The Political Regulation of National and Ethnic Conflict

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NATIONAL and ethnic conflict has been a persistent feature of modernity but the last few years have brought seismic changes in the relations between several ethnic communities around the world. The disintegration of the Soviet Union and Yugoslavia have led to multiple ethnic wars. In South Africa, apartheid, the world's most infamous system of ethnic domination, appears to be on the verge of extinction, while a new system of domination has been established in Fiji. Elsewhere, the Czecks and Slovaks have snapped the hyphen which held their fragile federation together, and India seems poised on the brink of catastrophic communal conflict sparked by the rise of Hindu fundamentalism. In Canada, Cyprus, Israel/Palestine and Northern Ireland the principal protagonists are engaged in negotiations about their political futures or in 'negotiations about negotiations'. The times are especially appropriate for examining the ways in which national and ethnic conflicts might be politically regulated. This article develops a taxonomy of the macro-political methods of national and ethnic conflict regulation. We also briefly explain the circumstances under which particular strategies for managing such conflict are attempted; and we evaluate the normative merits of the different forms of conflict regulation from a liberal-democratic perspective.

Eight distinct macro-methods of conflict regulation are distinguishable, to wit: (i) genocide; (ii) forced mass population transfers; (iii) partition and/or secession (self-determination); (iv) integration and/or assimilation; (v) hegemonic control; (vi) arbitration (third-party intervention); (vii) cantonization/federalism; and (viii) consociationalism. This taxonomy suggests neither completeness nor exhaustiveness. Often the eight strategies are mixed and targeted at the same ethnic group(s), or alternatively, different strategies are aimed at different ethnic groups within the same state. Oliver Cromwell offered Irish Catholics a choice between genocide and forced mass population transfer: they could go 'To Hell or Connaught'. Stalin used genocide, forced mass population transfers and coercive assimilation to manage Soviet ethnic conflict. Belgium has practised consociationalism to regulate divisions between its 'spiritual families' and federalism to resolve tensions between its linguistic communities.

Our taxonomy is divisible according to the goals of political agents.

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The first four (genocide, mass population transfers, partition/secession and integration/assimilation) generally aim to eliminate ethnic or national differences, while the last four aim to manage differences (hegemonic control, arbitration, cantonisation/federalism, and consociationalism). It is not, in our opinion, either plausible or desirable to say which of these two approaches is inherently superior. Of the eliminating-differences strategies, there are moral justifications for partition (or secession) and integration (assimilation) which have been advanced by generations of liberals and socialists. However, there is no obvious moral hierarchy which enables people to claim that integration is better than partition or vice versa, unless there is widespread consent among the relevant ethnic communities for one option rather than the other. The merits of partition (or secession) as against integration (or assimilation) must be decided by political argument and pragmatic considerations, such as feasibility and estimates about long-run efficacy. There is nothing moral about genocide or forced mass population transfers, the other difference-eliminating strategies, although 'ethical' arguments have usually accompanied their implementation. Of the managing-differences strategies, only hegemonic control should be morally unacceptable to liberals and democrats (see below). The rest (arbitration, cantonisation/federalism and consociationalism) are fully compatible with democratic norms. Support for them must, however, be tempered by empirical judgements about their feasibility and long-term efficacy.

Eliminating ethnic or national differences

Genocide

Genocide, literally the killing of a race or kind (ginecid), is a controversial term. Article II of the UN Convention on the Prevention and Punishment of the Crime of Genocide defines it as 'acts committed with intent to destroy, in whole or in part, a national, ethnic, racial or religious group as such'; and its sub-clauses include '(a) killing members of the group; (b) causing serious bodily or mental harm to members of the group; (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) imposing measures intended to prevent births within the group; (e) forcibly transferring children of the group to another group'. Much conceptual and moral controversy surround the definition of genocide but for our purposes genocide is the deliberate mass killing of a group (national, ethnic, linguistic or religious) in a territory controlled by the killers.1

Such genocides have been perpetrated throughout history. Native groups throughout the Americas were the victims of genocide at the hands of European colonisers. Genocides were committed by the Nazis and their allies in the 1940s, by the Turks against the Armenians, and within the Communist bloc in Eurasia. Since 1945 there have been genocides perpetrated in Burundi (of Hutu); in Iraq (of the Kurds); in
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FORCED MASS POPULATION TRANSFERS

Forced mass population transfers occur where an ethnic community (or a set of communities) is compelled to leave its home. The Serbian term 'ethnic cleansing' briskly expresses the objective. Forced mass population transfers have been applied to those living in their ancestral homelands, as well as to recently settled immigrants. The targeted communities can be evicted from the state's territory or transferred involuntarily. They can also be shielded internally under the guise of being 'repatriated', as happened under South Africa's so-called 'bantustans' policy.

Forced mass population transfers must be distinguished from three other types of population movement which appear outwardly similar. They are different from agreed 'population exchanges' which accompany partitions (such as those between Greece and Turkey after the end of World War I). The populations involved in 'agreed exchanges' never consider such moves to be voluntary, but their fate can be distinguished from those unilaterally compelled to move. Second, forced population transfers imply premeditated acts of policy and can be distinguished from involuntary movements of refugees which are by-products of wars and civil wars. Third, forced transfers involve the physical expulsion of an ethnic group and can be distinguished from policies which, by creating an inhospitable environment for domiciled groups, result in their disproportionate emigration. The latter policies are associated with hegemonic control which we discuss below. There is also a question of scale involved in mass population transfers, and they should be distinguished from the expulsion of individuals or small groups. However, 'induced' transformations of demographic balances are the functional equivalents of mass population transfers. The deliberate importing of settlers into a territory to dilute the strength of a compact and contiguous community, i.e. settler colonialism, has similar consequences, although it is best seen as a form of hegemonic control.

Planned mass transfers of peoples against their will have been widespread in history. British imperial authorities, and their American counterparts, forced North American natives off their ancestral lands and onto reservations throughout the eighteenth and nineteenth centuries. Stalin routinely shuffled around national and ethnic groups in the Soviet Union in the 1930s and 1940s. Jews were the victims of forced population transfers under the Nazis (and even earlier under the Romans). Several ethnic groups in eastern Europe, including Germans in Poland, Czechoslovakia and the Baltic region, were forced to relocate in the aftermath of the Second World War. In the 1970s, the Turkish Army expelled Greek Cypriots from northern Cyprus and Idi Amin drove the Asian communities from Uganda. In the former Yugoslavia, the republics of Slovenia and Croatia have been scenes of forced popu-
lution transfers. In western Europe, fascist parties want to expel or 'separatists' refugees and 'guest-workers'.

As a policy instrument, forced population transfers may be designed to achieve a variety of ends. Like genocides, they are often advocated as integral components of imperial consolidation strategies. They can be designed to punish rebels and set examples 'pour encourager les autres', as with Cromwell's 'transplantation' strategies in Ireland, or they can form part of a defence policy against an external attack, as with Stalin's movement of the Volga Germans during World War II. Forced popula-

tion transfers which accompany war or civil wars are often designed to establish demographic facts to strengthen territorial claims: consider the expulsion of Greek Cypriots from northern Cyprus in 1974 and the expulsion of Muslims from large chunks of Bosnia in 1992–93. Expulsions of groups may also be motivated by an acquisitive desire for their resources, as in the case of the eviction of Uganda's Asians or North American Indians. Alternatively, immigrant groups and tempor-

ary workers may be expelled during economic recessions when there are not enough jobs to go around. South Africa's 'homelands' policy', by allowing the government to argue that many of the country's large black majority were citizens of other states, was a crude attempt to deflect international criticism of apartheid.

Forced population transfers may displace but do not always terminate national or ethnic conflict. Current outrages in the northern Caucasus can be traced directly to Stalin's displacements of peoples, some of whom have returned to reclaim their homes. One obstacle to a peace settlement in Cyprus is the demand of expelled Greek-Cypriots to have their land back. 'Ethnic cleansing' in Yugoslavia has added to the stockpile of historic grievances which exist there. There are no moral merits to forced mass population transfers. They violate any minimalist conceptions of human rights and any egalitarian political philosophies.

PARTITION & SECESSION (SELF-DETERMINATION)

By contrast with genocide and forced mass population transfers, parti-
tion and/or secession can, in principle, respect the rights of national and ethnic communities to self-determination. Partitions resolve national and ethnic conflict, if they work, by the principle of divorce. They can be executed in three different ways: by the core of the relevant state, e.g. when the United Kingdom in effect decided how much of Ireland would be permitted to secede between 1920 and 1925; by the agreement of the divorcing parties, e.g. the break-up of Czechoslovakia proceeded with the agreement of the Czech and Slovak governments (but without the support of the Hungarians of Slovakia); by external imposition, e.g. the dismemberment of the Ottoman and Austro-

Hungarian empires by the victorious allies after World War I.

Secessionists aspire to independent statehood, as with Slovak, Scots,

Ukrainian, and Quebeccois nationalists, while 'semi-secessionists' aspire to be linked to another state, as with Bosnian Serbs, Northern Irish nationalists, and possibly the Hungarians of Slovakia. Secessions nor-

mally involve the breakaway of minorities, but they can involve the bulk of the state's population as with Russia's secession from the Soviet Union in 1991 (the Yukon option). In the years between 1948 and 1991 only one new state, Bangladesh, was carved out of an existing state, if we exclude the numerous cases of decolonisation of European and US-controlled territories in Asia, Africa and Latin America, and the unrecognized (except by Turkey) secession of the Turkish Republic of Northern Cyprus in 1981. However, since the collapse of Yugoslavia and the Soviet Union secession has become a growth industry, the in-

vogue method of national and ethnic conflict resolution. Czechs and Slovaks joined the bandwagon in early 1993; Eritrea will do so soon. There are multiple secessionist movements around the world, in Europe, Canada, the Commonwealth of Independent States, in Africa, and in central and south Asia.

Many secessions can and are justified as ways of escaping oppression and achieving freedom and self-government. However, the key problem with the principle of self-determination taking the form of secession as a means of eliminating national and ethnic conflict is that it begs four questions: who are the people; what is the relevant territorial unit in which they should exercise self-determination; what constitutes a major-

ity; does secession produce a domino effect in which minorities within seceding territories will seek self-determination for themselves?

In what were Yugoslavia and the Soviet Union these questions, far from being academic, have led to multiple civil wars. There are many other hard cases in seeking to apply the doctrine of self-determination. In Transylvania there are two major populations (Hungarians and Romanians) mixed together in the same region along with other smaller communities. In Quebec, aboriginal Canadians are unwilling to secede from Canada with the Francophone majority. In the Punjab and Kashmir, Hindus vehemently oppose the very idea of secession. In Slovakia, the significant Hungarian minority fears that the break-up of Czechoslovakia will be detrimental to their interests.

The construction of a majority for self-determination begs the ques-
tion of a majority in what region? As Ivor Jennings cynically remarked of the principle of self-determination, on the surface it seems reasonable: let the people decide, it is in fact ridiculous because the people cannot decide until somebody decides who are the people'. Exercising the principle of self-determination is only straightforward where there is no large or disgruntled minority within the relevant region affected by the proposed secession and when the seceding area includes the great majority of those who wish to leave. Unfortunately, it is difficult to think of instances where these optimum conditions have applied. Norway's secession from Sweden, and Iceland's from Denmark were
exemplary cases. So was Slovenia's secession from Yugoslavia. However, the partition of Ireland and India left significant minorities behind in Northern Ireland and Kashmir, and those who celebrated the exercise of self-determination in Yugoslavia and the Soviet Union have tempered their enthusiasm in the light of the ethnic time-bombs left behind.

With the collapse of the global cold war, there is now much greater room for successful secession and the alteration of borders artificially frozen by the strategic interests of the superpowers, as the reunification of Germany suggests. 'Globalisation' and the increasing power of regional supra-state organisations, may also make some state boundaries less inviolate. However, secession remains an option very likely to produce violence, and problems (initially) as bad as the ones it is intended to solve. Whether or not implementing secession is straightforward, the proposal of any community to secede from a state is likely to encourage key elites in the affected states to behave in chauvinistic and warlike ways. Secessionist movements provoke elites satisfied with the existing state into mobilising 'unions' movements against traitors.

It was ironic to watch American commentators warning the Soviet Union during 1989-91 to allow its republics the right to self-determination. Lincoln's heirs had short memories.

What can be said of a general nature about the circumstances under which secession/paritions are likely to be carried out? Three external phenomena matter now and need to be studied closely: the nature of the inter-state system (is it permissive or restrictive?); the aftermath of wars, which often lead to territorial transfers/partitions, often without any consideration of consent; and the dismantling of empires, although this observation is almost tautological.

The important 'internal' phenomena are diverse. People seek full self-determination, in the form of independent statehood, for a variety of reasons. The urge may be motivated by a reaction against ethnic discrimination and humiliation, by the pragmatic expectation that the new nation-state will have greater economic and political freedom, by the desire for power and prestige amongst nationalist elites, or to protect a given culture from extinction. Not much of a very general nature can be successfully claimed about the economic circumstances or motivations of full-scale ethnic secessionist movements. One observer notes that secessions are demanded both by economically advanced groups (e.g. Basques, Catalans, Ibo, Lomwarths, Sikhs, Tamils) and by economically backward communities (e.g. East Bengalis, Kirrens, Kurds, Slovaks); and that the secessionist communities can be located in either backward or advanced regional economies. He claims, however, that backward communities in backward regions are likely to be early rather than late secessionists. Yet even this generalisation, derived from intimate knowledge of African and South Asia, does not withstand the scrutiny of the immediate past. In both the Soviet Union and Yugoslavia, the economically advanced communities in economically advanced regions (in the Baltic states and Slovenia and Croatia) led the secessionist vanguard.

Most importantly, enthusiasm for the principle of self-determination flows from the democratisation of the world. Democratisation means that the people are to rule. The states declares that the people are all those who are resident in a given state or political unit's boundaries (the civic nationalism); the nationalist that they are the nation (the ethnic nationalism). In a few happy cases—e.g. Iceland—these two answers approximately coincide. In most, however, the two definitions of the people do not coincide. In the general case the definition and championing of the people are up for grabs, and the possibility of partition/secession enters into the fabric of any state where ethnic and civic nationalisms may point to different definitions of the nation.

Once democratisation poses the issue of the definition of the people, a clustered set of issues automatically follows. The most important issues are the definition of citizenship, the possession of the franchise, the state's boundaries and the organisational structure of the state. These issues create incentive for political entrepreneurs to build organised interests out of ethnic cleavages, whether at the foundation of the state or afterwards. Politicians in polyethnic states have multiple inducements to play the national or ethnic card, whether it be Churchill playing the Orange card in the UK in the 1880s or Jean-Marie Le Pen playing the Algerian card in France in the 1990s. It does not seem possible to mitigate the democratic process to exclude potentially explosive civic and ethnic issues. They are always there for mobilisation by the oppressed or the opportunist (internal and external) or both. Those who lose out politically under existing state-structures and public policies may always choose to redefine the rules of the game by playing the national or ethnic card in the arena of party politics.

A final reason why national and ethnic questions are potentially explosive and raise the possibility that some people(s) will be tempted to exercise self-determination through secession is simple. National and ethnic questions raise relatively non-tradable issues. Nationality and ethnicity (and those potential building blocks, like language, territorial homelands, and heroic cultures) are not easily bargained over. They create zero-sum conflicts and therefore provide ideal materials for political entrepreneurs interested in creating or dividing political constituencies.

Having suggested reasons why democratisation increases the likelihood that political actors will seek self-determination for their community and thereby destabilise existing multi-national or polyethnic states, we must make two qualifications. First, destabilisation is likely to be contained if the relevant state or region exists in a milieu or other liberal democratic states. Thus far, in the twentieth century, liberal democracies have never gone to war against one another. Second, there are some circumstances under which the destabilising effects of democratisation...
Integration and assimilation are driven by both high-minded and instrumental motives. Liberals and socialists associate ethnic pluralism, what we call strategies for the democratic management of national and ethnic differences, with sectarianism, anti-Semitism, and chauvinist bigotry. Liberal assimilationists often reject "special treatment" for ethnic groups as offensive to the "merit" principle. Canadian integrationists championed a Charter of Rights after 1945 to prevent a repeat of the war-time incrcement of ethnic minorities (Japanese, Italians, and Ukrainians). White liberals in the USA funded court cases promoting black integration. Other liberals in North America sincerely advocate the assimilation of aboriginal minorities as the "best way to end the atrocity conditions on reservations. European socialists struggled to overcome ethnic differences at the turn of the century, because they regarded them as bourgeois devices to impoverish and disorganise the working class. Today, the European left generally espouses the integration of immigrants because it avoids racism and discrimination.

However, sometimes integrationism is not so high-minded: in Northern Ireland those who advocate integration of all as either British or Irish citizens are merely interested in pursuing their own nationalist agenda, while in South Africa some of those who advocate integration are either interested in preserving their economic privileges (whites) or they see it as a way of establishing majority control (blacks). Sometimes, integrationism is not even accompanied by formal generosity—consider white Canadians or white Britons who fail against the idea of Sihbs being allowed to wear their turbans where others would not be permitted to do so. For many integrationists the "merit" principle is a thinly veiled code for maintaining their privileged position under the status quo, and "equal citizenship" becomes a code for advocating "majority rule", including whatever direct or indirect discriminatory practices undermine the status quo and the position of the majority.

The targets of integrationist or assimilationist policies respond in various ways—partly as a function of their perceptions of the motives lying behind the policies. Such policies are often targeted at migrants in liberal democratic states. In Canada, the Anglophone community and, to a lesser extent, the Francophone community in Quebec, have been reasonably successful in assimilating immigrants. They have acquired a Canadian civic identity alongside their original ethnic identities. Similarly, "New Australians" have emerged in the wake of post-war continental European migrations. But these cases of moderately successful integrations of assimilations involved migrations to a "new country", where the migrants, in principle, were willing to adapt their cultures to their new host country and accept a new civic identity.

Where ethnic communities seek more than equal opportunity and insist on autonomy or self-government, integrationist or assimilationist policies fall on stony ground. Communities living in their ancestral
territories, for example, are often less willing than individual migrants to shed their culture or accept some new overarching identity. In Canada, aboriginal Americans resist assimilation and hold out for varying degrees of self-government. They call themselves 'first nations' to stress the moral superiority of their claims to cultural protection. While examples of successful assimilation within and across historic homelands are not unheard of, they are unusual; if one community's language, culture, religion and national myths are given precedence, then the subordinate groups feel they are being ignored rather than assimilated or integrated. In such cases people complain of 'ethnicide', the destruction of their culture as opposed to their physical liquidation. This complaint is the standard one raised by the indigenous peoples of the world. They are right to insist that some forms of integration and assimilation are coercive. Making passage into French people in the nineteenth century, the schooling of black South Africans in Afrikaans, the 'bussification' practised by the Orans and the CPSU, the 'Bulgarianisation' of ethnic Turks, the 'Turkisisation' of ethnic Kurds, the 'Magyarisation' of Hungary's Slovak minority, the 'Polonisation' of Jewish, German and Byelorussian minorities in the 1920s, the periodic attempts at 'Anglicisation' of Frobish Canada in the eighteenth and nineteenth centuries, and the 'Romanisation' implemented by Caracaus in Transylvania, are policies cut from the same cloth. Even arguably more neutral strategies of integration or assimilation encounter significant resistance, as with Nehruvian secularism in India, or Yugoslav and Soviet communism. These efforts to establish transnational or pan-ethnic identities were often seen by minorities as disguised forms of cultural annihilation, although the same policies were frequently rejected by the relevant dominant communities which saw them as detrimental to their Hindi Serbian or Russian cultures. In South Africa, integrationism faces opposition among the white minority, some of whom see it leading inevitably to black majority rule; but it also rejected by many blacks, who see it as a crude device for maintaining white minority privileges.

Those who regard assimilationist or integrationist strategies as benign forms of conflict regulation in contested homelands underestimate the difficulties involved. Optimistic observers of South Africa need to be counselled that it will be some time before representative Africaners and blacks embrace the ANC and the National Party respectively. In the foreseeable future Basques, Croats, Bosniaks, Serbs and Northern Ireland Catholics and Protestants are unlikely to be integrated or assimilated with their ethnic enemies. In fact, resistance to unwanted assimilation or integration is likely to be very high, and can provoke ethnic revivals and secessions in response, as has occurred in Burma, Ghana and Uganda.

For these reasons, amongst others, many liberal democracies which are managing large-scale immigrations, or multiple recently established ethnic communities, have realised that multi-cultural policies make more sense than straightforward integrationist or assimilationist strategies. They are abandoning the spirit of classical liberalism to manage immigrants. In the UK and France, at least in previous generations, liberals had a general bias towards integration or assimilation as macro-political forms of national and ethnic conflict resolution, at least within the metropolitan cores of their empires. However, this strategy seeks to resolve ethnic conflict by eliminating differences when the relevant problem is the desire of members of ethnic communities to maintain their differences. Liberals committed to the right of individuals to choose their own conceptions of the good find it hard to argue against allowing people to choose to preserve their traditions. This difficulty leads to a normative division of opinion between liberal integrationists (who are accused of intolerance) and liberal multi-culturalists (who are accused of surrendering liberalism to a form of relativism which tolerates illiberality, e.g. in the form of Muslim schools). Liberal multi-culturalists now see the benefits of ways of resolving ethnic conflict which rely on managing differences rather than eliminating them.

Political engineers seeking to resolve ethnic conflict also frequently recommend the development of catch-all political parties to break down the silence of ethnic cleavages, i.e. they advocate electoral integration. For example, the absence of Great Britain's political parties in Northern Ireland before 1989 led one enthusiast for electoral integration to make the remarkable claim that the British Conservative was 'the fundamental reason for continuing conflict in the region'. Those persuaded of the merits of engineering electoral integration include the military framers of Nigeria's second constitution, which forced political parties to develop some support in all regions of the state. Such electoral integrationist projects may be well-intentioned ways of regulating conflict, but they are mostly based on wishful thinking. If there are parties which already mobilise across ethnic divisions, then political stability is indeed likely to be greater, but the belief that one can generate parties with such effects through heroic acts of will is fundamentally utopian, especially if the relevant communities have already been mobilised behind different conceptions of nationalism.

Managing ethnic or national differences

HEGEMONIC CONTROL

The most common system of managing as opposed to eliminating conflict in multi-national or polyethnic or bi-ethnic states is that of 'hegemonic control'. Imperial or authoritarian regimes controlled multiple cultures within their territories through co-optive domination and elite co-option. They suppressed latent divisions between ethnic communities which might otherwise have been manifested, especially in conditions of economic modernisation. Control is hegemonic if it makes
India, the demands of Sikhs for an autonomous Punjab partly arise from their fear that Nehruvian tolerance has increasingly given way to Hindu chauvinism, pressuring a move towards control as the preferred Hindu method of governing India.

Some maintain that systems of hegemonic control can be normatively defensible. Ian Lustick maintains, for example, that control is often the only alternative to a continuous war. However, this quasi-Hobbesian reasoning (any state is better than none) is suspect. The options in any given national or ethnic conflict are rarely simply between those of control and continuous war—although there will be plenty of political entrepreneurs seeking to advance precisely this argument. Some of the alternative options we discuss below (federalism/cantonization, arbitration and consociationalism) have some record of success in stabilizing deeply divided societies in ways which are compatible with liberal democratic norms, whereas any system of control is easily convertible into a system for the execution of genocide, ethnocide, forced mass population transfers and other violations of human rights. Furthermore, partitionist or accessionist options are almost invariably more desirable than the imposition of control. If the relevant partition or secession is even moderately well executed, it should ensure that more people can enjoy legitimate self-government than would be the case under a system of control. In any case, under systems of control the subordinated minority will always seek to "internationalise" its plight under the relevant hegemonic group (or party or dictator) and thereby threaten the stability of the relevant regime as well as the international order. Therefore one can use stability-arguments which are the converse of Lustick's. Finally, if a system of control eventually breaks down, its practices will simply have added to the accumulated stock of ethnic grievances. Repression sidelines moderates, bolsters extremists and obstructs prospects for future accommodation, as in the Punjab and Northern Ireland for example. One might also argue in a realist fashion, although the evidence would need careful appraisal, that wars may sort matters out more successfully than exercising hegemonic control and even create incentives for post-war co-operation.

**Arbitration of Third-Party Intervention**

Arbitration of multi-national or polycentric states is the least recognized strategy in the literature on conflict regulation. The neglect may partly be caused by the problem of deciding what exactly is arbitration. The main classification difficulty is whether to treat any conflict regulating activity which is the outcome of third-party intervention as arbitration, or to define the term arbitration to cases where the relevant third-party intervention is characterized by procedural neutrality of some kind. Our preference is for the latter more exclusive usage. Many third-party interventions, as we shall see, are indistinguishably from efforts to establish control of a given region.
Arbitration entails the intervention of a neutral, bipartisan or multi-
partisan authority. It differs from other methods used to stabilise
antagonistic societies because it involves conflict regulation by agents
other than the directly contending parties. The disinterestedness of the
arbiter makes it possible for this person (or institution, or state) to win
the acquiescence, if not the enthusiastic support, of the contending
national or ethnic segments and thereby dampen the violence which
would otherwise occur. Arbitration is distinguishable from mediation
because the arbiter makes the relevant decisions, whereas mediators
merely facilitate them. Thus from 1993 the EC and then the inter-
national community through the offices of Cyrus Vance and Lord Owen
were mediating rather than arbitrating in what was Yugoslavia.

In a system of arbitration the role of the arbiter is portrayed like that
of conciliator presiding over a family quarrel. Arbitrators pursue the
common interests of the rival segments in the relevant society as they
perceive them; regulate the political exchanges between the segments as
umpires (to prevent a further and more dramatic breakdown in state
order); and preside over ethnic elites who have varying incentives to
engage in responsible and co-operative behaviour. Arbitration, in prin-
ciple, can establish the conditions for longer-term democratic conflict
resolution: secessions, partitions, power-sharing or even the peaceful
integration or assimilation of the rival communities. But third-party
interventionists can play the role of self-appointed arbiters and act to
reconstruct the old system of ethnic control—as, for example occurred
when a Russian Czar handed back Hungary to Habsburg control in
1849, or when the British empire handed Northern Ireland to the Ulster
Unionist Party. Alternatively self-appointed arbiters can presage the
creation of a new system of control by handing power to a different
ethnic segment(s). Arbitration of national or ethnic conflicts is of two
broad types: the internal and the external, each of which can be
performed by different kinds of agents.

Internal arbitration can be executed by an individual who is not a
member of the main antagonistic ethnic communities: for example
Julius Nyerere in post-independence Tanzania. It can be fulfilled by
statesmen with the moral authority to transcend their ethnic origins: for
example Mahatma Gandhi in the Indian sub-continent or President Tito
in Yugoslavia. It can also be managed by someone who can claim a
connection with all the major ethnic groups: for example Seka Stevens
in Sierra Leone. Arbitration can also be performed by institutions. In
Canada, the federal government often arbitrates conflicts between
provincial governments and local minorities. The Canadian Supreme
Courts adjudicates disputes between the federal and provincial govern-
ments, as well as among the latter. Imperial centres often arbitrate conflicts in
colonial outposts. One writer attributes increasing national and ethnic
conflict in Canada to its final decolonisation and the removal of the
imperial arbiter. Finally, internal arbitration can be performed by a
political party. One-party states claim to absorb key members of rival
ethnic communities and regulate their rival aspirations. This argument
was advanced by Nkrumah in Ghana in the 1960s and Mugabe in
Zimbabwe in the 1980s. However, it is empirically difficult to dis-
tinguish this (alleged) form of arbitration from hegemonic control. In
a competitive political system, by contrast, internal arbitration can be
performed by a pivotal political party, one jilged to be sufficiently
disinterested by the other contending factions to be able to chair a
cross-ethnic coalition. The Alliance Party has long sought to perform
this function, without success, in Northern Ireland; and the Indian
Congress party has long claimed to be a reasonable arbiter of ethnic
conflicts in India's regions, a claim which has become steadily more
thoroughgoing in the years since Nehru's death.

External arbitration, by contrast, suggests that national or ethnic
conflict cannot be successfully managed within the relevant political
system. It is a potentially useful conflict regulating device during
processes of decolonisation, where an external force still possesses
authority, but less effective when the conflict zone is a strong sovereign
state. External arbitration can be performed by a single external agent
or state, a bipartisan authority, or a multilateral force. Multilateral
arbitration, or cooperative internationalisation, as originally envisaged
for United Nations' peacekeeping (and peacemaking) forces, has been
performed with intermittent success in Cyprus and parts of the Middle
East and Africa. This kind of arbitration is usually a sign that the
relevant conflict is seen as insoluble and as a dangerous threat to the
security of an entire set of states.

Bipartisan arbitration in its fullest form involves two states sharing
sovereignty over a disputed territory, in the form of a condominium.
It can also involve an agreement by a state to consult another
interested state over how that region's government is conducted, and to
give the external government a role as guarantor of an ethnic minority
within the relevant region. One example is the Anglo-Irish Agreement
between the British and Irish governments, signed in 1985. The Italian
and Austrian governments in 1946 came to an agreement over South
Tyrol to safeguard the rights of the German-speaking community,
although it was not fully implemented until the early 1990s. The Finnish
and Swedish governments reached a similar agreement over the Åland
islands. Other bilateral agreements between states over contested
regions and national minorities existed in inter-war Europe.

From a normative perspective, arbitration is less attractive than
accommodation worked out by the protagonists themselves, such as
concession of or agreement integration or assimilation. Certain forms
of external arbitration can be paternalistic, colonial and undemocratic
in nature. However, arbitration is very much preferable to the one-sided
methods of conflict regulation on offer, such as genocide, coercive
assimilation, forced population transfers and hegemonic control; and if
developed constructively, it can be the prelude to an agreed system of conflict regulation. Insufficient intellectual attention has been given to constructive forms of arbitration.

CANTONISATION AND/OR FEDERALISATION

There are two territorial principles of macro-political conflict regulation, cantonisation and federalisation, both of which can be used to manage national and ethnic differences in liberal democratic ways. Cantonisation might more accurately be designated as 'communisation' after the communes which operate beneath the cantons in Switzerland. It might also be considered synonymous with devolution organised on an ethno-territorial basis. However, we prefer the term cantonisation because, unlike communisation or devolution, it is distinctively associated with the regional management of ethnic differences.

Under cantonisation the relevant polyethnic state is subjected to a micro-partition in which political power is devolved to (conceptually very small) political units, each of which enjoys mini-sovereignty. Although it is usual to discuss cantonisation in the context of federalism—as the Swiss paradigm might suggest—the principle of cantonisation is separable, in principle, from formally federal forms of government. Cantonisation is distinguished from mere administrative decentralisation, common in unitary states because it is built upon the recognition of national, ethnic or linguistic difference and allows for asymmetrical relations between different cantons and the central government. The democratic Spanish state, erected after the fall of Franco, which is formally speaking an asymmetrical form of decentralised unitary state, has implemented a relatively successful cantonisation in Catalonia, but not in the Basque country.

Cantonisation often compares favourably as a policy with more full-blooded nationalist options, whether these be integrationist, secessionist or irredentist. Cantonisation is more gradualist in its implications than drastic repatriation of state boundaries because it can permit governments the freedom to reverse any experimental initiatives which go badly wrong. The Canadian government seems to be moving towards limited cantonisation. It recently recognised the 'inherent right' of native peoples to self-government 'within the Canadian federation'.

'Pseudo-cantonisation' is also a possible political strategy, where territorial decentralisation of ethnic conflict is used to facilitate or disguise control, and obviously merits the condemnation of liberals and socialists. For example, the South African government established a number of barren 'homelands' for blacks in an unsuccessful attempt to delegitimise their demands for power at the centre. In Canada, natives have been herded onto often desolate reserves with extremely limited powers of self-government.

Overlapping cantonisation and federalism there exists a grey area of territorial management of ethnic differences which is often found in connection with external arbitration. International agreements between states can entrench the territorial autonomy of certain ethnic communities, even though the 'host state' does not generally organise itself along either cantonist or federalist principles. For example, the agreement referred to above between Italy and Austria guarantees the autonomy of South Tyrol, and the agreement between Finland and Sweden guarantees the autonomy of the Aland islands.

Federalism is similar but not coterminous with cantonisation as a device for regulating polyethnic states. In a federation the states, or provinces are usually much larger than cantons, and usually enjoy identical powers. Furthermore, federal constitutions entrench divisions of power between the central and provincial governments. Federalists maintain that if the boundaries between the components of the federation match the boundaries between the relevant ethnic, religious or linguistic communities, i.e. if there is a 'federal society', then federalism can be an effective conflict-regulating device. In the cases of Belgium, Canada and Switzerland, the success of federalism in conflict regulation, such as it is, is based upon the historic accident that the relevant ethnic communities are reasonably geographically segregated. Federalism is less successful for communities which, because of their geographical dispersal or paucity of numbers, cannot control federal units, as with Quebec Anglophones, Francophones outside Quebec, Flemish-speakers in Wallonia, Francophones in Flanders, blacks in the USA and indigenous peoples in Australia and North America. One reason why federalism proved totally insufficient as a conflict regulating device in Yugoslavia was because there was insufficient geographical clustering of the relevant ethnic communities.

Geographically clustered ethnic communities chose multi-ethnic federations for a variety of reasons. They have often evolved out of multi-ethnic colonies, where secession might have provoked conflict with those who wanted to keep the polity united. Even if a history of common colonial government did not promote any overarching cultural loyalties, it sometimes created elites (soldiers, bureaucrats and capitalists) with an interest in sustaining the existing regime's territory. Moreover, federal states can often be sold economically—they promise a larger internal market, a single currency, economies of scale, reductions in transaction costs and fiscal equalisation. Federal states can also be marketed as geopolitically wise, offering greater security than small states. Finally, the personal philosophies of federation-builders matter: the MacDonald–Carrier alliance and Nehru's leadership were critical in establishing and sustaining the Canadian and Indian federations.

Unfortunately, federalism has a poor track record as a conflict-regulating device in multi-national and polyethnic states, even where it allows a degree of minority self-government. Democratic federations have broken down throughout Asia and Africa, with the possible exception of India—whose survival is partly accounted for by the
degree of central control possible in its quasi-federal system. Federal failures have occurred because minorities continue to be outnumbered at the federal level of government. The resulting frustrations, combined with an already defined boundary and the significant institutional resources—flowing from control of their own province or state, provide considerable incentives to attempt secession, which in turn can invite harsh responses from the rest of the federation: the disintegration of the Nigerian and American federations were halted only through millions of deaths, although the break-up of the Czechoslovak federation has been peaceful so far. As the ingenious federal engineering of the Nigerian second republic was done before a military coup the jury is still out on the success or otherwise of democratic federalism in resolving Nigeria’s ethnic dilemmas. Indeed, the most successful post-colonial federation faces secessionist movements in Kashmir and Punjab, and Canada is perennially threatened with the secession of Quebec (although this, like Godot, never comes). Even the sham federations of the Sowar Union and Yugoslavia provided various ethnic movements with the resources to launch successful secessions during 1991–2. Integrationist nation-builders in Africa have distrusted federalism precisely for this reason. Federations have been especially fragile in bin-ethnic societies, as the partition of Czechoslovakia underlines. With the possible exception of Belgium, there is not a single case of successful federalism based upon dyadic or two-unit structures. Even the Belgian federation technically has four sub-units, even if it is built around a dualist ethnic division, and the EC has helped sustain the unity of Belgium. Even relatively successful multi-ethnic federations appear to be in permanent constitutional crises. Not only do the division of powers need to be constantly renegotiated as a result of technological advances, economic transformations and judicial interventions, but supplemental consociational practices are often required at the federal and sub-central levels of government to maintain stability.

However, despite the difficulties associated with it, genuine democratic federalism is clearly an attractive way to regulate national and ethnic conflict, with obvious moral advantages over pure control. The argument that it should be condemned because it leads to secession and civil war can be sustained only in three circumstances: first, if without federalism there would be no secessionist bid and, second, if it can be shown that national or ethnic conflict can be judicious and consensually managed by alternative democratic means; and third, if the secessionist unit is likely to exercise hegemonic control (or worse) of its indigenous minorities.

CONSOCIATIONAL POWER-SHARING

Political relationships can be organized between ethnic communities to prevent conflict according to power-sharing or consociational principles. These principles can operate at the level of an entire state, or within a region of a state characterized by ethnic conflicts; they are relevant to both central and local governments. Consociational systems operated in the Netherlands from 1917 through until the 1960s, in Lebanon between 1943 and 1975, and in Canada from the 1840s to the 1860s. Malaysian politicians experimented with consociationalism between 1954 and 1969, Fiji was on and off between 1970 and 1977, and Northern Irish politicians for a brief spell in 1974.

Consociational democracies usually have four features: a grand coalition government which incorporates the political parties representing the main segments of the divided society; proportionality rules which apply throughout the public sector; communitarian autonomy which allows self-government in those domains of most profound concern to ethnic communities; and minority veto rights on constitutional change. Consociational principles are based upon the acceptance of national and ethnic pluralism. They aim to secure the rights and identities of all communities, and to create political and other social institutions which enable them to enjoy the benefits of equality without forced assimilation. In some zones of conflict the relevant populations effectively have the choice of creating consociational democratic institutions or having no meaningful democratic institutions at all.

Not all consociational experiments prove successful, as the cases of Cyprus and Northern Ireland indicate, but some of them have been. The best normative case for consociational arrangements is that they involve the self-government of the relevant communities, and that they are better than the alternatives: majority-domination, bloody partition, secessionist warfare or the unthinkable options of forced population transfers and genocide. However, consociational conflict-regulation is easily destabilized. To work, consociational systems require at least three fundamental supports. First, the rival communities must not be unreconciledly committed to immediate or medium-term integration or assimilation of others into their nation or to the creation of their own nation-state. Nationality conflicts appear to have an irreducibly secessionist character because most nation-states are wedded to the dogma of indivisible sovereignty. In consociations, the task of preventing ethnic communities from developing full-scale and exclusive national consciousness requires political elites either to downplay the state’s national identity in a way which the pressures to do the opposite are very powerful, or to develop an artificial and transcendent national identity, which may prove very difficult. Second, successive generations of political leaders must be motivated to engage in conflict regulation and sustain the consociational system. The leaders of the rival ethnic communities must fear the consequences of protracted ethnic war and desire to preserve the economic and political stability of their regions. Third, the political leaders of the relevant ethnic communities must enjoy political autonomy, so that they can make compromises without being accused of treachery; and they can only enjoy such autonomy
where there is not extensive intra-ethnic competition as to who best represents the interests of the community. This condition is most exactly as the dangerous phenomenon of 'outflanking', whereby moderates are outbid by ethnic or national extremists, is least in all ethnically-divided societies.

These are demanding requirements. If they are not present, as in the Lebanon, Northern Ireland, Malaysia, Cyprus and Fiji, then consociational experiments break down. An even more depressing conclusion is that consociationalism may only be practicable in moderately rather than deeply divided societies. This conclusion is not appealing for enthusiasts of consociationalism in Burundi, Fiji, Northern Ireland, Malaysia, Lebanon and South Africa.

We cannot explore here the full range of variations which can be detected within each of our eight categories, and have only discussed a small sample of how these methods have been employed in practice. We have also not considered micro-scale policies for regulating national and ethnic conflict, such as specific electoral systems, programmes of affirmative action, anti-discrimination law or community-relations initiatives. These tasks require a book-length study, on which we are presently engaged. However, we hope this article provides a useful classification which enables readers to make sense of the multiplicity of ways in which national and ethnic conflicts are being—or might be—regulated on a macro-scale. It should assist students to think through the feasibility of various proposals currently being considered, or implemented, to resolve conflicts in various parts of the world. Our argument is aimed at promoting debate about the morality of certain projects, especially the facile assumption that integration (or assimilation) is the only democratically and politically correct strategy when confronted with national and ethnic conflict, and stimulating research on explanations of when given strategies are likely to succeed. In any case, national and ethnic conflict regulation is much too important to be left to nationalist or ethnic paritisans.1

1 Conceptual disagreement on genocide revolves around six issues: (1) Do deaths amount to whether the UN definition is not in those cases? Sub clause (b) of Article II refers to "...massacre;..." which enables too many armed communities to claim that they are the 'centres of genocide', which arguably occurs without any direct action from an enemy government. Should, for instance, the Fulani claim to tell about the massacre of the Tutsi-Twa? There have been too many instances of a mixture of genocide? (2) Some argue that the UN definition is too exclusive because it does not include the killing of persons for their real or alleged sexual class position. They think 'genocide' should cover all large-scale planned sterilization of any group. While we are concerned with the killing of national or ethnic as opposed to political and religious groups, in total destruction should be made between these killings. All of them should be considered genocide in conventional law. However, we accept the statistical ratio of demographically unbalanced killing of a national or ethnic group or religious community from genocide (mass killings of people for their political beliefs). (3) Some believe that the UN definition of genocide should also explicitly exclude the destruction of a community's culture. Clearly, where mass killings on sex, religion, ethnic, or religious or national criteria lead to the destruction of a community's culture then the latter is a consequence of genocide, but it is another matter to define the direct or indirect destruction of a culture as genocide. We do not think genocide should be confined exclusively to an exogenous Tamilian aggression, to include 'cultural genocide'. (4) The History and Sociology of Genocide, Yale University Press, 1960, p. 10. The destruction of a culture while the state remaining non-committed is best considered in a case of genocide, and discussed as elsewhere. (5) There are some different assumptions about national, ethnic, racial and religious killings are not of the same kind, where there may be obvious differences in motivation and consequences, but the term national, ethnic, racial and religious killings would not be very clear. (6) Many social philosophers argue that killing of civilians by state bombardment should be considered genocide. It is in such a case to whether there are meaningful differences between the killing of civilians during armed bombardment and air transmission of genocide. Bombardment of civilians is thoroughly reprehensible, but the intention behind it is usually limited to weakening the enemy's will to fight and securing a conflict rather than destroying a population. Foreign populations, living in states which do not exist, are also usually capable of offering some substantial defence which differentiates them from those subjected to terminal control by enemy agents. In the latter case, the Witosy are relatively unprepared, the enemy cannot be considered as, in other words, as having taken time to it has already been won, and it is such killings which are properly described as genocide. (7) Finally, genocide is a serious act and should not, in our opinion, be described as 'non-genocidal killing', what Dinstein calls 'funeral genocide', as the accidental deaths which probably have the introduction of foreign genocides—see P. Chik and R. Zierressen, op. cit., p. 14. However, some mass deaths are the historically indissoluble consequence of deliberate acts (as when eliminating the local morale leads to large-scale killing), these actions may be properly specified as genocide.2


5 The war in which our concept competition and accommodation is not the same as that found in the related references. For example, for Brenton, and Ray Torre, in whose unusual careful collection, age/generation of a's slow progress and accommodation as a linear analogy by the various governments to make more-centralized communities an immediate part of the national culture (National and Provincial in the Former Independent States, Cambridge University Press, 1985, p. 11). This conflict in many ways is the more accurate in which to have expected our analysis of social is now equal being equal, integration is a not more tractable than assumptions, as such we would expect that assumptions will gradually take longer than integration. For example, for the foreseeable future the integration of people even in European Union is far more likely than that of its members.


8 For example with W. Koonce, Lebanon, Community and Culture, Oxford University Press, 1991.

9 H. Ruben, Ethnocentric Groups, The World Society Press, 1987, p. 473. This phrase should be recast with the formula: 'is characteristic of the era of constitutionalism. Some leaders of the ANC believe that the South African government is given the former under the guise of obeying them the latter.'


13 We have argued that demographically unbalanced killing is the most feasible and durable way of regulating conflict and should therefore be regarded as nationalism. Singh, op. cit., pp. 220-41.
