candidate receives a majority of first-preference votes, the candidate with the fewest first-preference votes is eliminated, and, for those ballots where she was first choice, votes are reallocated to the next candidate on the voter’s list. This process continues until one candidate receives a majority of first-place preferences.

15. The single transferable vote, also known as the Hare system (and, in Australia, as the Hare-Clarke system) requires that voters must rank order their preferences for candidates. The quota of votes (the integer greatest bound of the quotient \( \frac{n}{m} \)) to which each candidate receives a Droop quota of first-preference votes, the candidate with the fewest first-preference votes is eliminated, and, for those ballots where she was first choice, votes are reallocated to the next candidate on the voter’s list. This process continues until exactly m candidates have seats remaining to be filled.

16. A key ingredient of critical race theory is the recognition that the ‘integrated versus consociational’ dimension of consociational arrangements.
29. The most extreme form of such a fencing-off of ethnicities is, of course, ethno-based partitioning. This was attempted by the British in dividing British India into (primarily Hindu) India and that eventually resulted in a successful movement of displacement west and east Pakistan into Pakistan and Bangladesh.

30. In many countries, ethnic territories are perceived to be defended by tactics ranging from legal enforcement of restrictive covenants to the cross-burnings, beatings and beatings carried out by white-robbed self-proclaimed protectors of ethnic purity or their latter-day equivalents, to militarized state sanctioned ethnic cleansings.

31. As Muir (1975, p. 103) observed: "The Bantustans are best interpreted in a political rather than as a humanistic context, and we authorizes the authorities hope that they will join an illusion of Bantu independence and reduce the dangerous high levels of Bantu in the four major South African cities." According to Muir (1975, p. 103), it was anticipated that 'new industries will be established in white towns bordering the Bantustans, and that the Bantu, leaving their rights.'

32. However, as Morton Grodzins, one of the leading students of US federalism, once observed: 'layer cake' (Grodzins, 1963) that is, domains of responsibility tend to overlap rather than much into designations of states as federal or unitary. For example, the Soviet Union even before recent devolution of power to republics below the Westminster model, was a federal state in Northern Ireland and permitted a separate legal system in Scotland.

33. For more general discussion of federalism, see Mueller (1956, chapter 6).

34. For example, the Ceylon Citizenship Act No. 18 of 1948 deprived all Indian Tamils of citizenship (Ellis, 1999, p. 124).


36. But India also has a provision of electoral rules and certain provisions that allow the central government to assume local power in 'emergencies.' Of course, the powers of linguistics groups and their geographic dispersion makes it impossible to create one language, one state' federalism in India.

37. Also, minorities may choose whether or not to participate in the communal roll or be enrolled in a geographically-defined constituency.

38. For more general discussion of the Nigeria see Diamond (1991), Nnoma (1993), and Carlin (1999), proportional allocation rules that implement a kind of 'spatial system' - either formally (as government jobs) or those nominated by party representatives of the various parties, in a fashion that was roughly proportional to party strength.

39. In addition, there were 3 communal seats reserved for groups other than native Fijians and Indians, and 1 seat for Rotuma.

40. For details see O'Leary (1999). For discussions of the background to the British-Irish and accords see McGarry and O'Leary (1999), O'Leary and McGarry (1993 [1996]), O'Leary et al. (1993).

41. In the 1999 BBC Radio program from which we have previously taken material, Donald Horowitz observes that a constitutional framework should structure incentives and, at the same time, 'leave open an area of uncertainty about exactly how those are going to be structured.' An sequencing rule for proportional allocations has that feature.

42. The London School of Economics political scientist, Brendan O'Leary, who has served as an adviser to the Labour Party on Northern Ireland was the first to suggest this mechanism d'Hondt. Subsequently, he (and one of the present authors) learned that this exact mechanism was not original with O'Leary but had actually been used since the 1950s in allocating ministerial offices to parties in local governments in Denmark (O'Leary et al., manuscript in progress).

43. Rights provisions in the German constitution are considered to be possessed of 'supraconstitutional' status, a natural law position (Stone Sweet, 2000, p. 39).

44. Many western scholars have criticized the insistence on language competence in the 'official languages' as a prerequisite for normalization in countries like Latvia and Estonia as illiberal and undemocratic.

45. When ethnic conflict is at a nascent stage of tensions, parties may be unwilling to embrace power-sharing practices because they are not sufficiently desperate for solutions (Sisk, 1996, p. xiiii), or because they see their own side triumphing at relatively little cost to themselves. At a late stage of conflict, after significant violence and/or enemies may be too deep for parties to share power for mutual benefit (Sisk, 1996, p. xiii).

46. For example, according to Stockwell (2000) democracy has failed to take hold in Fiji not only because insufficient cross-cutting class cleavages among Fijians mitigated against multihedonic strategies, but because ethnic Fijian elites sought to achieve exclusive Fijian control over the state. Similarly, he argues that democracy failed in Guyana despite the existence of cross-cutting class cleavages because ethnic elites, locked in a power struggle, pursued strategies of ethnic exclusion that provoked ethnic conflict.

47. There remain important discontent among darker-skinned citizens in both Mauritius and Trinidad. In Mauritius, skin color matters even among Afro-Mauritians, that discontent is greatest among the Africans who are locally referred to as having 'no milk in their coffee,' that is, darker-skinned blacks. Discontent among this group was evidenced by rioting in 1990 following the death in police custody in Kwa, an Afro-Mauritian reggae singer. Afro-Creoles felt marginalized and excluded from three decades of economic growth. They remain the most economically disadvantaged group in Mauritius (News Report on Mauritius, 'The World' National Public Radio, February 25, 1999). Similarly in Trinidad, Afro-Trinidadians (especially those of darker skin) feel that they remain marginalized economically and socially. Demonstrations of discontent came with the Black Power movement of the 1970s as well as the Muslimi rebellion of 1990 (Stockwell, 2000).

48. Democracy in Mauritius is aided by the fact there is no single majority bloc: the native population is in the minority and the Indian population is divided among Hindus and Muslims. (The country is 60.0 per cent Indo-Mauritian, 27.0 per cent Creole [African Creole, Colored Creole], 3.0 per cent Chinese and 2.0 per cent White [Franco-Mauritian]. Mauritians are largely tri-lingual, speaking French, English and a native language.) In Trinidad, there is also arguably no single majority bloc (The country is 40.3 per cent Indo-Trinidadian [East Indian or Indian], 39.6 per cent Afro-Trinidadian [African, Black], 18.4 per cent Mixed Colored, Asian, and so on), and 0.6 per cent White, 0.4 per cent Chinese, and 0.7 per cent Other.

51. We may think of this agreement (in the spirit of the Oliver Wendell Homes poem) as a 'wonderful one hour's play.' It may last for a long time or it may fall apart early, but if it is implemented it is likely to be implemented 'all of a piece.' Remove one part and the whole may collapse.

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APPENDIX 5.1: THE RABUSHKA AND SHEPSLE (1972) MODEL

The plural society perspective is grounded in the work of J.S. Furnivall (1948) and M.G. Smith (Kuper and Smith 1969), but its most systematic application to understanding the problem of achieving democracy in plural societies is Alvin Rabushka and Kenneth Shepsle’s (1972) Political in Plural Societies: A Theory of Democratic Instability. Writing in the early 1970s, and trying to explain why a large number of African and Asian plural states failed to maintain democracy following decolonization in the 1950s and 1960s, Rabushka and Shepsle make three simplifying assumptions regarding ethnic preferences. The first is intracommunal consensus: ‘the members of an ethnic community perceive and express preferences about political alternatives identically. Thus all members may be represented by identical “ethnic preference functions” ’ (p. 67). The second assumption is intracommunal conflict: ‘ethnic communities are in disagreement on all issues that face the collectivity’ (p. 67). The third assumption is perceptual consensus: ‘alternatives are viewed according to a perceptual frame common to all actors ... [A]mong the various communities, and especially among elites, there is agreement as to what constitutes the set of available alternatives. Moreover, how these alternatives benefit or harm each community is readily apparent’ (p. 69).

Rabushka and Shepsle (1972) construct a five-stage paradigm to demonstrate why democracy is inherently unstable in ethnically-divided societies.

The first stage (pre-independence) is marked by elite-level inter-ethnic cooperation. Throughout this period, ethnic differences are submerged by colonial rule (a common enemy) and common aspirations for independence, which explains the early successes of African and Asian democratizing states (pp. 74–5). It is during stage two (post-independence) that strains begin to develop in the multiethnic coalition over the distribution of resources. Politicians respond by generating demand for national issues (for example, development) and remain intentionally ambiguous on communal issues (pp. 76–80). If they do this successfully, the multi-ethnic coalition remains in power.

Stage three (the early period of democratic rule) marks a critical turning point in the democratization process. The state’s ability to manage the pressures created during this stage determines whether or not it spirals into a deeply divided society or evolves to become more pluralistic in orientation. During this period, national issues lose their salience, politicians ‘fan the flames’ of ethnic chauvinism, and ethnic appeals made by outbidders strain the unity of the multi-ethnic governing coalition (pp. 80–82).

According to Rabushka and Shepsle’s theory, multi-ethnic coalitions cannot be sustained during stage three because of the actions of outbidders.
Outbidders are ethnic entrepreneurs who adopt extremist ethnic positions designed to advance the interests of a particular ethnic group. The success of outbidders depends on their ability to convince ethnic group members that ethnic extremism is necessary to protect the group from domination by other groups. If their appeals resonate, then outbidders can pressure moderate ethnic leaders to become more extremist by accusing them of ‘selling out’ their ethnic group. If the ethnic appeals of outbidders do not find a receptive audience, then outbidders will have little impact on the direction of politics in plural societies.

Rabushka and Shepsle suggest that, in most plural societies, outbidders are successful in pushing ethnic elites toward more extreme ethnic positions. The force that underlies their success is the ever-increasing salience of ethnicity. It is during stage four, when ethnicity becomes the defining political division, that the governing multi-ethnic coalition disintegrates. In plural societies that have become hyper-ethnicized (where ethnicity defines all political matters), multi-ethnic appeals no longer find an audience. Ethnic elites have difficulties cooperating with each other when forced by outbidders to mend fences in their ethnic communities. When ethnic elites can no longer appeal to multi-ethnic constituencies, they end up falling back on ethnically-based parties, which furthers the ‘security dilemma’ inherent in a situation of low social trust and intense ethnic division.

During stage four, ever-increasing ethnic salience, the divisive impact of ethnic outbidders, the consolidation of ethnically-exclusive parties, and the breakdown of trust and cooperation among ethnic groups inevitably leads to the creation of an ethnically-exclusive state, where public goods become the preserve of the advantaged ethnic group and ethnicity the criterion for their distribution. The state’s inability to ensure the nonexcludability of public goods reinforces ethnic attachments and drives a spiral of deligitimation. Individuals seek out alternative sources of public goods and bases of statehood in their ethnic community. In a vicious cycle, ethnic communalism breeds attitudes of illegitimacy that reduce the states’ effectiveness and thereby contributes to greater illegitimacy (pp. 82–6).

For Rabushka and Shepsle, the creation of an ethnically-exclusive state inevitably leads to the fifth and final stage, where democracy collapses and ethnic conflict ensues. Given ever-increasing ethnic salience and deepening ethnic divisions, the actions of outbidders, and the breakdown of multiethnic parties, ethnic movements emerge that demand total control over the state. Driven by concerns for communal self-preservation, ethnic elites exploit the state to secure and maintain ethnic group advantage. Democracy collapses because the temptation for majorities to enhance their power and minorities to seize power by nondemocratic means is overwhelming. The end of democracy is ushered in either shrewdly, through the exploitation of voting rules and methods of representation, franchise qualifications and vote counting, and gerrymander, or blatantly, through disenfranchisement, jailing opposition leaders, deregistration of political parties, forced emigration, militarist interference, and violent intimidation (pp. 86–8).

In addition to empirical support, an obvious strength of the above approach is its delineation of process. By identifying key stages in the democratization process, it focusses our attention on critical junctures and forces that operate to bring about nondemocratic outcomes. Nevertheless, a critical weakness of plural society theory is the fact that it predicts only one outcome: instability and the end of democratic rule. Therefore, plural society theory cannot explain successful democracy outcomes. For example, it cannot explain how Mauritius and Trinidad (defined as plural societies by Rabushka and Shepsle) have managed to sustain stable democratic rule since independence.

NOTE

1. This model appears to be supported by the large number of plural societies that failed to maintain democracy and avoid ethnic conflict from the 1950s to the present. For example, it describes Guyana’s democratization process quite well: ever-increasing ethnic salience created a unidimensional politics based on deep ethnic divisions; Guyanese elites played the ethnic card, contributed to increased ethnic salience, turned away from multietnic accommodation, and constructed an authoritarian regime based on ethnic exclusion and repression (Stockwell, 2000).