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ETHNIC POWER SHARING: THREE BIG PROBLEMS

Donald L. Horowitz

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In societies severely divided by ethnicity, race, religion, language, or any other form of ascriptive affiliation, ethnic divisions make democracy difficult, because they tend to produce ethnic parties and ethnic voting. An ethnic party with a majority of votes and seats can dominate minority groups, seemingly in perpetuity. Some version of this problem informs the politics of a great many severely divided societies.¹ In severely divided societies with ethnically based parties, ordinary majority rule usually results in ethnic domination.

Two commonly proposed methods of amelioration are called *consociational* and *centripetal*. Consociationalists generally try to solve the problem by establishing a regime of agreed guarantees, including proportional group participation in government and minority vetoes of ethnically sensitive policies. Their solution is to replace the adversary democracy of government and opposition with a grand coalition of majorities and minorities. By contrast, centripetalists do not propose to substitute a consensual regime for majority rule, but attempt instead to create incentives, principally electoral incentives, for moderates to compromise on conflicting group claims, to form interethnic coalitions, and to establish a regime of interethnic majority rule.

Both consociationalists and centripetalists presuppose that ethnic groups in severely divided societies will be represented by ethnically based parties. The goal of both is interethnic power sharing. Their differences lie in contrasting conceptions of the best governing arrangements for such societies. Consociationalists aim at mandatory *postelec-*

THE SEYMOUR MARTIN LIPSET LECTURE ON DEMOCRACY IN THE WORLD

Donald L. Horowitz delivered the tenth annual Seymour Martin Lipset Lecture on Democracy in the World on 7 November 2013 at the Canadian Embassy in Washington, D.C., and on October 30 at the Centre for International Studies at the Munk School of Global Affairs at the University of Toronto. The title of his lecture was “Ethnic Power-Sharing and Democracy: Three Big Problems.”

Seymour Martin Lipset, who passed away at the end of 2006, was one of the most influential social scientists and scholars of democracy of the past half-century. A frequent contributor to the *Journal of Democracy* and a founding member of its Editorial Board, Lipset taught at Columbia, the University of California–Berkeley, Harvard, Stanford, and George Mason University. He was the author of numerous important books, including *Political Man*, *The First New Nation*, *The Politics of Unreason*, and *American Exceptionalism: A Double-Edged Sword*. He was the only person ever to have served as president of both the American Political Science Association (1979–80) and the American Sociological Association (1992–93).

Lipset’s work covered a wide range of topics: the social conditions of democracy, including economic development and political culture; the origins of socialism, fascism, revolution, protest, prejudice, and extremism; class conflict, structure, and mobility; social cleavages, party systems, and voter alignments; and public opinion and public confidence in institutions. Lipset was a pioneer in the study of comparative politics, and no comparison featured as prominently in his work as that between the two great democracies of North America. Thanks to his insightful analysis of Canada in comparison with the United States, most fully elaborated in *Continental Divide* (1990), he has been dubbed the “Tocqueville of Canada.”

The Lipset Lecture is cosponsored by the National Endowment for Democracy and the Munk School, with financial support this year from the Albert Shanker Institute, the American Federation of Teachers, Johns Hopkins University Press, George Mason University School of Public Policy, the Canadian Embassy in Washington, and the Canadian Donner Foundation. To view videos of the Lipset Lecture from this and past years, please visit www.ned.org/events/seymour-martin-lipset-lecture-series.

toral governing coalitions of all ethnic antagonists who find their way into parliament through a proportional electoral system; centripetalists, by contrast, aim at voluntary *preelectoral* interethnic coalitions of moderates.

Three problems that derive from these proposals ought to be of serious concern but are generally neglected in the literature on interethnic political conciliation. The first concerns the adoptability of either of the two principal prescriptions. Under what conditions can either be adopted? The second relates to a possibility inherent in centripetal regimes: the potential degradation of the electoral arrangements that sustain the interethnic coalition. The third derives from a common consequence of the adoption of a consociational regime: Where robust guarantees, including minority vetoes, are adopted, immobilism is a strong possibility, and it may be very difficult to overcome the stasis that immobilism can produce. If we leave aside judgments about the relative merits of consociationalism and centripetalism²—although some such judgments will inevitably intrude—and deal directly with the three problems, we shall see that they do not have really good solutions. By examining them, however, we can uncover some of the frailties inherent in both of the common prescriptions.

A severely divided society is one in which ascriptive cleavages are highly salient in politics (more salient than alternative cleavages such as social class), a few groups contend for power at the center, and there is a history of interethnic antipathy. There are many such societies in Asia, Africa, the Middle East, Eastern Europe, the former Soviet Union, and the Caribbean—the regions in which ethnic conflicts tend to be most intense. In these regions, 78 countries experienced one or more serious ethnic-conflict incidents between 1980 and 2010.³ Many of these countries would qualify as severely divided societies. Yet, in these three decades, only approximately 20 of the 78 managed to conclude interethnic power-sharing agreements, or reach informal arrangements for sharing power across group lines, or adopt regularized power-sharing practices in the absence of institutions mandating them. This count omits agreements that were intended to be merely temporary (for example, Kenya's 2008 power-sharing deal), agreements between regimes and rebel formations that were not ethnically differentiated, and agreements that merely provided for regional autonomy or territorial devolution (or for federalism that amounted merely to devolution). The count is meant to capture arrangements for *interethnic power sharing in the central government*. (For a list of countries, see the Appendix on the *Journal of Democracy* website.)

In most respects, this count is biased toward finding cases of power sharing. All that is required for inclusion is the adoption of at least one consociational device or practice, or one centripetal device or practice, not a full ensemble of consociational or centripetal institutions. Even so, the number of adoptions is not very impressive. Moreover, many such agreements were aborted immediately upon adoption, were never implemented, or were abandoned within the first three years. Among the unimplemented, several resulted in civil war, one in genocide (Rwanda

in 1993), and one in secession (Sudan in 2005). Among the nine that proved durable, several eventually yielded fragile, immobile, or undemocratic polities with uncertain prospects. Only a handful—between four and six, depending on how one chooses to count—could be said to have achieved a reasonable degree of sustained power sharing, and even among these there are some serious political pathologies.

This article, then, concerns the difficulty of creating durable power-sharing institutions. The focus is primarily on cases in which one group has a clear majority or a strong plurality, rather than those in which an array of groups contend for power, often forming shifting alliances. The first section deals with problems of adoption. The second explains why centripetal arrangements can degrade over time. The third discusses the stalemate that can afflict consociational arrangements and that helps to account for their durability—and durable stalemate is not what is typically intended when groups agree to conciliatory institutions.

The Adoption Problem

The adoption problem is surpassingly important. Because the obstacles are so many and so complex, I can provide only a taste here.⁴ A well-kept secret among proponents of various prescriptions for inter-ethnic accommodation is that they are rarely adopted. Moreover, very little thought has been given to the conditions under which particular prescriptions for severely divided societies can be adopted.

The adoption problem is really a congeries of bargaining problems. A quick but incomplete enumeration should suffice to indicate the obstacles to adoption of either consociational or centripetal institutions.

First, there are asymmetric preferences. Majorities want majority rule; minorities want guarantees against majority rule. Consequently, minorities may prefer consociation; majorities do not. So a consociational regime can be adopted only when majorities (or large pluralities) are momentarily weak, often after periods of extended violence. At a later stage, when majorities regain their strength, they may overthrow it, as Greek Cypriots did in 1963 and as the Hutu in Burundi might be inclined to do now.

Second, there is general risk-aversion. Ethnic politics is a high-stakes game, and there are strong inclinations to stay with what is familiar.

Third, negotiators do not come to the table innocent and naked. They have biases that rule in some models and rule out others. Often they favor institutions prevailing in the most successful democracies, which generally do not suffer from the most severe ethnic problems, or models derived from an ex-colonial power. There are also historical biases that induce decision makers to avoid repeating institutional choices that they associate with past mistakes, even though their reading of history is contestable or conditions may have changed. Biases narrow choices.

Fourth, there may be visibility of interests, the belief on the part of group leaders that they can foresee the relative benefits and costs for their group of alternative courses of action. The participants in negotiations may think that they know what institutional choices are in their interest, even though they may later be proved wrong about those choices.⁵ Generally, the negotiations are not conducted under a veil of ignorance. The presumed visibility of interests also narrows choices.

Fifth is the availability of alternatives. For example, when the negotiations for a new dispensation follow an armed insurrection, it may be possible for the rebels to withdraw, return to the bush, and fight again, before or even after concluding an agreement, if its terms prove to be disadvantageous. Attractive alternatives make a durable agreement harder to adopt.

This list of obstacles to agreement is enough to show why agreements to establish political institutions to conciliate ethnic conflict are much more rare than they might otherwise be. Many states that could benefit from accommodative institutions fail to adopt them. Far too little attention has been devoted to the adoption problem.

More, however, needs to be said about one aspect of the problem. If asymmetric preferences mean that majorities will accept a regime of minority guarantees only when they are weak, when will they accept a centripetal regime? Such a regime rests on the willingness of moderates to appeal, at the margin, for the votes of members of groups other than their own and to form an interethnic vote-pooling coalition that can fend off challenges from monoethnic parties on the extreme flanks. There are two typical occasions for the adoption of measures to encourage such behavior. The first occurs when outside experts recommend such a regime. This, however, is a rare event, because international experts tend, for a variety of reasons, to favor proportional electoral systems and consociational guarantees.⁶ A more common occurrence is the need of a party of the majority group for the votes of the minority. When minority votes are unusually valuable, generally because the majority is divided between parties competing for its vote, it is possible to conclude a centripetal arrangement, in which group claims are compromised as votes are pooled by the two groups for parties from both.

A good illustration comes from Malaysia, which long had a regime of conciliatory ethnic politics that was repeatedly misclassified as consociational.⁷ Malaysia had no grand coalition, no minority veto, no proportionality—in fact, the Malay majority was greatly advantaged in government positions and financial allocations—and it was a thoroughly majoritarian democracy, characterized by a vigorous antinomy between government and opposition. What Malaysia did have was an interethnic coalition (known as the Alliance), flanked by ethnic opposition parties. That coalition was formed in the years before independence, when the leading Malay party needed votes from the Chinese minority to fend off a challenge from a party led by a charismatic Malay politician who had

been influential in opposing British plans for continued colonial rule after World War II.⁸ The result was a rather durable multiethnic coalition. (More on the Malaysian case in the next section.)

There is another occasion for the adoption of centripetal institutions—when there is (as there usually is not) a Rawlsian veil of ignorance surrounding the negotiations.⁹ Such an occasion arises when the future of all groups is uncertain, as it was when Nigeria emerged from military rule in 1978 after pogroms, civil war, and a dozen years of dictatorship. At that time, there was great fear of renewed ethnic conflict, but no group knew which group would be victimized next. One centripetal device that was written into the constitution at that time and that has persisted in the current constitution is the requirement that a winning candidate for president have support widely distributed across two-thirds of the Nigerian states.¹⁰ Versions of this device have been adopted subsequently by Indonesia in 2002 and Kenya in 2010—which shows that there is some trade in centripetal institutions across continents and seas, just as there is of consociational institutions.

Yet, the initial adoption problem is very serious indeed. Dealing with conflict-prone societies is difficult, as all three problems dealt with here show very well.

The Degradation Problem

The degradation problem can afflict vote-pooling centripetal coalitions. It does so because of the familiar aversion of ethnic majorities to limits, whether consociational or centripetal, to unfettered ethnic majority rule. For them, the good (ruling in a coalition) can be the enemy of the best (ruling alone).

The Malaysian example serves well to illustrate the degradation problem. In Malaysia, as we have seen, the multiethnic Alliance had been established before independence in the 1950s. Malays and non-Malays (Chinese and Indians) were intermixed in many electoral constituencies. As a result, even under a decidedly unconsociational first-past-the-post electoral system, Alliance partners (Malay, Chinese, and Indian) in the center of the ethnopolitical spectrum, squeezed between Malay and non-Malay extremists on the flanks, found it advantageous to pool Malay and non-Malay votes. It was a winning combination that led to negotiations for a constitution that embodied a compromise on ethnic claims and established the enduring principle that “one-race government” was illegitimate. In short, electoral exigencies induced politicians to behave in ways that could attract votes from both sides of a very contentious ethnic divide.

Slowly, however, certain underlying conditions changed. Because there were more Malay than non-Malay voters, the Malay partner in the coalition began to influence the apportionment of constituencies, already drawn to advantage rural Malay voters. Chinese voters were increasingly

packed into large, relatively homogeneous constituencies, where their votes would elect fewer candidates.¹¹ Successive reapportionments increased the weight of Malay voters. Then, after serious ethnic riots following the 1969 elections and a lapse in parliamentary rule of nearly two years, the coalition was broadened, reducing the influence of its Chinese component, and a new social contract was imposed by a new generation of Malay leaders that dramatically changed the balance of ethnic advantage and disadvantage. In the years that followed, it became clear that the original conciliatory coalition had been weakened, even though its founding parties remained as members. Non-Malays were not disfranchised, but they lost their ability to affect a great many decisions of the central government, and they increasingly became opposition voters.¹²

The story is more complicated than this summary indicates, but the increasing malapportionment of constituencies is instructive.¹³ The Achilles heel of electoral incentives as the route to durable interethnic accommodation is the weakness of the rule of law in many transitional countries. The establishment of nonpartisan electoral commissions that remain impartial and delimit boundaries according to neutral, legally specified criteria depends on a vibrant rule of law. As the literature on the rule of law shows, the creation and maintenance of legal institutions strong enough to stand up to strong politicians tends to follow, rather than to precede, the establishment of democracies and to be dependent on a particular configuration of political alignments.¹⁴

This is not the place to deal with issues concerning the rule of law. It is useful, however, to note how valuable legal institutions can be in supporting conciliatory electoral (and other) arrangements for intergroup accommodation. In some states with independent and respected constitutional courts, it is possible to confide approval or review of new constituency boundaries to those courts, some of which already have jurisdiction to confirm electoral results. In many countries, however, constitutional courts have not managed to secure independence and respect, and in those the problem will remain. When electoral commissions and courts are unable to withstand pressure, centripetal arrangements can be vulnerable to slippage.

It is also useful to recall that, just as majorities prefer majority rule to consociational guarantees, so too do they prefer untrammelled majority rule to centripetal regimes that provide minorities with the power to negotiate compromise outcomes in arenas of ethnic policy. When centripetal regimes degrade, minority disaffection can rise to dangerous heights.¹⁵

No Exit? The Immobilism Problem

The third problem is the inverse of the second. If centripetal arrangements are sometimes subject to degradation, consociational arrangements can be very difficult to modify. And modification is often desired. Recall that consociational regimes can be established only when

majorities are, at least momentarily, weak. The inclusive government prescribed by consociational theory, coupled with the minority veto, is highly likely to produce the same majority resentment as may be present in centripetal regimes that are committed to compromise outcomes with minority participants.

For the same reasons that majorities are reluctant to surrender power to a consociational regime, so too are they sorely tempted to abandon the consociational scheme.

An interethnic arrangement of any sort allows ethnic demands and counterdemands to be made, but a consociational dispensation allows each participating group to block the claims and demands of other groups. The result is a system frequently immobilized with respect to the very questions the agreement was made to

settle. The stalemate, inability to get things done, and serious immobilism that can follow give rise to a desire on the part of majorities to modify the consociational agreement.

The need to renegotiate such arrangements, loosen them up, or make a transition to a different dispensation altogether has frequently been recognized. Some writers say that consociational guarantees are suitable for calming a conflict in times of crisis or civil war, but once tranquility has been achieved—and especially if immobilism sets in—it ought to be possible to move to other institutions. Timothy D. Sisk speaks of the “obsolescing pact.”¹⁶ Minority guarantees, he says, come into conflict with the need for a strong center, and they create instability; they may reify ethnic identity and foster “the inflexibility of representation” that is “the hallmark” of peace agreements.¹⁷ Echoing Pierre du Toit’s call for “post-settlement settlements,”¹⁸ Sisk advocates the renegotiation of consociational settlements but confesses that it is difficult to specify the means to accomplish this. Many commentators suggest that consociations tend to rigidify conflicts and do not lend themselves to renegotiation. Most agree that consociational institutions, once established, are sticky. The wish for a possibility of a transition away from them has often been expressed, but no one has yet specified the location of the exit.¹⁹

For the same reasons that majorities are reluctant to surrender power to a consociational regime, so too are they sorely tempted to abandon the consociational scheme. They continue to prefer majority rule or a civic—that is, wholly nonethnic—dispensation in which the majority will hold sway. Second-generation majority-group leaders, who did not create the agreement in the first place, may be impatient with it.²⁰ Discontent with the consociational scheme has been greater among majorities than among minorities in Northern Ireland, Belgium, Bosnia (where Bosniaks are at least a large plurality, perhaps now a majority), and

Burundi. If there is a change in the balance of power existing at the time the agreement was made, leaders of the majority may opt out, as Greek Cypriots did in 1963.

More often than not, escape is not so easy, because majorities will not be willing to incur the high costs that might attend attempts to leave the arrangements. Merely because an agreement has produced immobilism and discontent does not mean that its support is as decayed as its institutions are feeble. Ineffective consociational dispensations do not simply wither away or give rise to more sustainable arrangements. There may be a strong constellation of interests holding the consociational status quo together. For one thing, minorities tend to be attached to the consociational bargain. They may begin to have doubts about the bargain they made, as some Catholic nationalists have had in Northern Ireland, especially after the moderates of both groups who crafted the consociational deal were displaced at the center of power by more extreme parties, or as certain Bosnian Serbs and Croats have had, or as certain Walloons in Belgium have had. Yet they may fear the consequences of alternative arrangements more than they dislike the stalemated status quo. In Bosnia, the alternatives proposed from time to time—in 1999, in 2006, three times in 2008–09, and then again in 2013—involve deviations from strictly consociational institutions. Such changes as a dilution of veto powers, an end to exclusively ethnic representation, or a different electoral system might weaken the hold of minority representatives on their voters and on the system. If those minority representatives have an option of resorting to armed force against changes deemed unfavorable, the possibility of violence is a strong disincentive for a dissatisfied majority to change.

That disincentive is likely to prove quite persuasive to the surrounding support system of external actors who have a stake in the arrangements, a stake usually acquired because they encouraged or cajoled the parties to the original agreement or even underwrote it. The British were wholeheartedly behind Turkish Cypriot claims to a consociational regime in 1959–60. They also had no objection to the internal aspects of the Northern Ireland Agreement negotiated in 1998. The U.S. government drafted the Dayton guarantees that were demanded by Serbs and Croats in 1995. The European Union and the United States pushed for consociational guarantees for Albanians in Macedonia in 2001 in order to end an Albanian insurrection; and the European Union, following the lead of the OSCE High Commissioner for National Minorities, generally pressured East European states to provide an array of consociational guarantees, sometimes including a minority veto, for their minorities.²¹ In a series of negotiations for the reunification of Cyprus, the United Nations in 2004 pushed very hard for watertight guarantees, decades after such guarantees had produced stalemate, rejection, war, and occupation. Greek Cypriot voters rejected the Annan Plan in a referendum in 2004.

This account does not include the states in Africa in which insurrections were to be ended by consociational accords to place rebels in government, though those accords might fail to produce durable peace, as in Rwanda in 1993, Angola in 1994, or Côte d'Ivoire in 2003. When they acted as mediators, Europeans and Americans (and, for that matter, South Africans) insisted on the very institutions abroad that they disdained at home.

In short, there tends to be strong external support for consociational arrangements, although there are exceptions. In Bosnia, the Dayton Accords fell out of favor with Western powers within a few years, for reasons that are beyond the scope of this article but have much to do with which groups are in favor and which are not. While no fundamental change was contemplated in Northern Ireland even after protracted lapses in the functioning of the Good Friday Agreement, and while at the same time the Annan Plan—consociational to the n^{th} degree—was being pressed on Cypriots, Europeans and Americans were telling Bosnians that such arrangements were unsuitable for them and not in conformity with entry into the European Union. This was done notwithstanding the presence of a deadlocked consociational government in Brussels, at the heart of Europe.

The net result of these external preferences was that Bosnia's minorities would have no international support if they resisted change, while other consociations, however deadlocked, would have support not only from minorities inside but also from friends outside. Even so, Bosnians were resistant to several proposals for vote-pooling electoral systems in the late 1990s, then to open Western favoritism toward political parties deemed to be moderate on ethnic issues in 2000 and after, and finally to various plans to reduce the redundancy of group guarantees and the complexity of Bosnian institutions during the next decade.

Can the Stalemates Be Broken?

Like Bosnia's arrangements, Northern Ireland's consociational dispensation generally helped to keep the peace, but it failed to deal with contentious ethnic issues that the Good Friday Agreement of 1998 had specified for resolution. From about 2007 onward, Burundi also was largely peaceful, a remarkable achievement given its history of brutal violence, but the Hutu-led government increasingly chafed under the consociational restraints that had been imposed in 2005.²² Also peaceful was Belgium, which exhibited deadlock as great as that encountered by any other consociational regime and solved that problem, in a manner of speaking, by resorting to more and more government in the monoethnic regions of Flanders and Wallonia and the 80-percent Francophone region of Brussels, and less and less government at the center. In Belgium, as in the other cases, the restless group is the majority (in this case, Flemish), which is

more constrained by the regime of guarantees. No one seemed able to break the shackles of immobilism.

Interestingly enough, as the immobilism of consociational institutions sets in, in nearly every case some proposals for change are geared toward centripetal institutions, especially vote-pooling electoral systems. In the late 1990s, the International Crisis Group published two proposals for electoral systems in Bosnia that would allow voters to vote for candidates from groups other than their own and encourage candidates to seek such votes. The proposals had technical problems that would have precluded their adoption in the form proposed, but in 1998 the international Peace Implementation Council for Bosnia had declared its interest in a new electoral law to promote a “multiethnic political process” by encouraging parties to take account of interests beyond those of the groups they principally represented. Ultimately, efforts in this direction came to naught when the director of the OSCE office in Bosnia opted for a system of open-list proportional representation.

A proposal for a centripetal system, but with guaranteed proportionality, was also made—and ignored—during what turned out to be a desultory review of Northern Ireland’s stalemated Good Friday Agreement in 2003, and renewed negotiations for a Cyprus agreement after the failure of the Annan Plan featured a proposal for the election of some Turkish officials by Greek voters, and vice versa—a cross-voting idea that is not the same as a true vote-pooling system, but that stems from a centripetal impulse. Turkish-Cypriot voters rejected the idea at the polls in 2010. The Pavia Group in Belgium, a biethnic organization of scholars interested in preventing the disintegration of the state, has presented a proposal for “a federal constituency,” in which 10 percent of the Belgian parliament would be elected by all voters, as opposed to the current system in which constituencies are intraregional and intra-ethnic. Similarly, a member of the Pavia Group has proposed a “multiple proportional vote” that would have strongly centripetal features. Among today’s strongly consociational regimes, only Burundi has not considered a centripetal electoral system.

In no case, however, has a centripetal electoral system been grafted onto a consociational political system, so there is no way to see how it would have worked. (The hybrid systems of Lebanon and Macedonia provide mixed messages about mixed prescriptions.) All of the inhibitions that were described for the initial adoption problem—and more—hinder this kind of change.

There are two states, however, that had consociational regimes and managed to become majoritarian democracies, but their experiences do not point the way forward for deadlocked consociations that are ethnically based. Both in the Netherlands and in Austria, there was “pillarization” of the society, cradle-to-grave compartmentalization. In both cases, the cleavages were based on religion and social class, and classi-

cal consociational methods were employed to manage them (except that the Netherlands never had a grand coalition).²³

In both cases, however, social change after World War II, especially the growth of an urban service sector and a white-collar middle class, coupled with secularization of the society and the erosion of what had been strong religious affiliations, resulted in a crumbling of the pillars. The underlying social compartments, with all their associated organizations, simply broke down. With the abatement of group conflict due to profound social and economic changes, social circles were no longer exclusive, and voters were freed to vote outside what had been quasi-ascriptive party allegiances to which they had previously been tied. The result was ordinary majority rule and voter volatility among parties, without grand coalitions, vetoes, or any other relic of consociationalism.

None of this will help those countries in which divisions are strongly ethnic, as in Belgium or Burundi, or even ethnolinguistic, as in Northern Ireland and Bosnia. These countries have birth-based divisions that are more firmly embedded than those based on the mutable religious or class affiliations of most of the Western world. For change to be effective in ethnically divided consociations, it needs to take place at the level of formal political institutions, not at the level of the society in general.

Are there, then, any sources of change that seem plausible for immobile consociational regimes? Adding a centripetal electoral system might have a serious effect, but if parties and politicians with strong ethnic orientations have the whip hand, moderate ethnically based parties and politicians may fear to join together across the ethnic divide. In such cases, it is likely that they will be accused of selling out group interests. Some such dilemma seems to characterize the predicament of moderate Protestant unionist and Catholic nationalist politicians in Northern Ireland. They periodically make noises about coalescing but are unable to do so because they are flanked by larger ethnic parties that are less inclined to compromise. Laurent de Briey has perhaps summed the problem up best:

The only hope of seeing the adoption of [a conciliatory electoral system] seriously debated among political parties [in Belgium] would be if this reform were advocated by moderate people inside all of the main parties. Those people could be motivated by their common opposition to an electoral system which, fostering ethnic radicalisation, entails their minoritisation in their respective parties. More realistically, we may expect one party to promote [such a system] in order to dissociate itself from the ethnic discourses of the other parties.²⁴

This does seem to suggest possible paths to change, but although there are moderates in all such societies, none seems able to break the mold.²⁵

The most likely route to serious change for a stalled consociation lies in some unpredictable crisis not necessarily related to the conflict that produced the consociational regime—a shock that makes stalemate

intolerable, neutralizes minority objections, and renders quick action necessary. This is typical of agenda-setting events,²⁶ and it provides an advantage to those who have solutions ready and are merely waiting for problems to develop that can make their solutions attractive. Like most events that trigger major institutional changes, this kind of event may have too much urgency to allow much deliberation.

Three Problems, No Answers

This brief tour of three neglected problems of ethnic accommodation and democracy provides no easy answers. Rather, it suggests prospects for a great deal of stasis in remedying problems of ethnic conflict.

The first problem, concerning the difficulty of adopting any accommodative institutions in the first instance, is so intractable that many troubled states in need of conciliatory institutions and inclined toward democracy will have great difficulty adopting either consociational or centripetal institutions. Instead, they are likely to opt for a form of democracy to which they are accustomed—namely, straightforward majority rule with minority rights. Such a choice is likely to disappoint on both counts. Without electoral incentives for conciliatory behavior, majority rule will become ethnic-majority rule. Minority rights will be inadequately enforced, because the majority will be likely to control the courts.

Some states may borrow an odd device here or there, perhaps after a crisis is brought to compromise by an international mediator whose only interest is to restore the peace. Some of these states may stumble upon institutions that aid in conciliation; most will not. Many attempts to reach power-sharing agreements fail altogether, and an authoritarian regime of ethnic domination may set in, with or without a lapse (or a relapse) into civil war. Even where power-sharing institutions are adopted, majorities will generally chafe under them. No constitutional engineering is fail-safe, even if it can be accomplished initially. Actors will seek to reverse conditions they find to be unfavorable.

The second problem, involving the degradation of centripetal electoral institutions by a variety of majority manipulations that cannot be checked by a judiciary enforcing political bargains, has no easier answer than the first. Making bargains more explicit and public is, perhaps, one way to make them harder to break, but even then, as the conditions underlying them change and the returns to the parties from them prove to be uneven over time, there is no assurance that they will not be altered in an ethnically exclusive, majoritarian direction.

The third problem, entailing the possibility of escape from consociational immobilism, seems very difficult. We have considered five of the most prominent and complete consociational systems that have so far been adopted. In one, Cyprus, the majority terminated the ar-

rangement within three years of its inception, with disastrous results. Subsequently, each of the sides in turn has refused to become entangled in another arrangement to reunify Cyprus. The other four countries subsist in various forms of stalemate, so far relatively mild in the cases of Northern Ireland and Burundi, very severe in Belgium and Bosnia. The route to amendment looks blocked. If centripetal institutions may be insufficiently sticky, over time consociational institutions tend to become excessively sticky.

Proponents of consociational and centripetal measures to achieve intergroup accommodation in a democratic setting have been too sanguine about the prospects for adopting them, for maintaining them when majorities can find ways of altering agreed arrangements, and for changing them when particularly rigid arrangements lead to stalemate and majority restlessness. Many states that need conciliatory institutions will not get them; others will not keep them if majorities are able to break out of them; and still others will not change them when stalemate indicates that change is necessary.

NOTES

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1. Under other circumstances, ethnic minorities can dominate majorities, with quite explosive consequences, as in Syria.

2. For a good summary, see Andrew Reynolds, ed., *The Architecture of Democracy: Constitutional Design, Conflict Management, and Democracy* (Oxford: Oxford University Press, 2002), 15–54.

3. For sources used to compute these figures, see the Appendix on the *Journal of Democracy* website at www.journalofdemocracy.org/articles/supplemental-material. The data were gathered with the very diligent research assistance of Asfia Tareen. The nine power-sharing arrangements that have endured for more than five years in the regions specified are located in Bosnia, Bulgaria, Burundi, Djibouti, Indonesia, Macedonia, Nepal, Nigeria, and Suriname. These enumerations are approximations, and some of these cases might be contestable. The point is not to create a definitive list but to gain a general sense of the incidence and durability of power-sharing arrangements. Needless to say, inclusion on this list does not imply that a country necessarily enjoys either a high level of democracy or a high level of interethnic accommodation.

4. I have written about the first problem in a preliminary way elsewhere. See Donald L. Horowitz, “Constitutional Design: Proposals versus Processes,” in Reynolds, *The Architecture of Democracy*, 15–36; “Constitutional Design: An Oxymoron?” *NOMOS* 42 (2000): 252–84; “Conciliatory Institutions and Constitutional Processes in Post-Conflict States,” *William and Mary Law Review* 49 (March 2008): 1213–48. For a brief sampling of some doubts about the likelihood of agreed power sharing, see Alexander B. Downes, “The Problem with Negotiated Settlements to Ethnic Civil Wars,” *Security Studies* 13 (Summer 2004): 230–79; Ian S. Spears, “Understanding Inclusive Peace Agreements in

Africa: The Problems of Sharing Power,” *Third World Quarterly* 21 (February 2000): 105–18; Spears, “Africa: The Limits of Power-Sharing,” *Journal of Democracy* 13 (July 2002): 123–36.

5. See, for example, Jon Elster, Claus Offe, and Ulrich K. Preuss, *Institutional Design in Post-Communist Societies: Rebuilding the Ship at Sea* (Cambridge: Cambridge University Press, 1998), 79, 114–16.

6. See Benjamin Reilly, “Political Engineering and Party Politics in Conflict-Prone Societies,” *Democratization* 13 (December 2006): 811–27; Steven I. Wilkinson, “Conditionality, Consociationalism, and the European Union,” in Sid Noel, ed., *From Power Sharing to Democracy: Post-Conflict Institutions in Ethnically Divided Societies* (Montreal: McGill-Queens University Press, 2005), 239–62; A. Carl LeVan, “Power Sharing and Inclusive Politics in Africa’s Uncertain Democracies,” *Governance* 24 (January 2011): 31–53.

7. For the initial claim, see Arend Lijphart, *Democracy in Plural Societies: A Comparative Exploration* (New Haven: Yale University Press, 1977), 5.

8. The formation of the Malaysian coalition is explicated in Donald L. Horowitz, *Ethnic Groups in Conflict* (Berkeley: University of California Press, 2000), 397–404.

9. See John Rawls, *A Theory of Justice* (Cambridge: Harvard University Press, 1971). Such occasions may coincide with what Bruce Ackerman calls “constitutional moments.” See Ackerman, *We the People: Foundations* (Cambridge: Harvard University Press, 1991).

10. Constitution of Nigeria, 1999, art. 134(2).

11. See Lim Hong Hai, “The Malayan Electoral System: Its Formulation and Change” (PhD diss., University of Malaya, 1997).

12. In 2004, the ruling coalition’s Chinese and Indian components won 40 seats. By 2008, this number was reduced to 18; by 2013, to only 11 seats. One result of disaffection was the growth of a strong Chinese opposition party that eventually was able to coalesce with a Malay opposition party and a smaller multiethnic party led by former deputy prime minister Anwar Ibrahim. This new interethnic coalition was able to benefit from vote pooling that led in 2008 to opposition victories in several states in which Chinese votes were crucial. In 2013, the opposition coalition lost the national election but won more votes than the ruling coalition. Gerrymandering of seats made the difference in the outcome. For details of the 2013 election, see Bridget Welsh, “Malaysia’s Elections: A Step Backward,” *Journal of Democracy* 24 (October 2013): 136–50. For a careful study of Malaysian gerrymandering, see Kai Ostwald, “How to Win a Lost Election: Malapportionment and Malaysia’s 2013 General Election,” *Round Table* 102 (December 2013): 521–32.

13. The ability of the ruling coalition to delimit constituency boundaries sometimes led (after elections in which Malay support declined) to a proliferation of ethnically mixed constituencies apportioned to favor the coalition. See Lee Hock Guan, “Steadily Amplified Rural Votes Decide Malaysian Elections,” *ISEAS Perspective*, no. 34, Singapore, 6 June 2013. It should be noted that electoral incentives for intergroup accommodation cannot be diminished by constituency malapportionment if the incentives are lodged in an electoral system for a president who is elected in one nationwide constituency; but, of course, presidential electoral systems can be altered.

14. See, for example, Tom Ginsburg, *Judicial Review in New Democracies: Constitutional Courts in Asian Cases* (New York: Cambridge University Press, 2003); J. Mark Ramseyer, “The Puzzling (In)dependence of Courts: A Comparative Approach,” *Journal of Legal Studies* 23 (June 1994): 721–48. I have dealt with rule-of-law issues in *Constitutional Change and Democracy in Indonesia*, (New York: Cambridge University Press, 2013), 233–46.

15. Or members of a minority group can emigrate, as many Malaysian Chinese have

and as many Fijian Indians did after a putsch unseated a multiethnic government that had come to power under a centripetal electoral system in 1999.

16. Timothy Sisk, "The Obsolescing Pact: The Limits of Powersharing in Sustaining Post-War Peace," paper presented at the International Studies Association Annual Convention, Montreal, 2010.

17. Sisk, "The Obsolescing Pact," 10.

18. Pierre du Toit, "Why Post-Settlement Settlements?" *Journal of Democracy* 14 (July 2003): 104–18.

19. Under quite idiosyncratic conditions, South Africa's interim constitution of 1994 accorded minorities a few consociational guarantees, subject to what was effectively a sunset clause. Under ordinary circumstances, when minorities are strong enough to demand such guarantees, they will not agree to sunset clauses.

20. Philip G. Roeder, "Dilemmas of State-Building in Divided Societies," in Philip G. Roeder and Donald Rothchild, eds., *Sustainable Peace: Power and Democracy After Civil Wars* (Ithaca: Cornell University Press, 2005), 38–39. The idea goes back to Eric Nordlinger, *Conflict Regulation in Divided Societies* (Cambridge: Harvard University Center for International Affairs, 1972).

21. See Wilkinson, "Conditionality, Consociationalism, and the European Union."

22. For updates on Burundi, I am indebted to some email exchanges with Dr. Stef Vandeginste of the University of Antwerp. The interpretation, however, is mine alone.

23. Convenient basic sources for the paragraph that follows are Rudy Andeweg and Galen A. Irwin, *Governance and Politics of the Netherlands*, 2nd ed. (New York: Palgrave Macmillan, 2005), 19–44; Kurt Richard Luther and Wolfgang C. Muller, eds., *Politics in Austria: Still a Case of Consociationalism?* (London: Frank Cass, 1992), 1–44, 201–06. Dutch political culture, it has been said bluntly, is now homogeneous. Ruud Koole and Hans Daalder, "The Consociational Democracy Model and the Netherlands: Ambivalent Allies?" *Acta Politica* 37 (Spring–Summer 2002): 23–43. The same might be said of Austria.

24. Laurent de Briey, "Centripetalism in Consociational Democracy: The Multiple Proportional Vote" (unpubl. ms., 2005), 19 n. 20, www.paviagroup.be/documents/de-Briey.06.Centripetalism.pdf.

25. In Bosnia, however, courts have made some incremental changes in the constitution. For an informed discussion, see Christopher McCrudden and Brendan O'Leary, *Courts and Consociations* (Oxford: Oxford University Press, 2013), 42–45.

26. See generally John W. Kingdon, *Agendas, Alternatives, and Public Policies*, 2nd ed. (New York: Harper Collins, 1995).