Debating Consociational Politics: Normative and Explanatory Arguments

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Consociational thinking has a long pedigree. Its lineage may be traced to the sixteenth-century Protestant philosopher Johannes Althusius (1530-1605), the early-twentieth-century Austro-Marxist Karl Renner and Otto Bauer, and, more recently, the Nobel laureate Sir Arthur Lewis. It is, however, inseparably associated with our times with Arend Lijphart, its contemporary creator and sculptor, the owner of comparative politics, and a distinguished past president of the American Political Science Association. Over the past thirty years, consociational theory has become one of the most influential theories of comparative politics, resulting in a vast and broadly applied literature.

Consociational thinking, moreover, has not been restricted to the academy. Politicians have refined, innovated, and reinvented consociational institutions and practices in Belgium, Canada, the Netherlands, Switzerland, Northern Ireland, Lebanon, and Macedonia. On occasions, in the guise of "power sharing," consociation has become the prescribed method of conflict regulation of the "international community" (i.e., the United Nations [UN] and the United Nations [UN]). This has been evident in the internationally supported, implemented, and maintained power-sharing agreements in Afghanistan, Macedonia, Bosnia-Herzegovina, and Northern Ireland, as well as in prosaic power-sharing agreements in Cyprus and Sri Lanka. It may become evident in occupied Iraq. There is, however, no consensus over consociational theory, to
universalism and their democratic dispositions. They often argue that consociationalists are perverse, achieving the opposite of their ostensible purposes. Their standard objection that consociation is perverse follows a prescriptive piece of advice: "When holes have been dug, don't pretend them." Consociation, such critics reason, reinforces the presumed sources of conflict. It freezes and institutionalizes privileges (undesirable) collective identities at the expense of more "emancipated" or more "progressive" identities, such as those focused on class or gender. Consociation, in this perspective, does not resolve conflict as best, it organizes and regulates a status quo around the relevant collective identities. It encourages a politics of immobilism and gridlock. Paul Brass is typical of critics who think in this mode; he argues that the elites whose prudence is hailed by consociationalists are the very ones with vested interests in maintaining collective antagonisms. Consociation, he claims, reinforces their respective dominance within their own communities. Brass believes that consociation's proponents operate with the "mistaken assumption that cultural differences among ethnic groups are 'objective' factors." He thinks that consociationalists exaggerate the problems associated with strong collective identities and questions their core premise that "ethnic divisions are more inflammatory than other types."

Liberals, socialists, and feminist critics of consociation unite in suggesting that the political and social opportunities for transforming identities are more extensive than is suggested by what they deem to be the primordial pessimism of consociational thinkers. Interestingly, they see consociationalists as conservatives, who take people as they are (or have been made to be) and not as they might be (and long to be). Ethnicity, according to Robert Taylor, is seen by consociationalists as a social fact rather than a choice made by people. "The point that consociationalism has not grasped, but that has been central to both liberalism and Marxism, is that human freedom is a power, a Prometheus fire." Political integration, the creation of a common citizenship and public sphere, and the non-recognition of cultural differences in the public domain, from this perspective, are much preferred over consociation. As Brass puts it, it is best to "keep some possibility for change, internal division [of communities], and secularization open, for the sake of the ultimate integration of the people in a common political order and to preserve individual rights and the future prospects of individual autonomy."
Another standard objection to consociational arrangements, usually made by liberals, socialists, and feminists but also sometimes by conservatives, is that they jeopardize important values, principles, and institutions. Encouraging proportional representation (PR), they say, will lead to the likely irreversible formation of ethnic, communal, or sectarian parties, thereby breaking with the possibilities afforded by a politics of programs and interests and entranching a more intractable politics based on identities. The use of quotas and proportionality in affirmative action programs or preferential policies will lead to the weakening of the merit principle— thereby creating new injustices as well as inefficiencies in resource allocation. Recognition of difference in the public domain will progressively lead to respect for (unjustified) inequalities, the unequal treatment of similarly situated individuals and groups. Brah speaks for many of these critics when he asserts that "consociational democracy inevitably violates the rights of some groups and the rights of some individuals."13

The biggest stick with which consociationalists are beareed is the suggestion that they are not democratic. Consociational politics, it is said, is undemocratic: it excludes opposition; it is a loser-takes-all system. "A fully-developed consociational system is inherently undemocratic:" it is elitist and postpones rather than facilitates the "democratization of multi-ethnic societies."14 It permits "the same combinations of elites as to entrenched themselves at the peaks of spoils and patronage hierarchies more or less continuously." It emphasizes "participation and representation to the virtual exclusion of opposition." The "democratic benefits that can accrue from "throwing the rascals out" are unavailable." Consociational systems, it is further charged, "do not give powerful parliamentary players incentives to keep government honest by shining light in dark corners," and "virtual vetoes can be expected to lead to mutual logrolling, rather than to political confrontations among elites, and to promote insider clubism." The price of consociation is "abandoning a viable opposition politics." Consociational systems do not meet Samuel Huntington's definitive test of a democracy: two peaceful turnovers of power following elections.15 The allegation that it is undemocratic is perhaps the strongest normative objection to consociation. Originally posed by Brian Barry, it is now endlessly recycled.16

Observing that Lipset accepts Robert Dahl's definition of polyarchy, one critic maintains that Dahl's emphasis on competitive politics implies that consociational democracy is a contradiction in terms.17 Arguments in this vein usually celebrate the merits of oppositional politics. Consociation's opposition to adversarial democratic politics is just wrong-headed, maintain, Brah. Adversarial politics, he insists, "have in fact worked to an extreme non-homogeneous societies such as Great Britain ... and the U.S."

Lipset's claim that, where there is extensive segmental organization and a history of antagonism, the political choice is between consociational democracy and no democracy at all, Brah regards as empirically unwarranted. Adversarial politics in Canada, India, and Sri Lanka, he maintains, are no worse than the allegedly consociational experiences of Malaysia, Lebanon, Cyprus, and Algeria.18

A last argument sometimes deployed, against consociation is one of outright denial of their existence. The usual here to be defined consociationalism so rigidly that no society, or almost none, fits the criteria. If theism in the response to them, we may call this "deconsociationism"— the denial that consociations exist or have ever existed. Sometimes this argument rests on the alleged incoherence of consociational ideas. Roughly, the argument is that an incoherent concept explains nothing of what happens in the world.19 A Marxist variation on the illusory quality of consociations to suggest that it is a mirage with consequences: it divides and disorganizes the working class around false identities.20

The foregoing summation of anti-consociational arguments is not a caricature, nor is it based on a selection of the worst rhetorical excesses. Suspicious readers are counseled to inspect specimens of these arguments over the last thirty years through reading the citations at the end of this chapter. These normative responses to consociation are common to distinguished scholars representing a variety of disciplines and ideological perspectives, including liberal political philosophers such as Brian Barry and Ian Shapiro, liberal political scientists such as Ian S. Lustick21 and Paul Brass, and conservative political scientists such as Donald L. Horowitz. It is of interest that it is possible to classify three of the standard political and ethical arguments against consociation according to the tropes of Albert Hirschman's The Rhetoric of Reaction: Perversity, Futility, Jeopardy.22 As Hirschman observes in his delightful book, in any particular case of proposals for new institutions, the three rhetorical reactionary objections cannot be simultaneously true, even if they highlight different possible difficulties. Likewise, while one may freely concede that critics of consociation have frequently pointed to difficulties in Lipset's formulations and expositions (to which he has made appropriately measured and reasoned responses),23
it is also plainly the case that consociationalism cannot simultaneously be perverse — i.e., reinforce and re-entrench ethnic antagonisms and jeopardize key liberal, democratic, and international values — and futile, i.e., make no difference.

The failure thesis, which is plainly the weakest of the three rhetorical tropes, can hardly account for the many passionate criticisms of consociational theory that have been mounted over the last three decades. It is fair to say that the weight of the critics’ normative briefs and their most compelling rhetoric rest on the perversity or futility arguments, i.e., the claims that consociationalism reinforces what it is supposed to remedy and endangers democracy, liberty, individual rights (including women’s rights), and more desirable forms of party organization and competition based on class, interest, or ideology.

The Consociational Rebuttal: Realism, Necessity, and Accommodation

How do consociationalists understand themselves? As realists, as counsellors of necessary triage, and as democrats fully aware that consociations need not (and should not) be applied in every country or every possible policy sector where identity politics may manifest itself. They are just as concerned about justice as their critics. And, they submit, consociational settlements are “naturally” recurrent phenomena — generated through negotiations by politicians and not necessarily engineered into existence by political scientists.

Consociationalists present themselves as realists, but not in some caricatured Hobbesian or Machiavellian stereotype. They believe that certain collective identities, especially those based on nationality, ethnicity, language, and religion, are generally fairly durable once formed. To say that they are durable, or are likely to be durable, however, is not to say that they are either primordial or immutable. Nor is it to imply that they necessarily generate intense throat-cutting antagonisms, nor that they are generally desirable. But consociationalists insist that durable identities — as opposed to shallow, malleable, and short-run identifications — can be, and often are, mobilized in a politics of antagonism, perhaps especially during the democratization of political systems. Politicians, parties, and communities interpret their histories and futures through powerful narratives, myths, and symbols, as well as through realistic rather than merely prejudiced appraisals of past group antagonisms. These narratives, myths, and symbols may have significant resonance and truth content. Without those traits, politicians might be less successful in their manipulative endeavours.

Consociationalists’ self-styled realism is evident in how they demur and bristle at the suggestion that they are utopian. In their view, it is the “social constructionists” (those who believe that identities are constructed for specific purposes) and certain liberals and socialists who are too facile and too optimistic about the capacities of political regimes to dissolve, transform, or transcend inherited collective identities who are utopian. Consociationalists observe that many liberals and socialists eventually work within and embrace consociational arrangements — but only after they have imbued a strong dose of realism.

Academic consociationalists have a sharp eye for the biases of the analysts having studied national, ethnic, religious, and communal conflicts, they are aware of the dangers of imposing their own wishful readings on the attitudes and behaviours of others. They question the cosmopolitan or emancipatory protestations of many anti-consociationalists. These protestations, they think, too often cloak a partisan endorsement of one community’s identity and interests (into which others are to be encouraged to integrate or assimilate, supposedly in their own best interests). The protestations may, however, be made in good faith; in which case, consociationalists think that they show a distressing lack of self-consciousness on the part of the relevant persons about their own cultural baggage and how it might be read by others.

Consociationalists argue from a standpoint of moral and political necessity: they do not embrace pluralism for its own sake, or because they want a romantic celebration of a thousand different flowers (or weeds). They maintain that a hard confrontation with reality forces certain options on decision makers in deeply divided territories. In some tough cases, their claim is that the only real choice is between consociational arrangements and worse alternatives. These worse alternatives may take the form of sustained armed conflict, genocide, ethnic expulsion, imposed partition, or imposed control (i.e., the coercive control by one community or coalition of communities of another). The consociationalists’ claim is that dispassionate analysis sometimes shows that the choice is between consociational democracy and no (worthwhile) democracy at all. Their view is that it is best not to have to build
democracy after filling graveyards. A negotiated consociational settle-
ment, they insist, is better than a winner-takes-all outcome — especially
where taking all implies killing, expelling, or assimilating the losers.

Consociationalists reply to liberals and socialists not by repudiating
their politics, since they themselves are usually either liberals or social-
ists, but by arguing that democratic versions of liberalism and socialism
may sometimes be feasible only within consociational structures (either
temporary or of more durable construction). They invoke necessity and
reasons to challenge the confidence of liberals in majoritarian and
adversarial democracy. J.S. Mill famously warned of the dangers of a
tyranny of the majority, but in his most illustrous texts he interestingly
failed to emphasize that a national or ethnic tyranny is feasible within
democratic institutions.24

Consociationalists are mostly liberals, but they are cautiously sceptical
about the current celebration of civil society as the (or even a) vehicle
of transformation, peace making, and peace building. In divided terri-
tories there is more than one society and their relations may be far
from civil. Consociationalists caution that a well-designed state or
system of governance is necessary to enable effective civil societies to
flourish. They think that those who embrace a politics of deliberative
democracy as the prescription for conflict need renaming that deliber-
ation takes place in languages, dialects, accents, and ethnically rooted
voices and that it is not possible to create “ideal speech situations.”

Consociationalists respond to socialists in two ways: one, by showing
that consociational ideas have been present in the best of the socialists
and the Marxist tradition25 and two, by observing just how regularly
and pervasively working-class and popular unity has historically been
rendered hopeless by national, ethnic, religious, and communal divisions
that might have been amenable to at least temporary consociational
entrenchment. Within consociational arrangements, had they been tried,
trust might have developed that would have fostered wider working-
class or popular unity — for example, behind the welfare state or other
forms of progressive distributive politics.

Consociationalists are friends of democracy as well as critics of its
palpably inappropriate versions. Consociationalists want majorities —
rather than the majority or the plurality — to control or influence
government. Liphart modestly credited the contemporary invention
(though not the naming) of consociational democracy to Sir Arthur
Lewis.26 In his Politics of West Africa (1965), Lewis argued that the

post-colonial, multi-ethnic states of West Africa suffered from the
inheritance of British and French majoritarian or winner-takes-all dem-
ocratic systems. He reasoned that what they required were wide and
inclusive coalition governments, electoral systems based on PR, and
federations that would give ethnic communities territorial autonomy.
Lewis’s argument is all the more remarkable and prescient in that it
was made by deduction, since he did not have an extensive empirical
comparative politics of democratic types to draw upon.27

Majoritarian democracy — especially when it is based on a single-
party government rooted in one community — is, consociationalists say,
likely to provoke serious communal conflict in territories with two or
more significantly sized communities with durable identities differenti-
ated by nationalities, ethnicity, language, and religion. Elite bargaining
and adjustment in such territories should be designed to achieve wide-
spread consensus — to prevent the possibility that democracy will
degenerate into a war of communities. Realists should therefore, in
their view, endorse a politics of accommodation, of leaving each group
to their own affairs where that is possible and widely sought — “good
fences make good neighbours.”28

Consociationalists argue positively for consociation, rather than just
by pointing to the horrors of the alternatives. Consociation, they main-
tain, provides autonomy for communities and facilitates sensible inter-
community cooperation. Michael Walter, thinking of regions once under
the Ottoman Empire, suggests that consociation is a heroic and imagina-
tive political enterprise: “Consociationalism is a heroic program because
it aims to maintain imperial coexistence without the imperial bureaucrats
and without the distance that made those bureaucrats more or less impor-
tant rulers ... the different groups have to tolerance one another and work
out among themselves the terms of their coexistence.”29

Consociationalists generally claim that they have a better and more
inclusive model of democracy than majoritarians. In a consociation,
many more of the people than a plurality or a majority may influence
or control the executive. Many more than a majority get effective
“voice.” Consociation does not eliminate democratic opposition within
communities, but it does enable such divisions and oppositions as exist
to flourish in conditions of generalized security. Nothing precludes
intra-bloc democratic competition, or the turnover of political elites,
or shifts of support between parties; and, in a liberal consociation,
nothing necessarily blocks the dissolution of historic identities if that
is what people want. Consociationalists do not say that achieving accountability over political leaders and parties is not a problem in consociational democracy; they merely claim that there is no insuperable problem. Consociationalists also point out that it is a fallacy to suppose that consociation mandates that all governments be wholly encompassing grand coalitions. Since this fallacy is so widespread, it is important that it be carefully rebutted.

**Complete, Concurrent, and Weak Consociations**

The stipulation that Lipset has sometimes made that consociation requires a grand coalition of all the political leaders of all significant ethnic segments in a region or state creates difficulties. As we have seen, it has led many to question whether democratic consociations have ever existed, or, alternatively, to maintain that the concept of consociation is disordered: "Grand coalition is a catch-all concept, describing any joint governmental or quasi-governmental activity pursued by segmental elites whether they undertake that activity as bloc representatives or not, or engage at all in 'summit diplomacy.'" These difficulties may be addressed by distinguishing between complete, concurrent, and weak democratic consociational executives (which, in other parliamentary or separation of powers systems, creates a range of variation in oppositional possibilities).

In a **complete** consociational executive, the leaders of all significant segments of an ethnically differentiated territory are represented. Imagine, for example, that there are two ethnic groups, N₁ and N₂, and that all voters in both groups split their votes between two political parties respectively, giving rise to a four-party political system: A₁, A₂, B₁, B₂, supported by segment N₁ and B₂, supported by segment N₂. In a complete consociation, these four parties would all be represented in the executive. This hypothetical scenario unambiguously corresponds to Lipset’s idea of "grand coalition." But Lipset and others also want to count as consociational those executives in which not all political leaders of all significant segments are included. This is entirely reasonable, since it is the word "grand"—implying "total" and "all-encompassing"—that causes difficulties. What matters is meaningful, cross-community, joint decision making within the executive. And that may take place not only in complete consociational executives but in the following types as well.

In a **concurrent** consociational executive, each significant ethnic segment has representation in the executive and that executive has at least majority support in each significant segment. Unlike a complete consociational executive, a concurrent consociational executive is one in which each significant segment has over half of its voters supporting parties to the government. Thus, using the above example, a concurrent executive would comprise parties A₁ and B₂, and both of these parties would have majority support within their respective segments, N₁ and N₂.

In a **weak** consociational executive, each significant segment has competitively elected political leaders in the executive, but, in at least one segment, the relevant leadership has only plurality (rather than majority) support among voters. In other words, an executive is weakly consociational if one or more segment merely gives its plurality assent while other segments give majority or higher levels of support to the government. Thus, a weak executive would comprise parties A₁ and B₂, each of which is the largest party in its segment (though at least one is not a majority party), and each of which is opposed by a range of smaller parties.

The above classification is intended to help resolve a recurrent and widespread misunderstanding. It bears repeating that a democratic consociation does not require a complete, total, or all-encompassing grand coalition in the executive. What it must have is meaningful cross-community executive power sharing in which each significant segment is represented in the government with at least plurality levels of support within its segment. This clarification is crucial rather than pedantic because it effectively rebuts the insistence by some that all consociational practices are inherently undemocratic because they preclude opposition. This distinction between compete, concurrent, and weak consociational executives need not be applied just to executives. It may be applied equally fruitfully to legislative procedures and especially to constitutional-amendment procedures—not least because these will normally have a bearing upon the capacities of executives.

Having established that consociational executives need not be all-inclusive grand coalitions, we will now turn more briefly to other controversies concerning the democratic character of consociational executives. Consociations may exist which do not include all segments in government. This situation arises trivially in any large and complex state or region in which there are numerous small ethnic minorities and
categories of persons (especially as a result of recent immigration) that are not sufficiently significant – demographically, electorally, or politically – to be organized into any consociational settlement. Thus, the non-representation in political arrangements of Polish immigrants to Lebanon, or of Indian immigrants to Northern Ireland, does not disprove the existence of a consociation. Moreover, consociational practices may also prevail without the participation of one or more ethnic segments that are demographically, electorally, or politically significant. Such consociations are of two types.

In the first type, a dominant coalition deliberately excludes another segment. This can be seen as a combination of consociation and control – consociation for the dominant group who in turn exercise control over the dominated. The logical extension of Lipset’s discussion would be to regard Israel as an illustration of this scenario: concurrent executive consociation among Israeli Jews, under Labour or Likud coalitions, and control by the Israeli government over Palestinians in Israel and in the areas nominally governed by the Palestinian Authority.

In the second type, a whole segment, or a significant majority of a segment, deliberately refuses to participate in consociational arrangements, even though they have been offered places. This is voluntary self-exclusion. A majority of Northern Irish nationalists between 1973 and 1998, for example, refused to accept any solely internal cross-community executive power-sharing arrangement. They demanded, among other things, an Irish dimension: significant inter-governmental and cross-border institutions involving the government of Ireland.

Another way in which a segment, or a party from a segment, may be excluded from representation in an executive is through threshold effects. Every electoral system automatically has some logical or formal threshold that candidates or parties have to achieve in order to win representation. Likewise, consociational executives may have formal rules that produce thresholds of electoral support and legislative representation that parties must achieve before winning control over executive portfolios. In South Africa’s transitional consociational arrangements – which were agreed upon in negotiations between the National Party and the African National Congress (ANC) in 1992–93 – political parties had to obtain 5 per cent of the vote before they could be guaranteed places in the cabinet, and 20 per cent of the vote if they wanted to be guaranteed one of the two executive vice-presidential posts. In Northern Ireland, after its 1998 settlement, ten cabinet positions were available to political parties in proportion to their voting shares. Allocation took place according to a specific algorithm, the d’Hondt formula, which effectively excludes parties that fail to achieve significant levels of electoral and legislative support. Four parties, with 22, 21, 20, and 18 per cent of the first-preference vote respectively, took all of the ten cabinet positions, leaving a fifth of the electorate without a cabinet member representing their first-preference vote. These South African and Northern Irish examples illustrate how proportional allocation rules and threshold effects may lead to the democratic exclusion of smaller segments, or some parties of smaller segments, from access to the executive.

Another issue here is the question of exclusion and inclusion of segments over time. If a pivotal or dominant party alternates in its choice of segments of parties in sharing executive power (as occurred in the Netherlands before the 1970s), how may such a case be classified? One simple answer is that the executive is consociational with respect to the included segments (and variable in degree: i.e., the executive may enjoy complete, concurrent, or weak support from within the included segments). But it is not consociational with respect to the excluded segment(s).

Inter-ethnic, Non-ethnic, and Consociational Parties

It is necessary to insist further on the potentially democratic calibre of consociational arrangements, both with respect to representation and inclusiveness and with respect to oppositional politics. It is rare, even in an extremely ethnically, religiously, or culturally divided territory, for nearly all voters to vote clearly for ethnic parties or candidates representing “their” segments. Some members of some minorities may vote for non-ethnic parties or candidates of other segments as proof of their integrationist or assimilationist intent. Where a political system deliberately obliges voters to vote only within their own segment for their own ethnic parties, then the system should be called corporately consociational. Separate electoral rolls for each ethnic community, with a requirement that everyone register on one and only one roll, illustrates this phenomenon – the British Raj’s organization of separate electoral rolls before Indian independence is a well-known example of such a device. Another example is Cyprus (under the 1960 constitution), where citizens had to opt to be on Greek Cypriot or Turkish Cypriot
governing parties may be classified as consociational by four criteria: (1) the extent to which they draw support from each major segment of voters at plurality levels or above; (2) the extent to which they are descriptively representative in the legislature and the cabinet of the state or region that they govern; (3) their internal party organizational characteristics (i.e., the extent to which their internal governance follows consociational traits of executive power sharing, autonomy, proportionality, and veto rights); and (4) the extent to which they follow consociational practices to manage cases that have rational, ethnic, linguistic, or religious roots.  

A Last Word on the Democratic Calibre of Consociational Arrangements

Elsewhere I have shown that presidencies, especially collective presidencies, have ranked at least as prominently as variants of parliamentary premiership-executive functions in "actual functioning consociational systems." That suggests an interesting riposte to critics of consociational separation-of-power systems create formal mechanisms for accountability and checks and balances of a different nature to those in parliamentary systems, and the critics have an overly strong and unexamined bias in favour of parliamentary systems (though in this respect they share much in common with Liphart). There is no reason why separation of powers systems with collective presidencies need preclude either opposition or accountability. But what matters from the perspective of consociational theory is whether a democratic regime is parliamentary or presidential but whether it has cross-community power sharing over executive functions and legislative agenda setting (and to what degree: complete, concurrent, or weak). To the degree that it is complete, opposition will indeed be weak to the degree that it is either concurrent or weak, opposition will be more vigorously evident.

This analysis has qualified certain of Liphart's views. First, rather than requiring a grand coalition government, a democratic consociation necessarily has an executive in which there is significant cross-segmental representation, though the forms of representation may range from complete to concurrent to weak. Consociations vary, in short, in the extent to which segments are included and in the degree of opposition to the governing coalition in the executive. Second, the degree to which they are liberal or corporate in their popular and assembly voting...
systems should distinguish democratic consociations. Third, consociational arrangements may coexist with non-ethnic and inter-ethnic parties. Fourth, consociational executives are as likely to be presidential as parliamentary, and consociational advocates need have no necessary bias against collective as opposed to single-person presidencies.

Consociational arrangements, it bears saying again, need not be comprehensive; they may be confined to distinct constitutional and policy sectors (in the domain of the politics of identity, recognition, and constitutional change); or they may be applied piecemeal where they are deemed necessary. They need not be mechanically applied throughout the entirety of politics. Nor are consociationalists peddlers of a panacea: the practices they commend are not everywhere likely to be either feasible or desirable.

Consociational arrangements allow for and facilitate greater justice, both procedural and social, say its advocates. Groups govern themselves in agreed domains of autonomy. Distributions that follow proportional allocations may be seen as fair; to each according to their numbers. Within a democratizing world, this idea of fairness has an underlying moral appeal. There is also a correlation between numbers and potential power that makes such a mode of justice likely to be stable and legitimate.

Consociationalists argue that they are realistic, democratic, and interested in just and stable accommodations of differences between communities. They observe, however, that consociations may and do occur without their urgings. Politicians who are without explicit schooling in consociational theory continually invent (and reinvent) consociational rules and institutions. These inventions are “natural” creative political responses to a politics of antagonism: the outcomes of negotiated deals. Politicians, Lipman observes, invented consociational rules and institutions in the Netherlands in 1917, in Lebanon in 1943, in Malaysia in 1958, and in Northern Ireland in 1972. Consociations were reinvented by American diplomats to end the war in Bosnia-Herzegovina in 1995 by Lebanese and Northern Irish politicians with external prompting in 1988 and 1998 respectively; and by EU diplomats in promoting the Obarid Agreement between Macedonian Slavs and Macedonian Albanians. The UN and the EU between them have been trying to mediate a consociational and federal settlement in Cyprus, and the United States may end up overseeing something similar in Iraq.

Nor is it just politicians who reinvent consociational ideas. Jurists, constitutional designers, and political theorists constantly do so. As do so-called ordinary people. Jurists in the Holy Roman Empire proposed consociational ideas; and consociational propositions were freshly minted by the Austro-Marxists, especially by Karl Renner. Within academic political theory, without a full appreciation of the history of their ideas, many contemporary multiculturalists advance consociational agendas; inclusivity (cross-community power sharing), quotas (proportionalism), and group rights (autonomy) are usually advanced as a package for remedying the participatory defects of contemporary democracies.

To sum up the rebuttal: in response to the charge of futility, consociationalists respond with some modest but important success stories; to the accusation of perversion, they reply, first, that it is often more perverse to deny the existence and salience of ethnic identities (and provoke conflict thereby) than it is to build upon them, and second, that the dissolution of (undesirable) collective identities and antagonisms may be more likely to occur after a period of consociational governance. Lastly, to the charge of jeopardizing, they emphatically plead “not guilty.”

EXEMPLARY THEORIES OF CONSOCIATION

The ethical and political controversy surrounding consociations and normative consociational theory should be evident. Debates are no less heated over the explanations of why consociations are established, maintained, and break down. The academic literature on this matter is surprisingly ad hominem and disputatious, perhaps because the normative, ethical, and political issues just discussed underpin it. The authors are not impartial in these matters. What is presented here is an attempt at a constructive synthesis with Lipshart’s work: it seeks to build on Lipshart’s achievements while avoiding ad hominem counter-attacks on his critics.

Our focus is on genesis. It is on why consociations are formed, although what allows a consociation to be formed will often help to maintain it. There are two general means by which we might seek to explain the formation of consociations: the inductive and the deductive. The inductive approach seeks to identify all past and present consociations and the antecedent conditions they had in common before they were created; especially those conditions that differentiated these cases from cases where consociations were not formed. Whatever all
majority, has no obvious democratic incentive to be disposed towards consociational arrangements with segmental minorities.

Even so, Liphart’s thesis needs partial qualification. A dominant descriptively consociational party may exist in such an environment, rooted in the demographically and electorally hegemonic segment. Some suggest that this is true of the ANC in contemporary South Africa and was true of the Congress Party in India. Such a party need not be strongly disposed towards the full array of consociational institutions and practices, but the relevant minorities may have some credible bargaining power that induces consociational behaviour in the otherwise dominant party. A minority composed of the co-religionists, co-ethnics, co-linguists, or co-nationals of a neighbouring and significant power may have such credible bargaining power (the Muslims of India were partly conceived of in this way in the early history of independent India). An economically vital minority, with high levels of human capital and the means to emigrate (the whites of South Africa may be an example), may be another candidate for consociational generosity by the leaders of the majority segment. In short, such minorities’ resources, and their bargaining (or black-mail) potential, may constrain the hegemonic potential of a demographic and electoral majority segment.

A minority segment might also be induced to appease with consociational practices a minority that is expanding demographically and thus on the verge of altering the segmental balance of power in the electoral arena. This will be especially so if the expanding minority cannot be easily assimilated, integrated, controlled, or expelled. The steady demographic expansion of cultural Catholics in Northern Ireland, and the concomitant rise in support for Irish nationalism, was a background variable in encouraging some members of the diminished cultural Protestant and Unionist segment to consider a new concurrent and comprehensive regional consociational experiment in 1998. The rapid demographic growth of the Albanian population in Macedonia, and recent international constraints on ethnic expulsion in the region, likewise persuaded some Slavic Macedonians to support the consociational Oslo Agreement in 2000. The argument for consociation within the respective majority segments in Northern Ireland and Macedonia takes the form of saying, “It is better to make a generous deal now than face having a full reversal of status dictated to us in the future.” For this to be plausible, the dominant group’s political class needs to be
persuaded that the growing minority, if treated well, will not behave as an oppressor when it becomes a majority.

Lastly, demographically, electorally, and fully hegemonic majority segments may adopt some consociational practices as acts of generosity. They may do so in response to the demands of indigenous peoples. The latter may appeal to the consciences of the descendants of the settlers who overran (and sometimes exterminated) the prior holders of the land. Such minorities may be treated generously in compensation for historic maltreatment, and because they lack any credible demographic or electoral capacity to overturn their historic conquest. Likewise, dominant minorities may tolerate consociational claims from isolated, small, and religiously or linguistically intense minorities that pose no threat to their dominance.

The pathways just considered are logically reversible, in the manner of good explanations. That is to say, where demographically and electorally hegemonic minorities have no strategic reasons to accommodate potentially subversive or credibly threatening minorities, they are likely to be anti-consociational. Or, analogously, if minorities lose their bargaining power through the loss of population or economic power, or through the weakening of their external supporters in neighboring regimes or great powers, then the dominant segment will be correspondingly more disposed against consociation. Likewise, if the dominant experience no guilt, or are intolerant of religious and linguistic minorities, they will be deaf to consociational recipes for accommodating unthreatening communities. In addition, we may safely predict that, within hegemonic groups, there will be those who warn that making a consociational settlement with an ascendent minority will be the prelude to a full reversal in power relations. They will be correspondingly tempted by the options of control, expulsion, or territorial downsizing.

These considerations indicate that even the most plausible condition favoring the formation of a democratic consociation is not an invariably law: a demographically and electorally dominant segment may produce parties and politicians who may embrace some consociational practices and settlements. But the intuition that the demographic and electoral balance of power is critical in assessing the likelihood of consociational settlements is nevertheless politically and sociologically plausible. Secure and sovereign hegemonic groups are likely to be ill-disposed towards consociation. There are, however, many possible balances of power other than one in which there is a hegemonic group.
will be undermined. The segmental leaders and their followers need to believe that holding their own share of power and autonomy is more prudent than moving towards dominance.

The existence of "multiple equal but few segments" may produce a different balance of power. This odd-sounding configuration of numbers of segments and their relations is one Lijphart has suggested as being the most conducive towards consociational settlements and their maintenance. To some extent, this argument has been confused with others about the merits of multi-party as opposed to two-party dynamics. It is a matter of logical deduction from the definition of consociational democracy that a multi-party environment is more likely when systems operate, which in turn makes the formation of coalition governments more likely. But no one should assume a one-to-one mapping between segments and parties, especially when there is p.

Several considerations should make us question Lijphart's assumption that multiple, few, and equally sized segments are necessarily the optimal environment for generating consociations. One is practical. If there are multiple segments, there may also be multiple parties within each segment—a situation that may complicate the making of stable consociational pacts that enjoy pluralist or concurrent majority support across all segments. The number of potential negotiating partners, after all, multiplies as the number of equally significant parties expands. Another is political. Where there are three to five major segments, a dominant coalition may be possible, depending on the size of the respective groups. Two or more segments may coalesce—possibly as consociational parties—and then seek to dominate others. Bosnia-Herzegovina tragically illustrates this point. There, the presence of three substantial ethnic segments produced not an accommodating grand coalition but instead an unstable dominant coalition that sought to exercise control over the excluded segment.11

History matters, or does it? There is a simple path-dependency argument associated with Hans Daudert; namely, prior elite traditions of accommodation and "pillarization"—prior, that is, to democratization—make the forging and maintenance of a consociational settlement easier. He had the Netherlands and Switzerland in mind.12 In one respect, this thesis seems intrinsically true; a history of inter-segmental accommodation makes its continuation more likely. However, it has a logical explanatory corollary. A prior history of elite antagonism—again, prior to democratization—must make a consociational settlement less likely. That, of course, means that recommending consociation where it is needed is likely to be skin to sowing seed in infertile soil, which is an anti-consociationalist argument. Lijphart, Gerhard Lehnenbruch,13 and Eric Nordlinger14 all independently invoke the idea that elites may learn from history. Elites, they conclude, may engage in a self-deceiving prophecy and make a peaceful accommodation to avoid the costs of actual or possible protracted civil war, as did the Swiss in the nineteenth and the Lebanese in the twentieth century, and as the communities of Northern Ireland, Bosnia, and Macedonia may be doing now. That, too, seems obviously true, in which case, strikingly different histories have the same potential: histories of accommodation and histories of antagonism may both promote consociational settlements.

One can write the case histories of successful and failed consociations in two ways: showing how they had design accommodative pacts, or showing how malign pasts contributed positively to the present. Non-colonial relationships between the segments are more likely to dispose communities towards accommodation.15 By contrast, cooption over the identity of the autonomous natives, over who are the biocultural people, is likely to make consociational settlements more problematic.16 as will a recent history of attempted genocide or of expulsion. That history can be used both as portent and as rational prophecy is not, of course, unique to the politics of consociation. Neither facile determinism nor facile voluntarism makes social-scientific sense. We may conclude that elites who want to make a consociational settlement, or who want to maintain one, may draw upon traditions of accommodation—it they exist or they may argue for accommodation to counteract a negative history and an appalling future—if that is what is required. That in turn implies that the conjunctures of current motivations and beliefs of elites and their publics, current resources and sociology of group relations, and current institutional and external environments may be more important than received histories in accounting for consociational settlements. Persons, of course, make history, but not just as they please. The nature of the cleavages in divided societies, and the relationship between cleavages, are clearly important factors. Lijphart writes as if all possible cleavages that give rise to enduring segmental antagonisms are equally amenable to consociational treatment. That does not seem to be so. Consociation alone may not be enough to overcome some types of divisions. There are good grounds for supposing that, when communities are already mobilized as nations or parts of nations, they
will not be content with consociational settlements that simply leave the existing definitions of state sovereignty intact. Such groups may be outright secessionists and refuse power sharing, or regard it as co-optation. Hence, they may be willing to accept consociational arrangements only if other arrangements dilute the sovereignty or unitary nature of the existing state. For example, they may require recognition of their national identity in new political institutions and co-sovereign or confederal relationships. Consociational arrangements alone are not enough to pacify a nationalist community with authentic and feasible irredentist or secessionist ambitions, as in Northern Ireland, Sri Lanka, or Cyprus, but they may, nonetheless, constitute a fundamental part of a stable settlement. It follows that a shared national identity among potentially rival communities, however weak, facilitates simple consociational arrangements, i.e., ones that do not address the territorial definition or sovereignty of the state.

But what of other cleavages? Brian Barry has suggested that consociation works better for religious and class cleavages than it does for ethnic cleavages because "religious and class conflict is a conflict of organizations. Ethnic conflict is a conflict of solidarity groups (that) do not need organization to work up a roar or pogrom as long as they have some way of recognizing who belongs to which group." Yet, ethnic divisions are, he thinks, deeper and less amenable to organizational control, which makes it more difficult for leaders to restrain their followers. The stakes in ethnic conflicts are less negotiable, evidenced in outbidding by headline elites and by massacres. Ethnic divisions raise the question of whether a state should be a state, as opposed to how it should be run. Barry's argument makes sense in two respects. Inter-ethnic divisions that have become inter-national divisions are less attributable to consociational engineering, or to consociational engineering alone. And pure class conflict is rarely as intense or as violent as pure ethnic conflict.

The rest of Barry's implicit political sociology of cleavages is less obvious than he thinks. Not all ethnic divisions generate rival nationalities, though they are more likely to do so than other divisions. If ethnic communities agree on the territorial integrity of a state or region, then creating and managing consociation need not be insurmountably difficult, as it is not, for example, in Belgium and Switzerland. Protecting religious communities may be more mutually existentially threatening to collective and individual identity than endogamous ethnic communities. Institutional compromises over the management of linguistic policies may be easier to obtain than over religious matters. After all, linguistic groups need not listen to or read others' religious proclamations. And agreeing on programs of government may be easier between representative ethnic parties, or within a descriptively consociational catch-all party, than between parties divided by ideology or class.

In fact, it is rare for any complex state or region not to have multiple cross-cutting cleavages. Standard pluralist theory has it that cross-cutting cleavages dampen down the intensity of each cleavage -- for example, ethnic divisions will dilute class divisions and vice versa -- and multiply the bases on which people can be mobilized for coalitions. It suggests that, in this political environment of multiple and less-aligned group members, there will be less need for consociational politics. That is true when it is true, and it is also possible that a sustained period of consociational institutions may generate such a configuration. But its empirical likelihood appears to depend on the supposition that all cleavages are equally salient for significant numbers of cross-cut individuals.

There appear to be many cases, however, where cross-cutting cleavages do not reduce the intensity of a dominant antagonistic cleavage. Class divisions may lead to party differentiation within national, ethnic, or religious communities without reducing the intensity of the conflict between them. Indeed, where communities have been mobilized behind rival nationalism or rival sectarianism, this is almost true by definition. In these circumstances, standard pluralist or integrationist recipes are unlikely to work, and consociational prescriptions may be appropriate, even if they may not be easy to achieve.

However, consociationalists can accept pluralist reasoning up to a point. In the absence of a control system and where there are two national, ethnic, or religious communities, and where one is disproportionately concentrated in the dominant economic and subordinated economic strata respectively, we can legitimately expect conflict to be more likely, and more violent. This is why Laphart has argued that approximate socio-economic equality between segments is a significant conducive factor in making and sustaining a consociational settlement -- presumably because the political system will not be hoisted with major redistributive conflicts between communities.

This does not mean that the unity thesis is correct, that consociationalism only works in societies that are mildly divided. That moderate
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for it implies the necessity of secure and autonomous elite predominance over a politically deferential or organizationally encapsulated following.54 Plainly, where politics are neither deferential nor encapsulated, sufficient numbers may nevertheless sustain a convivialist regime — though, of course, the regime will be more vulnerable to the withdrawal of their electoral support and to the mobilizing appeals of ant deferential and extremist ethnic or communal "outflankers."

It therefore seems better to argue that structured elite predominance facilitates the making of a settlement, rather than being a necessary condition. Nordlinger identifies four conditions that generate such predominance: (1) general apolitical quiescence; (2) politically acquiescent followers; (3) patron-client relations; and (4) mass parties with extensive organizational capabilities. The first three of these seem less and less likely to be available because of worldwide modernization processes — even if they are differential in their impact, and even if patron-client politics will persist in the developing world in the future. It is, therefore, organized mass parties with confident and secure leaders that are typically the politically critical variable. This reasoning in turn generates a key institutional-design question: What systems of electoral and party law create the right environment for such parties to be able to generate consecrations? Where convivialist parties — i.e., single parties that are convivialist in their internal make-up and policy positions — already exist, it is best to leave the electoral and party laws alone even if they are not based on pure PR. Liphart, however, has been a consistent advocate of party-list PR to facilitate appropriately convivialistically disposed parties and leaderships — suggesting that such systems give leaders control over their parties' candidates (and therefore over their onrall party rivals), as well as obtaining transparent proportionalism. But such systems, unless accompanied by high thresholds, also create incentives for dissidents to create their own parties and thereby encourage outflanking and possible system break-downs. Intra-ethnic competition may be as dangerous to a convivialist as inter-ethnic competition if hardline extremists become ascendant within one or more communities. Preferential PR systems, such as the single transferable vote, however, may well assist moderate parties (as opposed to hardline parties) within ethnic communities. That is because moderate parties and their candidates are more likely to obtain lower-order voting preferences (transfers) from the voters of their ethnic rivals.55

(b) The Domestic Political Regimes: Political Culture and Institutions

Publics that are disposed towards accommodation and power sharing will reward political leaders and parties that promote these objectives. But this point simply echoes Dake's argument about the importance of civil traditions of accommodation. What about the more problematic cases of ethnic communities that are not disposed by history or culture — or the present facts of their relations — to be well disposed towards consociational settlements and their maintenance? Here, the contribution of Eric Nordlinger remains helpful, though it needs restatement. According to Nordlinger, "the presence of conflict-regulating motives, in combination with conciliatory attitudes and the top leaders' political security, constitutes a sufficient explanation for the existence of conflict-regulating behavior [and] the structured predominance of elites vis-à-vis non-elites within their own conflict groups is a necessary condition for conflict-regulating outcomes."56 In Nordlinger's view, one or more of four conflict-regulating motives is necessary: the desire to avoid bloodshed (Liphart's self-denying prophecy); and the desire to obtain or increase prosperity (which is most likely when each community has an extensive commercial class). The first, third, and fourth of these are instrumental and state-manlike considerations that would generate and maintain a consociation. Nordlinger's second point, however, is more controversial,
Complete (as opposed to weak) consociations seem much less likely under party-list PR systems. Moreover, party-list PR alone cannot guarantee a power-sharing executive: for that to happen there have to be either norms or rules attached to executive formation. Other formulas may be more likely to discourage the creation of significant anti-system, ethnically exclusive, parties without breaking democratic or consociational norms. If the de facto and de jure thresholds in the electoral system and in access to the executive both require parties to be of a generally large size and willing to abide by the rules of the game, then the incentives for party fragmentation may be reduced. It may be possible to have laws on party registration and formation that temporarily protect existing parties—for example, laws that prevent parties from forming within parliament or prevent legislators from changing their party allegiances without resigning their offices—without institutionalizing a cartel. Systems in which voters directly choose the executive through preferential PR systems, and in which the legislature’s rules require a well-formed executive to enjoy at least weak consociational support, may be worth considering. Then voters would in effect be faced with a choice: vote for a representative executive that will work or vote for executive chaos.56

(c) The External and International Environment

Three factors have been identified in the literature on the relations between a political system’s external relations and its likelihood of adopting and maintaining consociational practices: size, shared threats, and foreign policy loads. I will add a fourth that has not previously been addressed: international norms.57 Small demographic size is regularly invoked as a variable facilitating consociation.58 This idea is inductively generated through observing the small populations of Lebanon, Austria, the Netherlands, Belgium, Switzerland, Sweden, and the Netherlands Antilles (and some would now add Luxembourg, Liechtenstein, South Tyrol—and, perhaps in the future, Northern Ireland, Bosnia-Herzegovina, and Macedonia). Liphart distinguishes four possible effects of small size. The direct internal effect is that political elites all know one another, interact regularly, and thereby negotiate more easily without too much constituency pressure. The direct external effect is that small states are likely to feel externally threatened and be more induced towards international accommodation. The indirect internal effect is that smaller states are easier to govern. The indirect external effect is that the country’s low international salience creates a lighter foreign policy load.59

The hypothesized internal effects are less warranted than they appear. What matters, presumably, for successful elite interaction is psychological and political closeness rather than geographical distance. “Great harms, little room” was Yeats’s memorable line about intra-Irish ethnic-religious relations. Liphart himself, drawing on Cyrus,56 speculates that there may be directly negative effects from too small a population, as it makes a death of political talent more likely. But this, too, seems unwarranted: political talent has existed in abundance in Cyprus and Northern Ireland; it has just not been deployed until recently in a sustained politics of accommodation. The hypothesis of the greater governability of the small is surely not obvious: governing Lebanon is surely more daunting than governing France.

The external effects seem better warranted, but even here there are plausible counter-hypotheses. The direct external effect surely operates independently of size. That is because shared external threats give domestic elites significant incentives to accommodate one another’s communities whatever the state’s population happens to be (if size matters here it is because the smaller unit is geopolitically weaker). The direct effect, as Liphart recognizes, surely also requires the threats to be shared—only in that way can the belief that “my external rival is my external enemy’s enemy” generate the appropriate dispositions for coalition. The formation of the Lebanese pacte nationale in 1943 is a case in point. It was formed largely by Mazzoni and Sunni elites in opposition to the (Free) French mandatory authorities’ coercive attempt to avoid decolonization. Analogous effects operated in 1958 when a political crisis re-qualitified the Lebanese consociation as key elites sought to avoid external penetration of their state. The disappearance of sufficient shared threats, and the partisan alignment of local communities with external powers such as Israel, Syria, and Iran were both cause and consequence of the breakdown of the Lebanese settlemenent in 1957. Agreement to weaken both Israeli and Syrian influence in the country arguably lay behind the making of the Ta’t Accord. As for the indirect external effect, it might be suggested that small states may well experience foreign policy overload, and conversely, that a light foreign policy load might make the domestic inducement of political antagonism easier. Within regional units of government, as opposed
to sovereign states, local elites have blocked power-sharing deals even though they have no serious international responsibilities — for example, the Ulster Unionists in Northern Ireland between 1974 and 1998.

No consociational theory maintains that a small population size is a necessary condition of consociational success. Consociational arrangements worked in South Africa between 1945 and 1996, despite a population of nearly 40 million, India, which is now probably the state with the world’s largest population, and Canada, which has a population of over 30 million, have both been seen as having had at least semi-consociational pasts and possible futures. The EU, which encompasses over 450 million people, has consociational and confederal practices, especially in foreign and security policy.

Perhaps, therefore, there are better ways to express the intuition behind the apparent correlation between consociation and small-sized polities. One is that the elites of great powers, as opposed to small powers, are more likely to be reluctant to embrace consociational decisions because of security imperatives that arguably call for less consensual decision making and more energetic discretionary executive power. This reasoning lies behind the arguments of those who want to create a vigorous and energetic apparatus for the foreign and security policy making of the EU. The second is that great and regional powers may be more willing to impose domestic arrangements on small powers that they would not dream of imposing on themselves. The United States and European powers used vigorous coercion and inducements to promote consociational settlements in Bosnia-Herzegovina and Macedonia. In the last century, the European powers intervened to create autonomy and rights packages for Christian minorities within many of the former provinces of the Ottoman Empire — packages that they did not always or even generally apply to their own religious minorities. Similarly, the centres of sovereign unitary states may be willing to induce local elites to agree to consociational autonomy or federal settlements in small, localized regions without re-engineering their core states, for example, Great Britain and Northern Ireland, and Italy and South Tyrol.

There is a last way in which external relations may matter in the genesis of consociations, and that is through the direct and indirect effects of international norms. There are, of course, diverse readings of the history of international norms and actions. The received understanding of the Westphalian system was that sovereign states were to leave one another alone in their domestic cultural zones. In other words, their sovereignty gave them the right coercively to assimilate or integrate minorities within their borders. On some interpretations, sovereignty even included the right to commit genocide. The trading of the Westphalian system and its practices, however, has never been entirely without challenges. The Treaty of Westphalia protected some religious power sharing. Moreover, in the 1920s, after the collapse of the Habsburg, Ottoman, and Czartar empires, some new European states that had been recognized at Versailles signed minority rights treaties that in principle could have been regulated by the League of Nations. These treaties bound them not to abuse their minorities and in some cases required them to maintain or develop semi-consociational practices (notably in religious, educational, and linguistic matters). The result, of course, was hardly a success story — and indeed the United Nations was partly constructed in a deliberate rejection of these experiences. But the post-decolonization international law of self-determination, and the politics of recognition that arose in post-communist successor states, have prompted a revival of efforts to look new states into systems of minority protection — and in turn this has provided some external shield for minorities that advance consociational demands.

Other indirect effects of international norms and interventions are apparent. There are international prescriptions against genocide and expulsions. There are norms of some significance that reward states that are democratic and that make non-democratic regimes potential pariahs. There are additional proscriptions against coercive assimilation. There remain strong biases in the state system against secession and partition. The conjunction of these norms leaves international organizations and great powers — when they intervene in national, ethnic, and communal conflicts — usually confined to promoting one of three repertoires of conflict regulation: (1) territorial autonomy and/or federation; (2) integration; or (3) consociation. In some scenarios, to prescribe integration — for example, in Bosnia-Herzegovina, Macedonia, Northern Ireland, or Cyprus — is to prescribe the partition victory of one community over another. The upshot is that the normative prohibition, if not factual exclusion, of certain options that were once standard may create leverage in favour of consociational arrangements in small political systems.

There are at least three current experiments in what are termed “complex consociations” — Northern Ireland, Bosnia-Herzegovina, and
Macedonia—that illustrate the above tentative suggestions. All involve the four constitutional institutions of executive power sharing, proportionality, autonomy, and veto rights; but they also involve international efforts to resolve national self-determination disputes, international involvement in the mediation, negotiation, arbitration, and implementation of peace settlements; and cross-border or confederal relationships (and sometimes institutions) for national minorities with their kin in other states. They are somewhat less frequent that the international promotion of autonomy settlements, but their presence in our times is suggestive.

Four elements make these emergent cases “complex.” First, they are political settlements that specifically attempt to address national self-determination disputes between communities—i.e., where there is an opposition between at least some successor states and state unions or federations—by institutionally recognizing more than one people, nation, or society and providing constitutional architecture within which more than one people can co-exist, durably if not necessarily permanently. The settlements may involve defining the state as multinational, recognizing national minorities as well as majorities, organizing referendums to ratify such settlements by more than one jurisdiction, or providing mechanisms to trigger referendums. Second, they are political settlements that simultaneously involve peace processes—mechanisms, confidence-building measures, and institutional and policy transformations that are intended to halt conflict and to minimize future violent recurrences. They therefore involve the restructuring of security systems and the adoption of measures intended to end secessionist (and anti-secessionist) paramilitarism, as well as new human rights protection mechanisms. Third, these settlements involve at least one other conflict-regulating strategy or principle in their design. This is most obvious in cases that combine consociation and territorial autonomy, as is illustrated by the attempted settlements in Northern Ireland and Bosnia-Herzegovina. But this point requires further elaboration.

“Complex” consociations involve at least one additional strategy other than consociation. Excluding those strategies to which no minority community’s leaders would freely give their assent—namely, genocide, expulsion, assimilation, and hegemonic control—in practice means that “complex” consociations involve the combination of consociational strategies with one or more other strategies such as territorial autonomy, arbitration, integration, and possibly “downsizing.”

Consociations, for example, may be combined with territorial autonomy. Northern Ireland has territorial autonomy from Westminster. The

federation of Bosnia-Herzegovina has territorial autonomy for Serbs, Bosnians, and Croats. Macedonia will have territorial autonomy for Macedonian Albanians. Consociations may have arbitration mechanisms for resolving disputes between the partners, such as impartial courts, commissions, international judges or international commissions. Consociations may have elements of integration, such as common citizenship equality laws and constitutional and institutional design that permit the voluntary integration of communities. And, not least, they may have mechanisms that enable the secession of the relevant unit of consociational governance, or, alternatively, a procedure for enabling the central state to “downsize.”

Northern Ireland illustrates this point, but, by contrast, there is no such provision in the cases of Bosnia-Herzegovina or Macedonia.

A fourth and last element of complexity is international involvement in the making, ratification, and maintenance of the relevant consociational or autonomy settlements. This may involve neighboring states, regional powers, great powers, the EU, or regional organizations such as the Organization for Security and Cooperation in Europe (OECI) or the OSCE. International involvement may be critical in organizing and monitoring ceasefires, in providing good offices for the making of settlements, in designing implementation arrangements, and in providing default mechanisms to arbitrate disputes. The levels of institutionalization may vary. Domestic incorporation of international human and minority rights standards does not necessarily challenge the sovereignty of the state. Institutionalized cross-border cooperation and the formation of bodies with executive powers in more than one formally sovereign jurisdiction, by contrast, do entail at least a pooling—if not necessarily a diminution—of sovereignty. High commissioners appointed by great powers are indistinguishable from the prefects of protectorates.

In summary, “complex consociation” is distinguished by the existence of policies, institutions, and constitutional arrangements that address an antagonistic self-determination dispute, incorporate peace processes, involve elements of at least one other major domestic conflict-regulating strategy, and, lastly, entail external or international powers in the making, implementation, and maintenance of the settlement.

The claim here is that these relatively novel emergent configurations are likely to proliferate in future crisis zones. That is not to suggest that they lack precedents; for example, the Cypriot constitution of 1960 had many of the elements of a complex consociation. It is to suggest that there are reasons why these hybrids are emerging simultaneously and
in a more widespread manner. The small-polity effect and changes in the norms of the international order may be the keys to such formation.

CONCLUSION

The rival moral and political evaluations of concession are unlikely to be resolved and are probably not amenable to decisive confirmation or falsification by evidence. Anti-concessionists fear that concession will bring back racism, fundamentalism, and patriarchy, whereas concessionists fear that integrationists will provoke avoidable wars and are biased in favor of dominant communities. The intensity with which this debate has raged attests to the influence of concessionalist thought. It certainly belies the claim that concessionalism is irrelevant. The test of concepts, taxonomies, and theories in the social and legal sciences is twofold, i.e., whether they serve worthwhile explanatory or normative purposes. The claim of this study is that the exponents of concession, when their case is put carefully, can successfully rebut the wilder charges made against their moral and political positions. Concession, simple or complex, are certainly difficult to love and celebrate—even if their makers often fully reject intellectual, moral, and political admiration. They are, after all, the cold bargains, even if they may be tempered by political imagination. And, second, concessionists and uncompromising unionists might profitably be counseled that their efforts may land them with those systems if they fail to win on the battlefield.

As for the explanation of concessions, it is fair to say that, while significant preliminary work has been done, a comprehensive comparative historical analysis of concessional settlements and their outcomes remains to be completed. It will be no bad thing if further concessional research and practice reduces, by no matter what small amount, the tide of national, ethnic, religious, and communal blood that regrettably seem certain to flow in our times.

NOTES

1 The United States Institute of Peace provided support to the author for the research behind this manuscript, and the Rockefeller Foundation provided him with a residential fellowship at Bellagio, Italy, in the winter of 2002. A longer version of this chapter was presented at the University of Western Ontario, London, Ontario, in November 2004, and in a revised form at the Cultural Diversities in a Globalizing World conference in Hawai'i in February 2005. The chapter consists of segments of a work in progress: Appreciations is owed to John McGarry, Arend Lijphart, Katherine Adendorff, John H. Aldrich, Torben Balchel, Florian Bieber, Marjolein Bogaards, Shelley Dawson, Kristin Henrard, John A. Hall, Jan Hugenholtz, Margaret Moore, Jack H. Nagel, Sid Noel, Jurgen Steinle, Goren Sasso, Steve Wilkinson, and Stefan Wolfs, and all my colleagues at the Ash Center at the University of Pennsylvania. These arguments were compelled into existence by the conviction that it is important to rebut now conventional criticisms of consequential theory and practice, for which some of my own friends and teachers are responsible, e.g., Brian Barry, Ian S. Lustick, Donald L. Horowitz, and Rupert Taylor. Changing their minds is part of the chapter’s agenda.


3 “Power sharing” is not a synonym for concession because there are other than concessional ways to share power, e.g., through federation, intermittent and temporary coalitions, alternating governments, the separation of powers, and generally “collapsible” institutions. See Randall Collins, Democratization from the Outside in: A Geopolitical Theory of Collegial Power (Scottford, Calif.: Stanford University Press 1993). Each of the types of power sharing listed above can be deployed in consequential formats. What makes concessional power sharing distinctive is that it mandates power sharing across communities through construction of proportionality and autonomy.


8 Taylor, "Consciousness or Social Transformation?" 12.
9 Brass, Ethnic Conflict in Mutlitethnic Societies, 346-11.
11 Brass, Ethnic Conflict in Mutlitethnic Societies, 344 (my emphasis).
12 Ibid., 334-339.
16 Brass, Ethnic Conflict in Multietnic Societies, 340. Since Bess uses Great Britain for his argument rather than the United Kingdom, one must assume that his exclusion of Northern Ireland from his endorsement of its adversarial politics is deliberate (or else, like some Americans, he inaccurately equates Great Britain with the United Kingdom). If Northern Ireland is considered part of the United Kingdom political system, which it has been, the merits of adversarial politics are much less obvious. See Brendan O'Leary and John McGarry, The Politics of Antagonism: Understanding Northern Ireland, and ed. (London: Athlone Press 1990). As for the United States, the claims for the integrative effects of adversarial politics with respect to native Americans and the descendants of slaves have been unconvincing to successive cohorts of foreign observers of the country from Toqueville to Mandle. Their stories are not in integral part of the critical histories of American political development. See Rogers M. Smith, Conflict and Integration of Citizenship in U.S. History (New Haven, Conn.: Yale University Press 1997).
17 Brass, Ethnic Conflict in Mutltiethnic Societies, 341.
31 These distinctions may be clarified by placing them on the Nagel spectrum. See Jack H. Nagel, "Expanding the Spectrum of Democracies: Reflections on Proportional Representation in New Zealand," in Coret et al., Democracy and Institutions, 13-57.
32 Lipshitz recognizes this, describing "joint decision making" as the key characteristic of power sharing. See Arend Lipshitz, "Mainstream Democracy," in Seymour Martin Lipset, ed., The Encyclopedia of Democracy (London: Routledge 1991) 853-65. My analysis suggests that some of Lipshitz's classifications may be dismissed; for example, Morocco's rejection that none of the four countries identified by Lipshitz as having followed "constitutional peace" -- namely, Lebanon, Malaysia, Sarawak, and the Netherlands Antilles -- led to grand coalitions because each group was represented by more than one seat of leaders. Donald L. Horowitz, Ethnic Groups in Conflict, 175.
34 Lipshitz, Democracy in Plural Societies, 150-6.
35 The offer of such institutions, it is important to add, came almost entirely from the U.S. government; but even if nationalists had not had a wider agenda, nor even a plurality of voices unions was not prepared to share executive power with them.
38 My thanks to Matthias Bogaards for urging me to address this matter (personal communication).
39 Where one segment stays constantly in the executive and alternates its partners from other segments, it may seem plausible to label such a phenomenon as "electronic grand coalition," but this, I submit, looks too much like conceptual stretching.
40 Donald V. Smiley, "French English Relations in Canada and Constitutional Democracy," in Milton Esman, ed., Ethnic Conflict in the Western World (Ithaca, N.Y.: Cornell University Press 1977). S.J.R. Noel cites historian Frank Underhill as saying that the great Canadian invention of the nineteenth century was the "composite bi-racial, b-cultural party, uniting both French and English voters" (Noel, "Canadian Responses to Ethnic Conflict," 49).
41 I have benefited from discussions with Matthias Bogaards. Our positions are not, in my view, very different.
42 The second and third criteria are Bogaards's; the first and last are mine.
43 O'Leary, Constitutionalism.
47 Two of Lipshitz's critics, Lustick and Bogaards, observe the changes in the numbers of conducive conditions he identifies over successive publications. Lustick makes fun of the changes, but, rather than seeing them as indicative of inconsistency on Lipshitz's part, they should be viewed as an appropriately flexible and explicit effort to refine theory through accepting logical and empirical critique.
49 Lipshitz, Democracy in Plural Societies, 55.
50 Lipshitz, Democracy in Plural Societies, 55.
51 For a lucid exposition of the Nash equilibrium, see Ken G. Binmore, Fun and Games: A Text on Game Theory (Lexington, Mass.: D.C. Heath 1991), xxix, 603.
52 Papapalalo, "Conditions," 364.
53 In Bosnia-Herzegovina, before the war that accompanied its independence, the demographic composition of the population (in 1987) was 40% Bosnian (of Muslim origin), 32% per cent Serb, and 18% per cent Croat (with the remaining 10% per cent identified as "Yugoslavs" or as members of other ethnic groups or of mixed origins)—S.R. Sanner, Nationalism and Federalism in Yugoslavia, 1962-91, and ed. (Bloomington: Indiana University Press 1994), 181. (Calculated from Table 121. A combination of Bosnians and Serbs or Bosnians and Croats would thus constitute a clear majority, while a Croat-Serb coalition was within credible reach of a majority. This tricolar situation, in which no one segment had a demographic or electoral majority, but in which any combination of two could credibly hope to have one, became explosive. For accounts of the civil and international war that followed and its aftermath, see Richard Holbrooke, To End a War (New York: Random House 1998), and Samantha Power, Bosnia after Dayton: Nationalist Partition and International Intervention (New York: Oxford University Press 2002).


56 Nordlinger, Conflict Resolution (2003).

57 McGarry and O’Leary, Understanding Northern Ireland.


59 See McGarry and O’Leary, Understanding Northern Ireland; McGarry and O’Leary, The Northern Ireland Conflict: That is one of our arguments concerning Northern Ireland.

60 Barry, "Review Article: Political Accommodation," 504-5. Hecowitz makes a similar claim: "European [as opposed to Asian or African] conflicts are less ascersive in character, less severe in intensity, less exclusive in their command of the loyalty of participants, and less pre-emptive of other forms of conflict." (Ethnic Groups in Conflict, 571-4).


62 Nordlinger, Conflict Resolution, 119.

63 Horowitz’s claim that “no mechanism can be adduced for the adoption or retention of consociational institutions, particularly no reason grounded in electoral politics” (“Consociational Design,” 238) is unwarranted. Politicians may have both instrumental incentives and other reasons to make and maintain consociational institutions. Horowitz’s claim startlingly contradicts the claim of other consociational critics (and that he has also made) that the making and preservation of consociations provides incentives for politicians to reassure and reinforce group differences and besnów patrimonial ties among groups.

64 Nordlinger, Conflict Resolution, 78-87; see also Pappadopulo, "Conditions," 180-2.


66 Within regional consociations or protectorates, the relevant publics may enjoy the luxury of irresponsibility: they may be able to vote for chaos knowing that direct rule from the centre or international rulers will likely take over from the local executives. Voters in independent and sovereign consociations have greater reasons to be circumspect.

67 Liphart, Plural Societies, 65-70.

68 Liphart, Politics of Accommodation, 121ff.

69 Liphart, Plural Societies, 139; Liphart, Power-sharing in South Africa, 123.

70 The system of state sovereignty that developed in Europe after the Treaty of Westphalia (1648).


72 McGarry and O’Leary, The Northern Ireland Conflict, chapter 1.